

Universidad Metropolitana



Biennial Report  
Academic Year 2016- 2018

Prepared by: Associate Vice-Chancellorship for Quality of Life and Student Well-being

*Document translated from the source text in Spanish to the target language English. In the event of any inconsistency or ambiguity in relation to the meaning of any word or phrase in the English translation, the Spanish text shall prevail.*

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## Executive Summary

Universidad Metropolitana prepares the *Biennial Report* to demonstrate compliance with the "Drug-Free Schools and Campuses Regulations [Edgar Part 86]. All institutions of higher education are required to implement a program to prevent the illegal possession, use or distribution of illicit drugs and alcohol among students and employees; as a condition of receiving funds and any other financial assistance under any program.

This document covers the academic years 2016 to 2018, was prepared by the Associate Vice-Chancellorship for Quality of Life and Student Well-being and is available from the Office of the Provost, the Vice-Chancellorship for Student Affairs and the Associate Vice-Chancellorship for Quality of Life and Student Well-being.

We reiterate our commitment for the Universidad Metropolitana to maintain a healthy study and work environment.

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## **Policy for a Drug, Alcohol and Tobacco-Free Community and Work Environment**

The Policy for a Drug, Alcohol and Tobacco-Free Community and Work Environment strictly prohibits students and employees of the Sistema Universitario Ana G. Méndez (SUAGM) from using, consuming, selling, distributing, possessing or being under the influence of alcohol or any controlled substance during working hours, in or outside of work or student area or in activities sponsored by the institution. Any student or employee who engages in this behavior will violate this policy. As a consequence, sanctions will be applied according to the federal and local legislation concerned, and in accordance with the provisions of the SUAGM Human Resources Manual and the Student Regulations.

All students and employees are prohibited from possessing, using, coming under the influence (of), hiding, or storing, transporting, promoting, buying, selling, and/or distributing within the premises of the SUAGM, any of the following substances or items:

1. illegal drug or related substances;
2. non-straight drug that may cause a negative side effect and risk safety at work and/or any controlled substance;
3. synthetic, designer, or similar drugs;
4. alcoholic beverages and,
5. drug paraphernalia .

Students and employees are prohibited from working, reporting to work or classes, or presenting themselves under the influence of alcohol. Employees who use illegal drugs

during or outside of working hours they may face disciplinary action including termination of employment. Students may also be subject to expulsion from the institution. In addition, the use of tobacco, cigarette and electronic cigarette is prohibited. Every employee or student is required to notify SUAGM in writing immediately of any allegation or conviction related to the violation of this Policy, or the laws of controlled substances and / or alcohol, even if the facts that motivated the accusation or conviction did not occur in work or study.

Any student who incurs any violation of this Policy will refer to the Vice Chancellor for Student Affairs and will be subject to the sanctions imposed in the Student Regulations. The penalties will depend on the seriousness of the infraction and how it affects the well-being of the university community.

### **Institutional Sanctions for Students and Employees**

Any employee who engages in any violation of the Policy for a Drug, Alcohol and Tobacco-Free Community and Work Environment will be subject to disciplinary action which may include reprimands, notices, immediate suspension of employment or dismissal. An employee or student accused of using, consuming, selling, distributing, possessing and/or being under the influence of a controlled substance lagoon, during working hours at or outside of work or studies, may face suspension of employment or studies during the time their case is heard in the courts of law.

If the violation of this Policy is generated by a student, he/she will be referred to the Vice Chancellor for Student Affairs. Penalties will depend on severity

of the infringement and how it affects the well-being of the university community or other students, employees, or visitors.

Any employee who tests a first positive result for the presence of narcotic drugs will be immediately suspended from employment and salary on a temporary basis and will be required to undergo and complete the rehabilitation program. Disciplinary sanctions in case of violation by employees will oversee the Vice Presidency of Human Resources.

### **Student Regulations**

As established in the Student Regulations of the Universidad Metropolitana in Article VII, Section 2.12, the illegal use, possession, sale or distribution of narcotic drugs, hallucinogens, narcotics, controlled substance or alcoholic beverage on the grounds, physical facilities and activities sponsored by the institution is considered as serious misconduct.

### **Disciplinary Procedures of the Student Regulations**

The disciplinary sanctions applicable for serious offenses, established in Article IX, section 10 of the Student Regulations, could be:

- Provisional or summary suspension for a specified period
- Suspension for the term in progress
- Suspension for one academic year
- Indefinite suspension

- Monetary payment for damage caused or illegally appropriated property
- Expulsion from the institution
- Other sanctions that the Council or Disciplinary Committee deems necessary

Section 11 states: if the disciplinary suspension of the student responds to actions that could jeopardize the well-being and safety of any member of the university community, its visitors and contractors, the Vice Chancellor for Student Affairs or the Director of the university center may require an opinion or certification from an external professional, prior to proceeding to annul the suspension or readmission of the student.

The student suspended for disciplinary action will not be admitted or readmitted to any other SUAGM institution during his period of suspension, nor will he be entitled to reimbursement for any amount of tuition paid. The student whose sanction results in expulsion from the institution, given the nature of the offense, will not be admitted, nor readmitted to any of the institutions of the SUAGM, in Puerto Rico or outside Puerto Rico (Section 12 of the Student Regulations).

