



Drug and Alcohol Screening and Education Policy

Section: 3

Policy: 3.6

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POLICY STATEMENT:

This policy establishes the School of Medicine & Health Science's (SMHS) guidelines for students regarding drug and alcohol testing procedures, consequences of a positive drug or alcohol test, and options for drug and alcohol education.

REASON FOR THE POLICY:

The School of Medicine & Health Sciences complies with and supports the North Dakota State Board of Higher Education policy governing alcohol use on campus, the [Drug Free Workplace Act of 1988](#), Public law 100-690 and the [Drug-Free Schools and Communities Act Amendments of 1989](#), Public Law 101-226, and [2 CFR § 182.215](#). This policy is to inform students within the SMHS regarding the dangers and the consequences of substance abuse. This policy also has a substance abuse deterrence and detection function by screening covered students for use of prohibited drugs. Drugs prohibited by the SMHS include those banned by federal, state of North Dakota, and local governments, as well as institution policy. These drugs include illegal, prescription, over-the-counter, experimental, recreational, or other drugs that have a significant effect upon an individual's judgment.

SCOPE of POLICY

√Deans, Directors, and Department Heads

√Faculty

√Managers and Supervisors

√Staff

√Students

Others:

WEB SITE REFERENCES

Policy Office: <http://www.med.und.edu/policies/index.cfm>

Responsible Office: <https://med.und.edu/student-affairs-admissions/index.html>

Websites: UND Alcohol and Drug Policy <https://und.policystat.com/policy/8103847/latest/>

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DEFINITIONS

Controlled Substance	A drug which has been declared by federal or state law to be illegal for sale or use but may be dispensed under a physician's prescription.
Drug	A substance recognized in NDCC Chapter 19-03.1 as amended or 20 USC sec. 321 et seq., as amended, as a drug in the official United States Pharmacopeia, National Formulary, or Homeopathic Pharmacopeia of the United States, or any supplement to any of them; a substance intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in individuals or animals; a substance intended to affect the structure or any function of the body of individuals or animals; and a substance intended for use as a component of any article noted above. See also Controlled Substance.
Experimental Drug	A substance that has been tested in the laboratory and has been approved by the U.S. Food and Drug Administration (FDA) for testing in people.
Illegal Use of Drugs and Other Substances	The use of drugs, the possession or distribution of which is unlawful under the Controlled Substances Act [21 U.S.C. § 801 et seq. as amended] and/or NDCC. Such term does not include the use of a drug taken under supervision by a licensed health care professional, or other uses authorized by the Controlled Substances Act or other provisions of federal or state law.

Illegal Drug	A controlled substance as identified in the Controlled Substances Act [21 U.S.C. §801 et seq. as amended] but does not include a substance that is legally possessed or used under the supervision of a licensed healthcare professional, except medical marijuana, or that is legally possessed or used under any other authority under that Act or under any other provision of federal law. Medical marijuana permitted by NDCC 19-24 is still considered a controlled substance and is a violation of federal law.
Impairment	The state of being under the influence of alcohol and/or legal (including prescription medication) or illegal drugs, if such influence adversely affects the individual's work or academic performance, the safety of the individual or others, or creates an unnecessary risk for the University.
Medical Review Officer	A person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test results.
Over-the-Counter Drug	A drug which can be purchased without a prescription from a medical provider
Prescription Drug	A drug as defined in the Federal Food, Drug, and Cosmetic Act and under which definition its label is required to bear the statement, "Caution: Federal law prohibits dispensing without prescription" or "Rx Only."
Recreational Drug	A drug (such as cocaine, marijuana, or methamphetamine) used without medical justification for its psychoactive effects often in the belief that occasional use of such a substance is not habit-forming or addictive.
SMHS	School of Medicine and Health Sciences
Student	Any student enrolled in Medicine, Health Sciences, Indigenous Health, Clinical or Translational Program, or Biomedical Sciences within the SMHS
Substance Abuse	The illegal use or abuse of drugs, including substances listed in schedules I through V of the Controlled Substances Act [21 U.S.C. § 801 et seq. as amended]; the abuse of inhalants; or the use of alcohol, tobacco, or other related product as such use is prohibited by federal, state, or local law.
UCC	University Counseling Center

