

Annual Drug Abuse Prevention Disclosure 2026

DISTRIBUTION NOTE: This notice is distributed annually to all enrolled Nightingale College Learners via Canvas announcement, direct email, and the College website. Distribution date: June 30, 2026

Dear Learner,

Nightingale College is required by federal law to distribute this notice to all learners annually. We ask that you read it carefully. It describes our institutional standards, your legal obligations, the health risks associated with drug and alcohol misuse, and the resources available to you.

This notice applies to all Nightingale College learners, regardless of status, program, or location.

Part 1: Standards of Conduct

Nightingale College is committed to maintaining a safe, healthy, and productive learning and work environment for every learner and collaborator. Learners may refer to the College's policy for drug- and alcohol-free environments in the Catalog.

The following are strictly prohibited at Sites of Supervised On-ground Field Experience (SOFE), Nightingale-sponsored events, and during all College-sponsored activities, regardless of location:

- The unlawful manufacture, distribution, dispensation, possession, or use of any illicit drug or controlled substance
- Being under the influence of alcohol or any controlled substance in a manner that impairs performance or creates a safety risk
- The unlawful purchase, possession, or consumption of alcohol by persons under 21 years of age
- The misuse of prescription medications, including sharing prescribed medications with others

Part 2: Legal Sanctions

Learners should be aware of the legal consequences of violating federal, state, and local drug and alcohol laws.

Federal Law

Simple Possession (21 U.S.C. § 844)

A person convicted on federal charges of possessing any controlled substance faces penalties of up to 1 year in prison and a mandatory fine of no less than \$1,000 for a first offense. Second convictions carry not less than 15 days and up to 2 years in prison, with a minimum fine of \$2,500. Subsequent convictions carry up to 3 years imprisonment and a minimum \$5,000 fine.

Drug Trafficking (21 U.S.C. § 841)

Penalties for federal drug trafficking convictions vary by substance type and quantity. For Schedule I or II controlled substances, a person may be sentenced to up to 20 years' imprisonment. If death or serious injury results from an illegally distributed substance, the convicted person may face life imprisonment and fines up to \$10 million. For Schedule III substances, penalties include up to 10 years' imprisonment (up to 15 years if death or injury results) and fines up to \$500,000 for a first offense.

Forfeiture (21 U.S.C. § 853)

Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal property or real estate related to the violation.

Utah State Law

Marijuana / Cannabis

Recreational use of marijuana is illegal in Utah. Possessing less than 100 pounds is a Class B misdemeanor for a first offense, punishable by up to 6 months in jail and a fine up to \$1,000. A third conviction within 7 years elevates to a Class A misdemeanor (up to 1 year in jail); a fourth or subsequent conviction within 7 years is a third-degree felony (up to 5 years imprisonment). Possessing 100 pounds or more is a second-degree felony, punishable by 1–15 years imprisonment and a fine up to \$10,000. Medicinal use is permitted only through a registered dispensary in state-approved dosages. (*Utah Code Ann. § 58-37-8*)

Amount Possessed	Offense Level	Penalty
Under 100 lbs — 1st offense	Class B misdemeanor	Up to 6 months; max \$1,000 fine
Under 100 lbs — 3rd conviction/7 yrs	Class A misdemeanor	Up to 1 year
Under 100 lbs — 4th+ conviction/7 yrs	Third degree felony	Up to 5 years
100 lbs or more	Second degree felony	1–15 years; max \$10,000 fine

Controlled Substances

Utah Code Ann. § 58-37-8 governs possession and delivery of controlled substances. Penalties vary based on the substance, the quantity, the number of prior offenses, and whether the individual intended to use, sell, or manufacture. Penalties range from misdemeanors to first-degree felonies.

Driving Under the Influence (DUI)

Utah law prohibits operating a vehicle with a blood or breath alcohol concentration of 0.05 grams or greater. A first DUI offense is a Class B misdemeanor (or Class A in aggravated circumstances), carrying a mandatory minimum jail sentence of 2 days, a fine of not less than \$700, and required participation in screening, assessment, and educational programs. (*Utah Code Ann. § 41-6a-502*)

Alcohol and Minors

It is unlawful for any person under 21 to purchase, consume, or attempt to obtain alcohol in Utah. Violations may result in required screenings, assessments, educational programs, and suspension of driving privileges for those between 18–21. (*Utah Code Ann. § 32B-4-409*)

Local Law

Salt Lake City and surrounding municipalities may impose additional ordinances governing alcohol consumption, open containers, and public intoxication. Learners are expected to be aware of and comply with all applicable local laws.