### **Procedure for Reporting Criminal Acts, Violations of Institutional Policies and Regulations**

It is the responsibility of the university community to notify the Office of the Director of Security or university guard when it becomes aware of any dangerous situation that poses a risk to life, safety, or property. When the situation is related to a violation of the Student Regulations, the Director of Security will collect the information and send the report to the Vice-Chancellorship for Student Affairs. When the situation is related to an employee, the report will be sent to the Vice Presidency of Human Resources. The Director of Security will

carry out an investigation and if necessary, notify the Municipal or State Police for the corresponding action. If the presence of the Police is necessary, the injured party must be present to testify and be interviewed.

### **Prevalence of Criminal Incidents**

The Office of Security and Surveillance collects information on reported criminal incidents. During the years **2016 to 2018**, no fatal incidents related to alcohol or other drugs were reported. During this period, no disciplinary cases related to substance use were reported.

### **Notification and Disclosure Process for Students of the Policy for a Drug, Alcohol and Tabaco-Free Community and Work Environment**

The Policy for a Drug, Alcohol and Tobacco-Free Community and Work Environment is distributed among all students officially enrolled in the different academic levels and modalities of study. The methods of disclosure used are:

- **First Year Student Orientation Group Activities**

Responsible office: **Vice-Chancellorship for Development and Retention**

Activity: **Academic Orientation Week for First Year Students Date: August 14 to 17, 2017**

Method of disclosure: Delivery of card with informative letter from the electronic page of the Universidad Metropolitana where the Institutional Policies are published. The document includes the address to access the Community Policy and a Study and Work Environment Free of Drugs, Alcohol and Tobacco and the Student Regulations. Each student signs an acknowledgment of receipt.

Activity: **Prepas Academic Fest**

Date: **August 30, 2017**

The activity provides informative material on the university's website where you can access the different online services and the Policies and Regulations of the Institution. In addition, they are guided on the services available in the Associate Vice-Chancellorship for Quality of Life and Student Well-being such as: psychological services, professional counseling services and drug and alcohol prevention activities.

- **Publication on the website of Universidad Metropolitana**

Responsible office: **Vice-Chancellorship for Student Affairs**

The website of the Universidad Metropolitana publishes in the Dissemination Portal the Rules, Policies and Regulations of the Institution at the following address: [www.suagm.edu/umet](http://www.suagm.edu/umet).

- **Sending policies via student email**

Responsible Office: **Vice Presidency of Marketing and Student Affairs**

Students receive through their email from the institution information on Institutional Policies and Regulations including The Community Policy and a Study and Work Environment Free of Drugs and the Student Regulations.

**Submitted: February 9, 2017, May 3, 2017, November 3, 2017**

- **Student Right To Know And Campus Security Act** The Vice Presidency for Administrative Affairs distributes the Standards Information Booklet, Administrative Orders to students and employees via email. This document contains information on institutional policies including the Community Policy and a Drug-Free Study and Work Environment and the Student Regulations.

**Submitted on: September 30, 2016, October 27, 2017**

- **Information Brochure: *What You Need to Know About Drugs***

In the Dissemination Portal of the Universidad Metropolitana website, the Informative Brochure: *What you should know about drugs is published*. This document contains information on:

- ✓ Policy for a Drug, Alcohol and Tobacco-Free Community and Work Environment
- ✓ Institutional Rules and Disciplinary Measures on the Use of Drugs, Alcohol and Tobacco
- ✓ Drugs and their Health Effects
- ✓ Applicable Laws and Possible Legal Sanctions
- ✓ Help Resources at Universidad Metropolitana
- ✓ Community Aid Programs

### **Notification and Disclosure Process for Employees of the Policy for a Drug-Free Community and Work and Study Environment**

The Vice Presidency of Human Resources and the Assistant Vice Presidency of Human Resources provide all employees with information on Institutional Policies including the Policy for a Drug, Alcohol and Tobacco-Free Community and Work Environment using the following outreach strategies:

- **New Employee Orientation**

The Assistant Vice President for Human Resources provides each new employee at the time of appointment with a copy of the Policy for a Drug, Alcohol and Tobacco-Free Community and Work Environment and signs an acknowledgment of receipt. It is then discussed in the New Employee Orientation. This orientation is carried out with the purpose of presenting the historical background and the organizational structure of the Sistema Universitario Ana G. Méndez and knowing the policies, procedures, and benefits.

- **Publication on the website of Universidad Metropolitana**

The Vice Presidency of Human Resources publishes on the website of the Universidad Metropolitana all the Policies and Forms as part of the services available to employees. The information is available in the Human Resources section.

- **Email Disclosure**

The Vice Presidency of Human Resources sends by email to all employees the Policy for a Community and a Study and Work Environment Free of Drugs, Alcohol and Tobacco. The statement guides employees on the purpose of the established policy and the institution's commitment to promoting a healthy work and study environment.