RELATED INFORMATION

UND Code of Student Life	https://und.edu/student-life/code-of-student-life.html
North Dakota State Board of Higher Education Drug and Alcohol Policy	https://www.govinfo.gov/content/pkg/USCODE-2009-title41/pdf/USCODE-2009-title41-chap10.pdf

	https://www.govinfo.gov/content/pkg/STATUTE-103/pdf/STATUTE-103-Pg1928.pdf https://www.govinfo.gov/content/pkg/CFR-2013-title2-vol1/pdf/CFR-2013-title2-vol1-sec182-215.pdf
North Dakota University System Drug Policy (NDUS)	https://ndus.edu/student-services-overview/student-safety/
UND Code of Student Life	https://und.edu/student-life/code-of-student-life.html
Alcohol eCHECKUP TO GO at University of North Dakota	https://echeckup.sdsu.edu/usa/alc/coll/und/#/

CONTACTS

General questions about this policy can be answered by your department’s administrative office. Specific questions should be directed to the following:

Subject Contact Telephone/FAX Office/Dept

Policy clarification Student Affairs 777.4221/777.4942

Policy format Dean’s Office 777.2514/777.3527 judy.solberg@und.edu

EDUCATIONAL RESOURCES

The University of North Dakota is committed to educating and assisting students with illegal and inappropriate drug and alcohol issues. The UND [Wellness Center](#) programs and the [University Counseling Center \(UCC\)](#) Substance Use Services are intended to increase awareness of issues related to substance abuse and other issues impacting the health, well-being and academic success of students. The UCC functions to assist students by anticipating and intervening in situations where substance use/abuse may negatively influence student performance in the University and surrounding community. Individual and group counseling, alcohol use assessment, referral for further evaluation and treatment, and educational programming are important components of this service. Students who are concerned about their own alcohol or drug use and/or about that of others are encouraged to contact the UCC. When appropriate, students may be referred to off-campus medical providers. More information regarding these services may be obtained by calling the UCC at (701) 777-2127 or visiting the [UCC website](#).

SCHOOL OF MEDICINE & HEALTH SCIENCES POLICY

The SMHS and UND prohibit the unlawful or unauthorized manufacture, distribution, dispensation, possession, use, or sale of alcoholic beverages, controlled substances, and illegal drugs on campus. The impairment of any student by alcohol or drugs while participating in an academic function, or as an employee when reporting for work or engaging in work during normal work hours or other times when required to be at work – is also prohibited. UND students are required to abide by all federal and state laws, local ordinances, State Board of Higher Education policies, the UND Code of Student Life, and other related requirements regarding the consumption or possession of alcoholic beverages, controlled substances, and illegal drugs.

The goal of the SMHS is to provide a safe environment for students, employees, and patients. To achieve this goal, this policy's primary objective is to promote safe operations and healthy lifestyles through education and deterrence, benefitting those directly involved with UND SMHS, as well as the general public. This policy is to also serve as a resource for faculty to follow if suspected illegal or inappropriate drug use were to happen during any portion of the education of SMHS students. All students actively involved in an educational program within the SMHS are required to comply with the provisions of this drug screening policy.

The students of the SMHS are subject to the rules of this policy as well as conditions of their admission or matriculation in the educational program. Students also are subject to the UND alcohol and drug policy.

The SMHS reserves the right to contact proper law enforcement officials and/or state licensing/certifying boards regarding any matter subject to this policy. Violation of this policy may result in disciplinary action, up to and including dismissal from the academic program.

PROCEDURES

Drug Testing Guidance for Clinical Faculty

Clinical Faculty or institutions that are providing clinical education to the students of the SMHS (hereafter known as faculty/faculty members) may encounter a situation when illegal or inappropriate drug use is suspected, they have a student test positive to drug screening, or they have their own facility drug screening and education policy. The clinical education facility should:

- Inform the students that they may be required to undergo a drug test prior to placement at the facility. The student may be responsible for the cost of any pre-placement drug test.
- Inform the students that they may be required to undergo a drug test pursuant to the facility's policies and practices during the course of the clinical experience/fieldwork. The cost of any drug test during the clinical experience/fieldwork will be paid by the academic program if it is not paid by the facility.
- If students participating in clinical education are required by the facility to undergo a drug test, the facility shall provide the SMHS with notice and explanation of any positive or unacceptable drug test results. If students are required by the facility to undergo a drug test, the academic program shall obtain advance authorization from students permitting the facility to notify and explain to SMHS any positive or unacceptable drug test result.