Part 3: Health Risks

The use of illicit drugs and the abuse of alcohol carry serious, well-documented health risks. Nightingale College shares the following information from the National Institutes of Health (NIH) and the Substance Abuse and Mental Health Services Administration (SAMHSA):

Risks of Illicit Drug Use

- **Brain and nervous system damage:** Many drugs alter brain chemistry in ways that impair memory, judgment, decision-making, and emotional regulation, with effects that may be long-lasting or permanent
- **Addiction and dependence:** Repeated use of many substances leads to physical and psychological dependence that is difficult to overcome without professional support
- **Cardiovascular effects:** Including irregular heartbeat, heart attack, and stroke

- **Respiratory damage:** Smoking or inhaling substances can cause chronic lung disease and respiratory failure
- **Infectious disease:** Injection drug use significantly increases the risk of HIV, hepatitis B, and hepatitis C
- **Mental health disorders:** Drug use is closely linked to anxiety, depression, psychosis, and suicidal ideation
- **Impaired driving:** Significantly increases the risk of fatal accidents
- **Pregnancy complications:** Drug use during pregnancy can cause miscarriage, premature birth, and neonatal withdrawal syndrome

Alcohol Abuse

- **Liver disease:** Includes fatty liver, hepatitis, cirrhosis, and liver failure
- **Neurological damage:** Memory loss and coordination problems
- **Cardiovascular disease:** High blood pressure, cardiomyopathy, and stroke
- **Cancer risk:** Cancers of the mouth, throat, esophagus, liver, colon, and breast
- **Mental health impact:** Strongly associated with depression, anxiety, and suicide
- **Impaired judgment:** Impairs cognitive function and decision-making, increasing the risk of accidents and unsafe behavior
- **Dependence:** Alcohol use disorder is a recognized medical condition that requires professional treatment to address safely

Part 4: Available Resources

Employee Assistance Program (EAP)

Nightingale College offers an Employee Assistance Program that provides free, confidential counseling and referral services for learners dealing with substance use, mental health, or personal challenges.

EAP Provider: ESI Employee Assistance Group

Phone: 1-800-252-4555 **Website:** HigherEdEAP.com

Available 24 hours a day, 7 days a week. Your use of EAP services is completely confidential and will not affect your academic standing.

To access this benefit, call EAP at **1-800-252-4555** or visit HigherEdEAP.com. First-time users will need to register by entering the name of the College and creating a username and password.

EAP provides information on thousands of topics, including:

Topic	Topic
Drug and Alcohol Abuse Prevention	Mental Health
Stress	Financial Planning
Loss and Grief	Consumer Action
Elder Law	Adoption
Home Ownership	Divorce
Will Templates	Lemon Laws

Part 5: Code of Conduct – Dispositional Action

Nightingale College will impose disciplinary sanctions on any learner found to have violated this policy. Sanctions range up to and including expulsion from the College. Violations involving unlawful activity will be referred to the appropriate local, state, or federal authorities, and any resulting legal consequences will be considered in the corrective action determination.

As stated in the College Catalog, the use of drugs and alcohol contrary to policy is considered an egregious conduct violation. These violations will be escalated to a Level 3 incident.

Level 3

An egregious act, a series of repeated violations that show an ongoing pattern of behavior involving other learners or graduates, or violations that may cause reputational or operational harm to the College or its partners, are Level 3 violations. If the respondent is alleged to have committed one of the more egregious violations, involved other learners or graduates, or engaged in unlawful activity, the assigned manager or designee will form a conduct committee to examine available information and evidence from involved parties, determine responsibility for the alleged violation, and assign corrective action(s) as appropriate. Unlawful activity will be reported to the proper authorities, and any legal consequences resulting from the incident will be considered in the corrective action determination.

Corrective Actions for Level 3 violations may include, but are not limited to, one or more of the following:

- **Withdrawal:** Withdrawal from a course.
- **Suspension:** The learner is withdrawn from all courses, but the learner may return the following academic semester. The learner will receive “WF” grades in all courses for that academic semester.
- **Expulsion:** A learner who violates either the Learner Code of Conduct or the Academic Integrity Policies may be formally and permanently withdrawn from the College and receive “WF” grades in all courses for that academic semester. The learner will not be permitted to return in future academic semesters, and their status will be updated to reflect expulsion.

For more information about the filing and investigation of Learner Code of Conduct violations, the Dispositional Communications Process Timeline, and filing an appeal, learners may refer to the Process for Dispositional Action section of the College Catalog.

Part 6: Your Right to a Paper Copy

A paper copy of this notice, including Nightingale College’s full Drug and Alcohol Abuse Prevention Policy, is available upon request at no cost to you.

To request a paper copy or ask questions about this notice, contact:

Government Funding

processing.fa@nightingale.edu 801-689-2160

This notice is distributed annually in compliance with the Drug-Free Schools and Communities Act, 34 CFR Part 86, and the Drug-Free Workplace Act, 41 U.S.C. § 8101 et seq. Nightingale College conducts a biennial review of its drug and alcohol prevention program to assess its effectiveness and ensure consistent enforcement of disciplinary sanctions. A copy of the most recent biennial review findings is available upon request by contacting Government Funding at processing.fa@nightingale.edu. For questions regarding this policy, contact Government Funding.