**Submitted date: August 26, 2016, January 15, 2016, November 14, 2017**

The Employee Assistance Program (PAE) provides the employee, faculty, and their families with psychological and psychiatric services in situations of alcohol or drug abuse, anxiety, and depression, among others. The information of these services is disclosed by the Vice Presidency of Human Resources by email. **Submitted Date: April 3, 2017**

## **Description Drug, Alcohol and Tobacco Prevention Program**

Universidad Metropolitana recognizes that the use or abuse of alcohol and illegal drugs can cause serious risks to physical and emotional health, as well as alter judgment and the ability to make decisions, which can lead to dangerous or high-risk behaviors. In addition to the serious problems it has for health, family and society.

The Associate Vice-Chancellorship for Quality of Life and Student Well-being and its components carry out educational activities of drug and alcohol prevention using a universal prevention model aimed at the entire university community. The objective of the program is to sensitize students about the risks and consequences of drug and alcohol consumption, in addition to helping the integral development of students, through the strengthening of certain areas to avoid high-risk situations associated with consumption and the promotion of healthy lifestyles. The specific objectives are:

- Disseminate information on institutional policies and penalties for the use of alcohol, drugs, and tobacco.
- Disclose information about the legal consequences of alcohol, drug, and tobacco use.
- Provide information on the health effects of alcohol, drug, and tobacco use.
- Provide students with tools for the development of social and personal skills as protective factors.
- Develop leadership among college students.

Some of the strategies used are:

- Offering educational workshops, talks and conferences
- Development and distribution of information material
- Information Tables
- Prevention fairs
- Educational campaigns
- Social marketing campaigns
- Early Alert System Faculty Referral System

- Development of Student Associations

#### Relevant activities

*Talk: The Impact of Substance Use on Young People: A Current Approach. Dialogue was held with the student community about the effects of different drugs on young people.*

*Date: March 15, 2017*

*Office/Academic School: Associate Vice-Chancellorship for Quality of Life and Student Well-being*

*Conference: Use and abuse of prescription drugs. During the conference, basic concepts of abuse and addiction, more abused medications, synthetic marijuana and its effects and information on helpful resources were discussed.*

*Date: March 23, 2017*

*Office/Academic School: Associate Vice-Chancellorship for Quality of Life and Student Well-being*

*A coffee with me: Conversation with students and teachers of the School of Science and Technology. Concepts related to gender violence and its manifestations, statistical data and aid resources were discussed.*

*Date: April 4, 2017*

*Office/Academic School: School of Science and Technology and Associate Vice-Chancellorship for Quality of Life and Student Well-being*

*Workshop: Emotion Management and Self-Care. In coordination with the Administration of Mental Health and Addiction Services, a student impact was made promoting self-care in crisis situations. Students were trained to identify their emotions in various situations and the application of stress management and emotion management skills to avoid risky behaviors.*

*Date: December 12, 2017*

*Office / Academic School: Orientation and Counseling University Center of Aguadilla*

*Workshop: Prevention of drug and alcohol use and its effects on the body  
February 27, 2018*

*Office / Academic School: Orientation and Counseling University Center of Bayamón*

*Workshop: Self-esteem self-concept and Suicide Prevention. Workshop for first-year students on self-esteem and suicide prevention.*

*Date April 4, 2018*

*Office / Academic School: Orientation and Counseling University Center of Aguadilla*

*Addiction Prevention Week: I Choose My Future Conference (Drug Enforcement Administration). Information tables on help resources, consequences of drug and alcohol use.*

*Date: February 20-22, 2018*

*Office/Academic School: Associate Vice-Chancellorship for Quality of Life and Student Well-being*

*III Conference on Gender Affairs. During the activity, students were introduced to various manifestations of bullying so that they can define, identify it, and discuss strategies that help them to empower themselves. In addition, through the week, reflection, critical thinking, and the development of other skills necessary to continue contributing as healthy and responsible citizens were encouraged.*

*Date: March 5-8, 2018*

*Office/Academic School: School of Social Sciences, Humanities and Communications*

*Denim Day and Consent Conversation. The myths that still surround situations of sexual assault towards women and issues related to consent such as substance and alcohol use were discussed.*

*Date: April 26, 2018, and April 11, 2018*

*Office/Academic School: Associate Vice-Chancellorship for Quality of Life and Student Well-being and Vice-Presidency for Human Resources*

*Discussion: Gender violence and equity Date:*

*April 4, 2018*

*Office/ Academic School: Orientation and Counseling Jayuya University Center*

*Meeting of Student Associations. Volunteer workshops were offered to students and teachers of student associations for the development of their leadership.*

*Date: May 11, 2018*

*Office/ Academic School: Associate Vice-Chancellorship of Quality of Life and Student Well-being and University Centers of Bayamón, Aguadilla and Jayuya*

### **Instructional Program for Traffic Safety and Alcohol on the Roads**

Universidad Metropolitana has the Instructional Program for Traffic Safety and Alcohol on the Roads is composed of students from the Universidad Metropolitana and is funded by the Commission for Traffic Safety. One of the goals of this project is to promote healthy lifestyles through education for the prevention of alcohol consumption and driving while intoxicated using strategies of social norms, social marketing and neuromarketing among students enrolled at the Universidad Metropolitana .