Categories of Testing

The SMHS has identified the following situations where drug testing could occur. Although this list is not totally inclusive, students of the SMHS may be subject to the following categories of

testing:

- Random – SMHS reserves the right to randomly test for drugs and alcohol. Randomization may include all students within the SMHS or within a single educational program. The randomization process will be completed by a collection agency after being given the names of all the students in the SMHS or within a single educational program. The student must produce a specimen within two (2) hours from the time they are notified of a randomized test.
- Reasonable suspicion – students may be required to undergo testing when reasonable suspicion is present. Reasonable suspicion includes, but is not limited to, the following:
 - a) displaying violent or unusual confrontational, argumentative or other unusual behavior customarily associated with alcohol or drug use (e.g., glassy eyes, slurred speech, delayed verbal or motor responses, shakes or tremors);
 - b) showing major personality change;
 - c) academic performance has substantially deteriorated;
 - d) excessive or patterned absenteeism or tardiness;
 - e) frequent performance errors;
 - f) disconnected speech
- Post-accident or incident, including clinic or academic settings, that resulted in injury to themselves, another student, or a patient
- Pre-clinical placement
- During clinical rotations
- Returning to clinical rotation or educational program after a leave of absence
- Component of a required Professional Health Program (PHP).

In addition, clinical affiliates of the SMHS may have their own institutional drug screening or testing policies to which SMHS students are subject.

Testing protocol

Notification to the student for testing will be the responsibility of the SMHS administration, faculty (clinical or full-time), or academic staff. Notification will be done in writing using the SMHS drug screening notification form. The basic test to be used for drug screening is urinalysis. Alcohol testing will be done by Breathalyzer. Other types of tests may be utilized to determine the presence of banned substances. Collection of the samples will be done under the direction of the vendor chosen by the SMHS. Direct observation of sample donation will be used for the collection process. A person of the same gender as reported by the student will perform the observation. A split specimen (samples A&B) will be collected in two separate vials. If any sample is deemed not acceptable to the collection agency, additional samples with direct observation will be collected. Specimen vial A will be used for testing while the second specimen vial B will be retained for analysis if there are problems with sample A or if sample A is positive. Samples will be maintained and stored according to the vendor's chain of custody protocols, which shall also govern transportation to and from a Substance Abuse and Mental Health Services Administration (SAMHSA) certified laboratory selected by the vendor. The appropriate drug screen(s) panels will be determined by the certified vendors.

Positive results

All drug screens will be verified by a Medical Review Officer (MRO) per procedures of the vendor. The MRO will communicate with the student when receiving a positive test. The MRO will then seek clarification of the resulting positive test. It is the responsibility of the student to supply the MRO with requested documentation or other information. Positive drug screening results are confidential, except that results will be reported to the SMHS administration and program director of the student's academic program.

A positive drug screen will result in disciplinary action that could include, but is not limited to:

- Removal from patient care or access to patients;
- Development of a written remediation plan to address academic, professional, and personal issues of a positive test;
- Mandatory substance abuse evaluation and proper follow up with a substance abuse counselor or qualified health care provider agreed upon by the education program and the student involved. The substance abuse counselor and/or qualified health care provider shall determine the length and manner of counseling. This evaluation will be the fiscal responsibility of the student. The student will be allowed to return to the academic program only after documentation of the student's ability to return by the substance abuse counselor;
- Follow up screening tests after a positive result as determined by the program director or faculty of SMHS;
- Dismissal from the educational program.

If the initial screening result is positive, a secondary laboratory test from sample B may be requested by the student to confirm the results of the first test and can be included as part of the appeal process. This secondary test will be done at a different laboratory than the first and testing of the second sample will be at the expense of the student.

Failure to report for a random drug screen

If a student fails to report for a drug and alcohol screening test within 2 hours of written notification, this will be considered a positive drug test and the student will be subject to discipline up to and including dismissal from the academic program.

