



JULY 1ST, 2010

Drug and Alcohol Free Policy

The Center is committed to providing an academic environment which is free from drugs or alcohol, and abides by all local, state and federal statutes regarding the use and prohibition of alcohol and drugs. All students, faculty and staff are hereby notified of the following:

- Policy. It is the policy of this institution that the unlawful manufacture, distribution, possession, use or abuse of alcohol and/or illicit drugs on The Center's campus or on property owned or controlled by The Center is strictly prohibited. All categories of employees and students are subject to this policy and to applicable federal, state and local laws related to this matter. Additionally, any violation of this policy will result in disciplinary actions.
- Standards of Conduct. The Center's employees and students are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, use or being under the influence of illegal drugs or alcohol on The Center's campus, and at off-campus facilities owned or controlled by The Center. At off-campus events, to the extent that off-campus activities are considered to be Center activities, the standards of conduct (of the act) must apply, and alcohol shall not be abused by those of legal drinking age, nor used, possessed or distributed by those who have not attained legal drinking age.
- Federal, State and Local Statutes Various federal, state and local statutes make it unlawful to manufacture, distribute, dispense, deliver, sell or possess with intent to manufacture, distribute dispense, deliver or sell, controlled substances. The penalty imposed depends upon many factors which include the type and amount of controlled substance involved; the number of prior offenses, if any; whether death or serious bodily injury resulted from the use of such substance;

and whether any other crimes were committed in connection with the use of the controlled substance. Conviction can lead to imprisonment, fines and assigned community service. Courts do not lift prison sentences in order for convicted persons to attend college or continue their jobs. A felony conviction for such an offense can prevent a person from entering many fields of employment or professions. The Board of Nurse Examiners and State Boards of Nursing may refuse to issue a license or certificate of registration, for conviction of a crime of the grade of felony, or of a crime of a lesser grade which involves moral turpitude (including alcohol and drug violations) and for intemperate use of alcohol or drugs that, in the opinion of the board, endangers patients.

The possession of drugs is illegal without valid authorization. While penalties for possession are generally not as great as for manufacture and distribution of drugs, possession of a relatively large quantity may be considered distribution. Under both state and federal laws, penalties for possession, manufacture and distribution are much greater for second and subsequent convictions. Many laws dictate mandatory prison terms and the full minimum term must be served.

Persons convicted of drug possession under state or federal laws may be ineligible for federal student grants and loans for up to one year after the first conviction, five years after the second; the penalty for distributing drugs is loss of benefits for five years after the first conviction, 10 years after the second, permanently after the third conviction. Moreover, under Federal law, distribution of drugs to persons under age 21 is punishable by twice the normal penalty with a mandatory one year in prison; a third conviction is punishable by mandatory life imprisonment. These penalties apply to distribution of drugs in or within 1,000 feet of a college or school. Federal law sets greatly heightened prison sentences for manufacture and distribution of drugs if death or serious injury results from the use of the substance.

Under state law, no one under the age of 21 may purchase, possess, or consume alcohol. Transporting an open alcoholic beverage container in any kind of vehicle, on or off campus, is a violation of the law. The sale or distribution of alcoholic beverages to persons under the legal drinking age is a serious criminal offense. Individuals can be held both criminally and civilly liable for the injury or death of any person

resulting, either directly or indirectly, from the distribution of alcoholic beverages by them to a person under the legal drinking age. Moreover, under state law it is unlawful for any person, knowingly or purposely, to manufacture, distribute, or dispense, possess or have under his/her control with the intent to manufacture, distribute, or dispense, a controlled dangerous substance or controlled substance analog. It is unlawful for any person, knowingly or purposely, to obtain or to possess a controlled dangerous substance unless the substance was obtained directly by a valid prescription from a practitioner (physician, dentist, etc.). Violations of these laws are punishable with mandatory imprisonment and/or fines and either as misdemeanors or in some cases felonies.

- Health Risks Associated With Use of Illicit Drugs and/or Abuse of Alcohol. Every drug, including alcohol, is a potential poison which may cause disability and death if it is taken incorrectly into the body, consumed in wrong amounts or mixed indiscriminately with other drugs. Drugs cause physical and emotional dependence. Drugs and their harmful side effects can remain in the body long after use has stopped. The extent to which a drug is retained in the body depends on the drug's chemical composition, that is whether or not it is fat-soluble. Fat-soluble drugs such as marijuana, phencyclidine (PCP), and lysergic acid diethylamide (LSD) seek out and settle in the fatty tissues. As a result, they build up in the fatty parts of the body such as the brain and reproductive system. Such accumulations of drugs and their slow release over time may cause delayed effects weeks, months and even years after drug use has stopped. There are many health risks associated with the use of illicit drugs and the abuse of alcohol including organic damage; impairment of brain activity, digestion, and blood circulation; impairment of physiological processes and mental functioning; and, physical and psychological dependence. Such use during pregnancy may cause spontaneous abortion, various birth defects or fetal alcohol syndrome. Additionally, the illicit use of drugs increases the risk of contracting hepatitis, AIDS and other infections. If used excessively, the use of alcohol or drugs singly or in certain combinations may cause death.
- Drug and Alcohol Counseling, Treatment and Rehabilitation. The Campus Director maintains information for students and employees on drug and alcohol related problems. Referral services are also

provided for professional counseling, treatment and rehabilitation programs that are available. The counseling services are voluntary and strictly confidential.

- Institutional/School Sanctions. The Center will impose appropriate sanction(s) on any employee or student who fails to comply with the terms of this drug and alcohol free policy.

(1) *Employees*. As a condition of employment, each employee, including student employees, must abide by the terms of this policy, and must notify their department head/supervisor of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. A conviction includes a finding of guilt, a plea of nolo contendere, or imposition of a sentence by any state or federal judicial body. Possible disciplinary sanctions for failure to comply with this policy, including failure to notify of conviction, may include one or more of the following:

- A. Termination
- B. Suspension
- C. Mandatory participation in, and satisfactory completion of, a drug/alcohol abuse program, or rehabilitation program
- D. Recommendation for professional counseling
- E. Referral for prosecution
- F. Letter of warning
- E. Probation

(2) *Students*. Any alleged violation of the act by a student of The Center shall be reported to the Campus Director. Possible disciplinary sanctions for failure to comply with the terms of this policy may include one or more of the following:

- A. Termination
- B. Suspension
- C. Mandatory participation in, and satisfactory completion of, a drug/alcohol abuse program, or rehabilitation program
- D. Recommendation for professional counseling
- E. Referral for prosecution
- F. Letter of warning
- E. Probation

- Compliance with Drug-free Schools and Communities Act Amendment of 1989. As required by U.S. Department of Education and the Drug-free Schools and Communities Act Amendment of 1989, P.L. 101-226 20 U.S.C.'s 114 5g Higher Education Act of 1965, Section 1213 annually The Center will provide a written statement to employees covering: a) standards of conduct concerning drugs and alcohol; b) federal, state and local legal sanctions governing the unlawful possession or distribution of illicit drugs or alcohol; c) health risks associated with the use of illicit drugs and the abuse of alcohol; d) a description of counseling and treatment programs available for alcohol and drug abuse; e) The Center's disciplinary sanctions imposed for unlawful possession, use or distribution of illicit drugs and alcohol.