## **Relevant activities**

*Activity "Get drunk on Love and not Alcohol". The activity consisted of the preparation of a photo booth with different posters with prevention messages on the use of alcohol. It was accompanied by arts on social media. Date: February 14, 2017*

*Painting with alcohol prevention message in Centro de Estudiantes. A Christmas postcard with a message of alcohol prevention was created in the festive season and placed in the area of the student center where there was the highest concentration of students.*

*Date: December 7, 2017*

*Expression Panel "The tradition #FestejalaConsciente". Expression panel where the students expressed what it meant for them to "Celebrate Consciously" focused on alcohol prevention.*

*Date: December 18, 2017*

*Alcohol prevention text message for JUSTAS. In collaboration with the Vice Presidency of Public Relations and Marketing , an alcohol prevention message is created aimed at all SUAGM students. It is sent during the weekend of the Justas of the University Athletic League.*

*Date: April 27, 2018*

## **Student Services**

Students have at their disposal the following services in the Associate Vice-Chancellorship for Quality of Life and Student Well-being:

- Professional Counsellor
- Psychological services
- Medical services
- Employment Center

- Academic advising
- Services for Students with Disabilities
- Referrals to treatment and rehabilitation programs

Students can apply for services voluntarily by visiting the Quality-of-Life offices or referred by the faculty or administrative staff. In the University Centers, students have at their disposal the Orientation and Counseling Program to receive the services of professional counseling, prevention activities, academic counseling, leadership development and referrals to treatment and rehabilitation programs.

During the years 2016 to 2018, 11 interventions were made in psychological and counseling services related to substance abuse and addiction problems.

### **Employee Services**

The employees of Universidad Metropolitana have at their disposal the Employee Assistance Program (PAE) through which they can have access to evaluation, treatment, and rehabilitation services. The services of the PAE are coordinated by the Vice-Presidency of Human Resources. In addition, the Vice Presidency of Human Resources has the *Preventive Health Program* with the aim of preventing the most common health conditions in the population.

### **Data Collection (*CORE- Alcohol and other Drug Survey Data*)**

Universidad Metropolitana belongs to the Consortium of University Resources Sowing Alert Alliance to Drugs, Alcohol and Violence (CRUSADA). The universities that belong to this consortium administer among the student community the *CORE Study - Alcohol and Other Drug Survey Data*, with the purpose of collecting information on the lifestyles of students of educational institutions

superior in Puerto Rico. The CORE study aims to collect information that helps to establish a profile of the lifestyles of our university student population.

The most recent administration was carried out in 2016 and a total of 42 institutions belonging to CRUSADA participated. The data obtained indicate that 60% of the respondents were women and 70.4% were between the ages of 18 to 22 years. According to the results obtained, it is highlighted that alcohol is the substance most used by university students. 67.5% reported using alcohol at some time during the year prior to the study. Although there had been a 5% increase since 2004, at this time it represents a decrease of 0.7% compared to the results of 2013 (68.2%). The cigarette is the second most used substance. 21.8% of students expressed that they smoked cigarettes the year prior to the study. The most used substance after alcohol and cigarettes was marijuana.

### **Evaluation of Quality of Life and Student Well-being Services**

As part of the recommendations of the previous report 2014-2016, an internal evaluation process of counseling services was implemented, in addition to an appraisal of the psychological services offered at Universidad Metropolitana. Another of the recommendations made in the previous report was the development of tools to collect statistical data on the services offered and the reasons for requesting the services. To this end, the process for writing reports and the initial interview process were reviewed in order to identify the specific reasons why students request psychological and counseling services. After its implementation, 11 interventions related to substance abuse and addiction problems during the academic periods reported in this report were identified.

## **Recommendations**

Increase the realization of educational activities that promote the protective factors related to the prevention of drug use and abuse on the effects of drugs and alcohol on health. In the CORE study, 54.1% of the students interviewed from a total of 42 institutions belonging to CRUSADA expressed that the reasons for not drinking or drinking in moderation are health risks. As for the reasons for not using other drugs, 64.4% of students also expressed health risks as the main reason for not using other drugs. It is also recommended to carry out activities related to the prevention of cigarette use.

Appendix 1. Policy for a Community and a Study and Work Environment Free of Drugs,  
Alcohol and Tobacco



**ANA G. MÉNDEZ UNIVERSITY SYSTEM**  
**Vice Presidency of Human Resources**

**POLICY FOR A COMMUNITY AND A STUDY AND WORK ENVIRONMENT FREE OF DRUGS, ALCOHOL AND TOBACCO**

**Policy Number: RH-14-213-001 Effective Date: August 1, 2014**

New

Amendment of rules and provisions established in the Manual of the Human Resource

Amendment Executive Order No. \_\_\_\_\_ dated \_\_\_\_\_

Political Amendment No. RH-02-032-001 on 1 February 2002

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## **SCOPE**

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The *Policy for a Community and a Study and Work Environment Free of Drugs, Alcohol, and Tobacco* (hereinafter, "Politics"), has been established by the Sistema Universitario Ana G. Méndez (hereinafter, "SUAGM" or the "Institution"). Therefore, it concerns its academic and student components, as well as all its institutions, facilities and affiliated entities, including, without limitation: Universidad del Este, Universidad Metropolitana, Universidad del Turabo, the University Centers, the UAGM Virtual Campus, TV System (Channel 40), United States Campuses and the Central Administration.