Appeal of a positive drug screen

Students have the right to appeal a positive drug test. Students who test positive on a drug screen will have ten (10) calendar days following the day on which the student is notified of the positive confirmatory test result to submit information in writing to explain the test results. The appeal will then be reviewed by the program director/faculty of the academic program and the student will be notified within 10 calendar days of the decision in writing. If the student does not agree with the decision of the program director/faculty¹ of the academic program, the appeals

process would then proceed to the SMHS Grievance and Appeals Policy. Appeals to a positive screen should be addressed to:

Associate Dean
 Office of Student Affairs and Admissions
 UND School of Medicine and Health Sciences
 1301 N. Columbia Road, Stop 9037
 Grand Forks, ND 58202-9037
 Tel. (701) 777-4214

RESPONSIBILITIES

Office of Student Affairs and Admissions	Review appeal and act accordingly
Chief of Staff in consultation with the Senior Associate Dean for Education, Medical Accreditation, and Faculty Affairs	Constitute the SMHS Advisory Committee on Student Appeals, appoint chair, rule on positive drug test, and retain records
SMHS Grievance Committee	Conduct the hearing and create the final report
Student	Student will have 10 calendar days following the day on which the student is notified of the positive confirmatory test result to submit information in writing to explain the test results. If the student does not agree with the decision of the program director/faculty of the academic program, the appeals process would then proceed to the SMHS Grievance and Appeals Policy.

FORMS
Student Notification Form

SMHS Drug and Alcohol Screening Procedures

Reasonable suspicion

One category of drug testing is commonly referred to as “reasonable suspicion testing.” Reasonable suspicion testing should be considered when a faculty member has a reasonable belief that, subsequent to a specific incident or a series of incidents, a student is or might be using a prohibited drug based on specific physical, behavioral, or performance indicators of probable illegal or inappropriate drug use. If a faculty member or members are considering utilizing a drug screen based on reasonable suspicion, they should contact the program director/chair or SMHS representative responsible for the clinical education of the suspected student. The contact information for those individuals is listed at the end of this policy.

Factors to Consider

In making a determination of reasonable suspicion, factors that faculty or administrators should consider include:

- Are there physical signs and symptoms of illegal or inappropriate substance use and/or abuse? Examples of observable signs and symptoms may include, but are not limited to: displaying violent or unusual confrontational, argumentative or other unusual behavior customarily associated with alcohol or drug use (e.g., glassy eyes, slurred speech, delayed verbal or motor responses, shakes or tremors); showing major personality change; substantial deterioration in academic performance; excessive or patterned absenteeism or tardiness; frequent performance errors or disconnected speech.
- Is there evidence of banned and/or illegal substance use, possession, sale, or delivery?
- What is the nature and degree of the evidence of wrongdoing?
- When a serious or potentially serious accident or injury has occurred, what was the likely cause of the accident/injury? Is it possible that illegal or inappropriate drug use was a factor in the accident/injury?
- Might there be reasons or alternative explanations for uncharacteristic behavior, for a sudden behavioral change, or for a downward trend in a student’s level of academic or professional performance?

Seek a second opinion

A decision maker should consider consulting with a second faculty member, staff, or employee of the University or clinical site and ask them to review the facts of a situation in order to concur with, or to further question a decision to test a student for the presence of illegal or inappropriate drug use.

Notification and Opportunity to Acknowledge, Deny, or Explain the Behavior

If a student appears to be impaired from drugs or alcohol, a faculty member should not touch the student, unless contact is necessary to protect the faculty member or the student. If safety concerns are present, the faculty member should contact University Police at (701) 777-3491 (or local police department for off-campus incidents) for assistance. If possible, the student should not be left alone unless the faculty member feels threatened. The faculty member should not allow the student to continue to attend the educational opportunity for the remainder of the day or to drive him or herself home. The faculty will ask

the student if they have been drinking alcohol or taking any drugs and document the student's answer. When a student is suspected of illegal or inappropriate drug use, the individual should be informed that the SMHS has reasonable cause to believe that a prohibited substance is being used and is likely affecting the student's academic and/or professional performance. The concerns regarding the reasonable suspicion should be documented and presented to the student at the time of the request to be screened.

Upon notification, the suspected student might respond by denying the alleged behavior, by acknowledging the wrongful behavior, or by providing a persuasive explanation for the behavior.

Proceed to Test

Following a meeting with the suspected student, if a faculty member continues to have a reasonable belief that illegal or inappropriate drug use is likely a factor in the student's behavior, then the faculty member should proceed to request that the student undergo a drug test immediately if possible but in any event within the next two hours. If the student is participating in clinical rotations, the clinical faculty member should refer to their facility's policies and procedures regarding reasonable suspicion and notify the appropriate SMHS administrator (i.e. Program Director, Associate Dean for Student Affairs, etc.) of the results. Faculty members on the campus of SMHS should carry out the policies and procedures of the SMHS Drug screening policy. Appointments for the drug or alcohol screen should be made with Global Safety Network at (701) 792-9808 or whatever vendor UND is using at the time of the incident and a notification form should be immediately filled out and given to the student.

