

# Sumner College Alcohol and Drug-Free College Policy



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## Sumner College Drug & Intoxicants Policy Statement

Sumner College is a drug free environment for students, staff, and faculty. The possession or use of any illegal drugs, intoxicants, or other substances is strictly prohibited. Students, staff and faculty are not to be under the influence of any legal or illegal intoxicant including alcohol or any other medications on the premises of Sumner College. The use of alcohol or medical marijuana on the campus or within the college facilities, including all extern, clinical rotation, practicum, and preceptor sites used by the college in conjunction with a college sponsored educational activity is likewise prohibited by this policy regardless of whether a person is deemed to be intoxicated or not. A violation of this policy may subject the violator to immediate expulsion and/or dismissal from the college and may also result in the matter being referred to the proper law enforcement authorities.

Understanding that addiction is a disease, Sumner College supports programs for the prevention of alcohol and substance abuse, as well as treatment programs for those with a record of past abuse or who are in treatment. Current abuse evidenced on campus, including all extern clinical rotation, practicum, and preceptor sites is not tolerated.

### Purpose of Policy

The purpose of this policy is to promote compliance with the state and federal law relating to the use of alcohol and drugs. Further, Sumner College strives to provide a safe and secure environment for its students, staff, and faculty, as well as for all visitors to campus and for all who participate in College events and activities. This policy is in compliance with the provisions of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of Amendments of 1989.

### Applicability

This policy applies to all students, staff, faculty, and visitors to the campus.

### Definitions

*Alcohol:* Any beverage classified as an 'Alcoholic Beverage' by Oregon law, Oregon Revised Statutes Chapter 471.

*Impaired:* To be under the influence of a drug or alcohol such that academic or job performance is, or could reasonably be, adversely impacted.

*Controlled Substance:* A list of controlled substances can be found in Schedules I through V or Sections 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined in Regulation 21 CFR 1308.11-1308.15. In the event of a conflict between federal law and state law, federal law controls.

*Conviction:* A finding of guilt, including a plea of nolo contendere (no contest), or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

*Illegal Drug:* Any drug: (a) which is not legally obtainable under federal or state law; (b) which may be legally obtainable but has not been legally obtained; or (c) which is being used in a manner for a purpose other than prescribed.

*Legal Drug:* Includes prescribed drugs and over-the-counter drugs that are capable of impairing one's mental or physical ability to safely, efficiently, and accurately perform their duties, but which have been legally obtained and which are being used solely for the purpose for which they were prescribed or manufactured, and which are being used according to the prescribing healthcare practitioners' direction.

*College Premises:* All institutionally owned, rented, leased or controlled property, including all extern, clinical rotation, practicum, and preceptor sites used by the college in conjunction with a college sponsored educational activity. The college premise also includes parking lots attached to College buildings.

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## Policy

- Students, staff, and faculty who are under the legal age are prohibited from drinking alcohol on campus or during College-sponsored events or activities.
- Unlawful possession, dispensation, distribution, manufacture or use of alcohol, any controlled substance or illegal drug, at any time on College property or while conducting or engaging on College business or activities is strictly prohibited. As a federally-controlled substance, the possession, dispensation, distribution, manufacture, or use of marijuana in any form is prohibited on campus during College events and activities, or while conducting College business.
- Students, staff, and faculty are required to report to class, work, and other activities in an appropriate mental and physical condition to work and participate safely and effectively. No student, staff, or faculty shall report to class or work or engage in College activity while impaired by alcohol, and controlled substance, or a legal or illegal drug. Further no student, staff, or faculty shall report to class, work, or other activities while having the presence of an illegal drug or controlled substance in their system. This policy applies while students, staff, and faculty are conducting Sumner College activities and business wherever located, and to all persons present on College premises (even if off-duty).
- Any student, staff, or faculty who observes or has knowledge of another member of the Sumner College community in violation of this policy, and in a condition which poses a hazard to the safety or welfare of others, is encouraged to report the information to their immediate supervisor, the employee's supervisor, Human Resources, or the President's office.
- Persons violating this policy may be subject to disciplinary action in accordance with applicable Sumner College policies and collective bargaining agreements, up to and including expulsion and/or termination of employment, and potentially, referral for prosecution. The College may require participation in an approved drug or alcohol abuse assistance or rehabilitation program, as appropriate.
- If a staff or faculty member is involved with work supported by a federal agency, the College will notify the federal agency within 10 days after receiving notification that an employee has been convicted of violating a criminal statute in the workplace.
- The College will take appropriate personnel action against such an employee and/or require the employee participate satisfactorily in an alcohol or other drug rehabilitation program.
- Any student convicted of violating a criminal drug statute on Sumner College property or during any College-sanctioned function must notify the Director of Financial Aid, if that student is receiving any form of federal financial aid (*e.g.* Pell grants, Stafford loans). The Director of Financial Aid will then notify the Secretary of the United States Department of Education. Conviction on any drug-related charge is grounds for forfeiture of federal financial aid.
- The College is committed to the provision of substance abuse education and prevention activities. In compliance with the Drug Free Schools Act Amendment of 1989, the College annually publishes and distributes to students, staff, and faculty the Drug and Alcohol Policy [www.sumnercollege.edu](http://www.sumnercollege.edu)
- Staff and faculty are required to notify Sumner College management of any criminal drug statute conviction for a violation occurring in the workplace **no later than 5 days** after the conviction.

# Links to Contacts for Alcohol and Drug Prevention



## Health Consequences Related to Drug and Alcohol Abuse

Drug addiction is a brain disease. Although initial drug use might be voluntary, drugs of abuse have been shown to alter gene expression and brain circuitry, which in turn affect human behavior. Once addiction develops, these brain changes interfere with an individual's ability to make voluntary decisions, leading to compulsive drug craving, seeking and use.