It follows that this document will apply to all employees, including - without limitation - regular, term, lecturer or otherwise recruited teachers, as well as regular and temporary administrative staff, institutional or proposal staff and students of the SUAGM.

The SUAGM recognizes that the use and abuse of alcohol and controlled substances, as well as their dependence, limit the ability to perform effectively, increase absenteeism, cause deficiencies in performance, increase the number of accidents and affect social and social harmony. Moreover, the influence, manufacture, use, possession, sale, or distribution of controlled substances are considered crimes under the laws of Puerto Rico and the United States of America.

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## PURPOSE

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This policy promotes a study and work environment free from the use, influence, sale, possession and/or distribution of controlled substances – or the improper or abusive use of controlled substances or alcohol on SUAGM premises. This has been provided by the Institution to:

- a. Provide a safe and healthy study and work environment,
- b. Protect students, teachers, employees, and the public,
- c. Maintain optimal levels of productivity and quality in the provision of services,
- d. Protect property and,
- e. Comply with applicable laws and regulations, including, without limitation:
  1. "Drug Free Workplace Act" of 1988,
  2. "Drug Free Schools and Campuses Regulations", 3. Law 4-1971, as amended, and
  4. Law 59-1997, as amended.

The substantial part of the Policy details its prohibitions, assigns responsibilities, and urges the articulation of a program on alcohol and controlled substances.

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## DEFINITIONS

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- A. Accident** - Any eventual event or consequence of an act, function or omission that affects or puts – any person or entity – at imminent risk of damage, injury or loss of health, safety, or property.
- B. Job candidate** - Person identified because of a recruitment process in the SUAGM, and to whom, even conditionally, a job offer is extended.
- C. Illegal Drugs or Controlled Substances** - Those included in Classifications I and II of Section 2202 of Title 24 of The Laws of Puerto Rico Annotated, as amended, known as the *Puerto Rico Controlled Substances Act*, or any other legislation of the Commonwealth of Puerto Rico or the United States of America, except for the use of prescription-controlled substances or other use authorized by law, such as over-the-counter drugs. "Illegal drugs" or "Controlled substances" include narcotics, hallucinogens, depressives, stimulants, synthetic drugs, or other substances capable of creating or maintaining adverse effects on people's physical, emotional, or mental states. It also includes controlled drugs for personal treatment purposes which do not have the corresponding prescription, issued, and endorsed by a duly certified health professional, or whose use is not authorized by law. For a list of the drugs or controlled substances referred to by this policy, see **Appendix 1**.
- D. Legal Drugs or Medications** - Includes drugs prescribed by a doctor; medicines or remedies available without a prescription; and alcoholic beverages. Medications prescribed by a physician are drugs that an individual may be taking under the supervision or direction of a duly certified health care professional to address a specific condition, whether physical, emotional, or mental.
- E. Employee** - Any person employed by the SUAGM. It includes regular or indefinite employees, seasonal or fixed-term employees, full-time, part-time, probationary, under institutional funds, subsidized with external funds or who work in any other classification.
- F. Student** - Any person who has been officially admitted and enrolled in each semester or session and who is not suspended by the Satisfactory Academic Progress Standard (NPAS) or by a disciplinary sanction.

- G. Physician of the Institution** - Physician who works for the SUAGM as an employee, independent contractor, physician by reference, or any other doctor appointed or hired by the SUAGM for the purpose of implementing and enforcing this policy, as well as the program and regulations that it is they detach.
- H. Sample** - Means enough of a minimum of 45ml of urine, or any other body fluid or tissue that is obtained non-invasively and determined to meet accepted reliability and accuracy criteria by laboratories, for the performance of initial and corroboration tests, and for the retention of a portion to allow the employee or student to perform their own corroboration test.
- I. Unjustified refusal** - Refusal to submit to tests for controlled substances or alcohol or to cooperate in carrying them out, as required. This includes:
1. Failure to report to the place where the sample is taken without adequate justification;
  2. Leave the place where the sample is taken without adequate justification;
  3. Leaving the place of employment on the day on which the tests are carried out without an emergency and/or without having previously notified of their absence;
  4. Express denial that he refuses to submit to the procedure;
  5. Not to obey orders or follow instructions from the laboratory or the officer in charge so that the sample can be produced properly,
  6. Alter the sample improperly;
  7. Do not go for an alcohol test immediately and never later than two (2) hours after being required.
- J. SUAGM Properties** - All areas and localities owned by SUAGM - leased or under the control of the Sistema Universitario Ana G. Méndez, including -without limitation- the places where services are provided or products are handled, as well as parking lots, access roads within the lands and localities of the SUAGM, the "lockers" and the warehouse areas.

All areas and localities in which work is studied or carried out by representatives or agents of the SUAGM or any of its employees, or that are assigned to the SUAGM for its use and / or the use of any of its employees, students, teachers, contractors, suppliers, visitors and / or lessors or tenants, as well as the movable property located within said areas and localities.