The faculty should explain that the request to provide a sample for drug or alcohol testing is not a final determination of wrongdoing by the student; rather it is done for the purpose of obtaining additional, objective data that will receive further consideration pursuant to SMHS drug screening policy. Upon request of a reasonable suspicion screen, the student should not be allowed to drive themselves to the testing site.

Training

SMHS faculty and administration should be trained to identify drug-affected students who may pose a danger to themselves and/or others. In addition, administrators and faculty should be trained on factors that should guide them in making a determination of reasonable suspicion. Training is available online through the Vector Solutions "Drug Free Workplace" module.

Random drug and alcohol screening

Randomized drug screening can be done within the SMHS educational programs. Prior to the randomization process, the academic program should communicate with the collection agency to verify location, time, number of selected students, and other pertinent information about the collection process.

The randomization process begins with the academic program giving the collection agency a roster of individuals to be included in the random selection. Each name included in the roster should be accompanied by a unique identification number (Ex. 1022, MLS55, MED227). This number may be made up by the academic home or the collection agency. The randomized drawing of selected students will then be completed by the collection agency. Students selected to be screened will be notified by the Program Director/Faculty member within the academic program. Proper notification paperwork should be filled out at this time.

Department Contact Information

- **Medicine**
Jim Porter, Ph.D.
Associate Dean; Student Affairs and
Admissions (701) 777- 4221
james.porter@und.edu
- **Occupational Therapy**
Cherie Graves, Ph.D. (Fieldwork)
Asst Professor; OT
(701) 777-6086
cherie.graves@und.edu
Sarah Nielsen, Ph.D., Professor
and Chair
(701) 777-20157
sarah.nielsen@und.edu
- **Physical Therapy**
Steve Halcrow, PT (Clinical)
Professor & Directors Clinical Education; PT
Steve: (701) 777-3857
Emily: (701) 777-3673
steven.halcrow@und.edu
Cindy Flom-Meland, PT, PhD
(Campus)
Professor and Chair; PT
(701) 777-4130
cynthia.flom.meland@und.edu
- **Medical Laboratory Science**
Karen Peterson, M.S.
Asst Professor & Clinical Educ Coordinator; MLS
(701) 777-2656
karen.peterson@und.edu
Brooke Solberg, Ph.D., MS(ASCP)
Assoc Professor and Chair, MLS
(701) 777-2245
brooke.solberg@und.edu
- **Master of Public Health**
Gary Schwartz, Ph.D., M.P.H.,
Ph.D. Professor and Chair
Population Health
701-777-6598
gary.schwartz@und.edu
- **Physician Assistant**
Jeanie McHugo, Ph.D., PA-C
Assoc Professor and Chair;
Department of Physician Assistant Studies (701)
777- 2344
jeanie.mchugo@und.edu
- **Athletic Training**
Steven Westereng, Ph.D., ATC
Asst Professor and Chair
Department of Sports Medicine
(701) 777-3886
steven.westereng@und.edu

**UND SMHS Drug & Alcohol Screening Policy
Student Notification Form**

Student: _____ Program: _____

Notification Date: _____ Time of Notification: _____ am/pm

Student notified: _____ in person _____ direct phone contact

Institutional Representative:

I certify the above student has been notified of their selection for SMHS alcohol and/or drug testing and informed that failure to sign the notification form or failure to appear for testing within two hours will be treated as if there was a positive result as defined in UND School of Medicine and Health Sciences drug & alcohol screening policy.

Institutional Representative Signature: _____

I, The Undersigned:

- Acknowledge being notified (either in person or by direct telephone contact) to appear for SMHS drug and/or alcohol testing and have been notified to report to the testing station with **picture identification** at:

_____, on _____ at _____ am/pm
(location) (date) (time)

- I will be prepared to provide an adequate specimen that is acceptable to the testing agency. This may include but not limited to: temperature, pH, quantity, specific gravity, etc. I understand that providing numerous diluted specimens will be cause for follow-up testing.
- I understand failure to appear at the site on or before the designated time may constitute a positive result on the screening test and disciplinary actions will follow the SMHS drug & alcohol screening and education policy.

By signing, I have been notified of my selection for SMHS drug and/or alcohol testing, and I am aware of the expectations of me in preparation for this testing event.

Student's Signature: _____

I can be reached at the following telephone number on test day: _____

Comments: _____