The above includes, without limitation: classrooms, offices, sports facilities, libraries, conference rooms, corridors, bathrooms, green areas, parking lots, cafeterias, bookstores, land, buildings, activities sponsored by the institution, structures and / or movable and immovable properties located within the SUAGM.

**K. Random selection - Method** of randomly scrutinizing employees who will need to be tested for drugs, alcohol, or controlled substances.

**L. Individualized Reasonable Suspicion** - Moral conviction that a specific person is under the influence of using alcohol or controlled substances, regardless of whether such a fact is later established. Such suspicion shall be based on observable and objective factors, such as:

1. Direct observation of the use or possession of alcohol or controlled substances,
2. Physical symptoms that show the influence of alcohol or a controlled substance,
3. Repeated pattern of abnormal behavior or erratic behavior in employment.

Reasonable and individualized suspicion must be established, at least, two (2) supervisors of the employee, of whom one (1) shall be his or her direct supervisor.

**M. SUAGM Vehicles** - Automobiles, trucks, forklifts, boats, boats, motor vehicles, and any other vehicles belonging to the SUAGM -or rented-, used in the operation of the SUAGM, and / or that are under its control or that of any of its representatives, employees, teachers, contractors, visitors and / or lessors or Tenants.

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## PROHIBITIONS

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Students and employees of the SUAGM are strictly prohibited from using, consuming, selling, distributing, possessing and/or being under the influence of alcohol or any controlled substance, during business hours, at or outside of work or student area or in activities sponsored by the institution. Any student or employee who engages in this behavior will be in violation of this Policy. As a result, penalties will be applied to you under the federal and local laws concerned, and in line with the stipulations of the Human Resources Manual of the SUAGM, the student regulations or as established in the policy.

All students and employees are prohibited from possessing, using, coming under the influence (of), hiding, or storing, transporting, promoting, buying, selling, and/or distributing within the premises of the SUAGM, any of the following substances or items:

1. Illegal drug or related substances;
2. Over-the-counter drug that may cause a negative side effect and risk safety at work, and/or any controlled substance;
3. Synthetic, designer, or similar drugs;
4. Alcoholic beverages and,
5. Drug paraphernalia.

In addition, students and employees are prohibited from working, reporting to work or classes, or presenting themselves to SUAGM premises under the influence of alcohol. A student or employee is classified as "under the influence of alcohol" when exhibiting any of the following circumstances:

1. Concentration of 0.02% or more of alcohol in the blood;
2. Whether you would be considered under the influence of alcohol under any federal or local law or regulation, or
3. When other circumstances show that you are under the influence of alcohol.

This means that employees who use illegal drugs during or outside of business hours may face disciplinary action including termination of employment. Students, likewise, could be subject to expulsion from the SUAGM.

In addition, the use of tobacco, cigarettes and electronic cigarettes within the premises of the SUAGM is prohibited.

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## **RESPONSIBILITIES**

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In addition to the rules and requirements set forth herein, all employees and students must comply with the rules and requirements of the SUAGM that apply to their jobs or studies and that employee and/or students have been informed.

Every student and employee must appear at their work or course free from the effects of controlled substances and alcohol, and in optimal conditions to execute their functions safely, reliably, and properly. In the same way, it will remain in the exercise of its functions.

Every employee or student is required to notify SUAGM in writing immediately of any allegation or conviction related to the violation of this Policy, or the laws of controlled substances and / or alcohol, even if the facts that motivated the accusation or conviction did not occur in work or study.

Supervisors and employees are responsible for immediately notifying a Human Resources or Safety Representative (institutional or systemic), and students to the Vice Chancellor for Student Affairs regarding any incident, situation, fact or conduct they witness or know of, which demonstrates or indicates that any person is in violation of this Policy. This alert will also be made when there is reasonable suspicion to believe that an employee or student uses, consumes, sells, distributes, owns, promotes the use (of), and/or is under the influence of alcohol or controlled substances.

The SUAGM recognizes that employees and students may sometimes use prescription or over-the-counter medications. **Prescription medicines** shall be transported in their original packaging and used in accordance with the guidelines provided by the prescribing physician. **Medicines purchased without a prescription** can be transported and used on the premises of the SUAGM, as long as they are contained in the original container and used according to the instructions given by its manufacturer. Improper use, or abuse or misuse by the employee or student regarding the use or consumption of prescription or over-the-counter medicines, without regard to the effects of such medication (such as that which causes sleepiness, for example), constitutes a violation of this Policy. In addition, upon reasonable individualized suspicion, the SUAGM may consult a health care professional if the use or consumption of any prescription or over-the-counter medication affects the employee's abilities to work safely and productively or the student's ability to perform effectively.

Any employee or student taking over the counter or prescription medications should consult the prescribing physician — or pharmacist — to determine if the drug can

cause you adverse effects that threaten your personal safety or that of other people, or that prevent you from performing efficiently.

("Adverse effects" include, but are not limited to sleepiness, disorientation, dizziness, lack of coordination, or any other effect on your senses.)

If the medication causes harm or affects judgment or performance, the employee will notify his supervisor, and the student will notify a Representative of the Vice Chancellor for Student Affairs or the teacher, as soon as possible that he will be using a medication, preferably before using or consuming it. In the case of employees, the SUAGM will explore alternatives to make accommodations or adjustments in relation to the functions or duties of the employee, until he can execute his tasks properly.

If such accommodation cannot be granted or there is no reasonable accommodation, the employee may take sick leave or any other leave of absence where appropriate. In the case of students, they will be evaluated at the Vice-Chancellorship Office for Quality of Life.

Any employee in the SUAGM who is required, either by the method of random selection or by individualized reasonable suspicion, shall be obliged to submit to mandatory tests. Any employee may be subject to randomized testing for controlled substances two (2) times a year, unless one of these tests has resulted in a duly corroborated positive result or as part of a counseling, treatment, or rehabilitation program.

It will also have to do so any student or candidate for admission to the SUAGM who is requested for the same reason. Tests for controlled substances and/or alcohol may be requested – without limiting the scope of this Policy – from employees who perform or will perform any of the following functions:

1. Any person who controls or handles motor vehicles used for the hauling of cargo on any public land road; or any vehicle intended to carry passengers or cargo by water or air;
2. University Guard
3. Employees whose duties involve the handling and/or control of drugs and controlled substances, explosives, gases, hazardous materials, flammables, radioactive, toxic, high-voltage or similar substances.

In accordance with *the Drug-Free Schools and Colleges Act*, which serves as a guide to implementing *the Drug-Free Workplace Act (1988)*, the SUAGM requires all its students and employees to comply with this Policy around controlled substance abuse, alcohol, and cigarette use. Any student or employee must notify the authorities of the Institution within five days on conviction for violation of alcohol and drug statutes. If it is a student, you must notify the Vice Chancellorship for Student Affairs of the Institution. In the case of an employee or teacher, their immediate supervisor and a Human Resources Representative of the Institution or the Director of Security must be notified.

The Vice Presidency of Human Resources will coordinate efforts with the Vice Presidency of Marketing and Student Affairs so that the stipulations of this Policy are adapted, according to the best practices of the trade, to the student community. It involves producing initiatives, programs, protocols, procedures and creating or adapting documents analogous to those generated by Human Resources, to respond appropriately to the student community.

The tests will be conducted by entities outside the SUAGM, so that the confidentiality and reliability of the same can be preserved. A recognized laboratory will be hired to administer these tests and protect them against the possibility of contamination or to avoid errors in the analysis of the test. Any test administered to any employee or student who yields an initial positive result for the presence of drugs will be corroborated by alternative methods so that there is the highest level of reliability of the results.

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## SANCTIONS

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In deciding which disciplinary action or sanction will be applied or what action will be taken towards the employee(s) or student(s) involved in violating this Policy, the SUAGM would weigh:

1. The nature of the behavior,
2. The position or function performed by the employee,
3. Your work history -according to the personnel file with SUAGM-,

4. The handling of the situation or any accusation by law enforcement officers or the courts and/or,
5. Any additional factors, such as: the impact of the system on other employees, students and/or the way in which the operation or functioning of the SUAGM is affected.

Any employee in violation of this Policy will be subject to disciplinary action that may include reprimands, notices, immediate suspension of employment or dismissal, in accordance with the procedure established herein, as stipulated in other policies of the SUAGM, with the way in which such an infraction affects the well-being of the university community, and with the repercussions caused to the statements that exalt the educational mission of the SUAGM. In the case of a student, he will be referred to the Vice-Chancellorship for Student Affairs and will be subject to the sanctions imposed in the student regulations.

An employee or student accused of using, consuming, selling, distributing, possessing and/or being under the influence of any controlled substance, during working hours, in or outside of work or studies, may face suspension of employment or studies during the time their case is heard in court.

Any employee who tests a first positive result for the presence of narcotic drugs will be immediately suspended from employment and salary on a temporary basis and will be required to submit and complete the rehabilitation program. The SUAGM will refer the employee or student to an evaluation and recommendation from a substance abuse professional (SAP).

The employee or student must present a certificate from this professional indicating the recommended treatment and the date on which he or she may be reinstated to his or her duties. Subsequently, said employee will be subjected to periodic tests for the presence of controlled substances. The main objective is that the individual be given the opportunity to rehabilitate himself, to join society from this vice that certainly incapacitates him to carry out his daily functions. The employee's refusal to undergo the rehabilitation program or if, after undergoing the rehabilitation program, the employee falls back into drug use or if he or she cannot satisfactorily complete a rehabilitation program approved by the SUAGM will be just cause for dismissal.

The employee or student will have the right to hire another laboratory to obtain a second result of the same sample, and that if desired, it will be transferred to an

independent laboratory hired by him the minimum amount necessary of the sample obtained, to perform the tests. Any sample that yields a positive result will be subjected to a second corroborating analysis, before the application of a disciplinary action.

An employee's or student's unjustified refusal or refusal to take the controlled substance and/or alcohol test shall constitute *prima facie* evidence that the result would have been positive if the sample had been taken. If it is a first positive result, the SUAGM will refer the employee or student to an evaluation and recommendation from a substance abuse professional (SAP). The student must present a certificate from this professional indicating the recommended treatment and the date on which he may be reinstated to his functions. In the case of a student, he will be referred to the Vice-Chancellorship for Student Affairs and will be subject to the sanctions imposed in the student regulations.

The penalties for these prohibited actions will be met as established by the rules of conduct in the Human Resource Manual, in the Regulations of Students, or as set forth in this Policy.

If the breach of this Policy is generated by a student, he will be referred to the Vice Chancellorship for Student Affairs. Penalties will depend on the severity of the violation and how it affects the well-being of the university community or other students, employees, or visitors.

Any breach of this Policy could involve violations of federal or state law regarding alcohol or controlled substance abuse. Therefore, the Institution is empowered to take immediate disciplinary action, regardless of where the transgression occurred. In addition, any violation of federal or state law may refer to the Attorney General's Offices of the Department of Justice for proper investigation or prosecution. Depending on the nature of the offense, the student may face the Student Discipline Committee, which will investigate and determine the relevant action (according to provisions of the Student Regulations).

## SEARCH AND INSPECTIONS

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The SUAGM reserves the right to conduct searches and inspections as it deems necessary for the purpose of determining whether employees or students possess, use, are under the influence (of), transport, or hide any prohibited item or substance, as defined herein. Such searches or inspections will take place after receiving approval from the appropriate SUAGM officers. These measures will be handled professionally, in accordance with current federal and local legislation and the procedure stipulated by the Office of Security, the Office of Human Resources or the Student Regulations. In such circumstances, the competent authorities would be notified.

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## PROGRAM

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The Vice Presidency of Human Resources will articulate a program that includes:

1. Risks and effects associated with the consumption of alcohol and controlled substances,
2. Tests for controlled substances and alcohol,
3. Circumstances under which SUAGM may perform tests,
4. Protocols that will characterize the immediate and accurate action in favor of the rehabilitation of the employee, in the face of positive results,
5. Regulation that will formalize the provisions of this initiative, disclosure, confidentiality, actions that could violate the provisions of this Policy, transgression strategies / evaluation activities, and other necessary documents.

(Refer to the Drug and Alcohol Testing Program.)

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## EMPLOYEE ASSISTANCE PROGRAM

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The SUAGM will refer to the Employee Assistance Program for evaluation, rehabilitation, and treatment any regular employee whose alcohol or controlled substance test is positive.

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## **STUDENT QUALITY OF LIFE PROGRAM**

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The matters of the student area will be referred to the Vice-Chancellorship of Student Affairs and will be attended by the provisions of the Student Regulations.

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## **EFFECTIVE DATE**

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This Policy is established to ensure the physical health and well-being of employees, students, and visitors to the SUAGM premises, as well as to ensure the well-being of the general public.

After the required disclosure has been made to all SUAGM personnel, it will take effect and will be effective after sixty (60) days.

The cooperation of all employees and students for the achievement of the goals and purposes detailed herein is of vital importance and required.

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## **CONFIDENTIALITY**

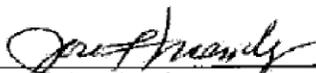
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All tests and medical examinations will be carried out by a clinical and medical laboratory contracted by the SUAGM, so that the disclosure of information regarding the results of the tests can be avoided. In the same way, the SUAGM must keep in strict confidentiality any positive or negative result that is thrown from the tests taken, which will be kept in a separate file and different from the personnel file. Such information may not be offered or admitted in evidence in a criminal proceeding against the employee or student; Save it be this one who offers it.

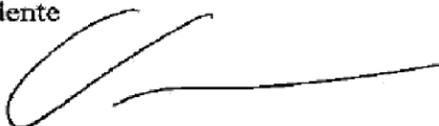
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**XI. SIGNATURES, TITLES OF THE AUTHORITIES CONCERNED, AND DATE OF APPROVAL**

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José F. Méndez, Dr.h.c.  
Presidente

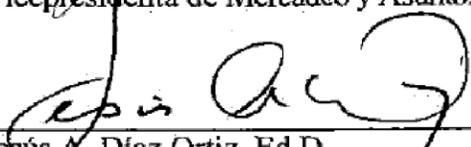
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Victoria de Jesús, Ed.D.  
Vicepresidenta de Recursos Humanos

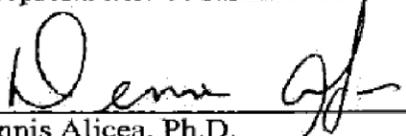
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Mayra Cruz Rivera, Ed.D.  
Vicepresidenta de Mercadeo y Asuntos Estudiantiles

9/12/2014  
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Jesús A. Díaz Ortiz, Ed.D.  
Vicepresidente de Asuntos Administrativos

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Dennis Alicea, Ph.D.  
Rector

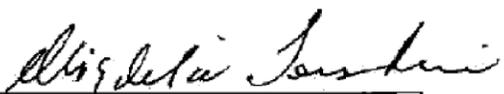
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Carlos M. Padín, Ph.D.  
Rector

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Lcdó. Alberto Maldonado Ruiz  
Rector

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Migdalia Torres Rivera, Ph. D.  
Rectora

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