The impact of addiction can be far reaching. Cardiovascular disease, stroke, cancer, HIV/AIDS, hepatitis, and lung disease can all be affected by drug abuse. Some of these effects occur when drugs are used at high doses or after prolonged use, however, some may occur after just one use.

Substance	Known Health Risks
Marijuana/Hash	Impaired memory perception, inference with psychological maturation, possible damage to lungs and heart, psychological dependence
Cocaine	Intense psychological dependence, sleeplessness and anxiety, nasal passage damage, lung damage, and death from overdose
Stimulants	Loss of appetite, hallucinations, paranoia, convulsions, brain damage, cancers of the lung, throat, mouth, death from overdose
Depressants	Infection, addiction, loss of appetite, death from overdose, nausea, has severe interaction with alcohol
Narcotics	Addiction with severe withdrawal symptoms, loss of appetite, death from overdose
Hallucinogens	Anxiety, depression, impaired memory, emotional breakdown, death from overdose
Inhalants	Drastic weight loss, brain damage, liver and bone marrow damage, high risk of sudden death

## Resources

*Do you think you might have an alcohol or drug problem? Take an assessment here: <http://www.adsyes.org/alcohol-and-drug-online-assessment/>*

Find **Portland Alcohol Anonymous Meetings** at: <http://home.pdxaa.org/>

Alcohol Drug Hotline: 503.244.4645 or 1.800.923.4357

**Clackamas Women's Services** for women & children fleeing domestic violence or recent sexual abuse: 503.654.2288 or 1.888.654.2288

**Portland Women's Crisis Line:** 503.256.5333 or 1.888.235.5333

**Department of County Human Services, Mental Health & Addiction Services Division:** 503.9888.3999 ex 24264

**Providence Substance House Treatment:** 503.574.9200 or <http://oregon.providence.org/our-services/p/providence-substance-abuse-treatment/>

**Addiction Prevention & Treatment Programs, Volunteers of America, Oregon:** 503.235.8655 or [www.voaoor.org](http://www.voaoor.org)

# Sanctions



## State of Oregon Sanctions

### Alcohol

- Minor in possession-any attempt to purchase by a person under 21 years is a violation (up to \$250 fine)  
Providing liquor to a minor-Class A misdemeanor (up to 1 year in prison and a fine, plus restitution and community service). Mandatory minimums:
- First conviction - \$350
- Second conviction - \$1000
- Third or subsequent conviction - \$1000 and 30 days

For the purposes of the Oregon DUII statutes, for a person under 21 years of age, any amount of alcohol in the blood constitutes being under the influence of intoxicating liquor (class A misdemeanor, penalty of up to 1 year and \$2,500 fine and suspension and/or revocation of driving privileges).

### Illicit drugs

In Oregon, penalties for possession and distribution are determined by the controlled Substance Schedule upon which the drug appears. Examples from the drug schedules appear below. (Note: Most drugs appear on the same federal and state schedule.)

**Schedule I** Heroin, LSD, Marijuana, Peyote, Mescaline, Psilocybin

**Schedule II** Opium, Cocaine, Methamphetamine

**Schedule III** Amphetamine, Depressants, PCP

**Schedule IV** Various prescription drugs

**Schedule V** Other less dangerous prescription drugs and small amounts of certain drugs.

### Marijuana

Delivery for consideration (selling, dealing, or bartering)-Class B felony (up to 10 years and up to \$100,000 fine, plus twice the value of any resulting gain of property or money).

Delivery not for consideration (less than 1 oz.)-Class A misdemeanor (up to 1 year and up to \$2500).

Delivery not for consideration (less than 5 grams.)-violation (fine of at least \$500, but not more than \$1000).

Unlawful Possession (less than 1 oz.)-violation (fine of \$500-\$1000, plus twice the value of any resulting gain of property or money).

Unlawful Possession (more than 1 oz.)-Class B felony (up to 10 years and up to \$100,000 fine, plus twice the value of any resulting gain of property or money).

### Schedule I Drugs

Manufacture or distribution (except marijuana)-Class A felony (up to 20 years and up to \$100,000 fine, plus twice the value of any resulting gain of property or money).

Unlawful Possession-Class B felony (up to 10 years and up to \$100,000 fine, plus twice the value of any resulting gain of property or money).

### Schedule II Drugs

Manufacture or distribution-Class B felony (up to 10 years and up to \$100,000 fine, plus twice the value of any resulting gain of property or money).

Unlawful possession-Class C felony (up to 5 years and up to \$100,000 fine, plus twice the value of any resulting gain of property or money).

# Sanctions



## **Schedule III Drugs**

Manufacture or distribution-Class C felony (up to 5 years and up to \$100,000 fine, plus twice the value of any resulting gain of property or money).

Unlawful Possession-Class A misdemeanor (up to 1 year and up to \$2500 fine, plus twice the value of any resulting gain of property or money).

## **Schedule IV Drugs**

Manufacture or distribution-Class B misdemeanor (up to 6 months and up to \$1000 fine, plus twice the value of any resulting gain of property or money).

Unlawful Possession-Class C misdemeanor (up to 30 days and up to \$500 fine, plus twice the value of any resulting gain of property or money).

## **Schedule V Drugs**

Manufacture or distribution-Class C misdemeanor (30 days and up to \$500, plus twice the value of any resulting gain of property or money).

Unlawful Possession-violation (\$250 fine, plus twice the value of any resulting gain of property or money).

It is unlawful for a person to manufacture or deliver a schedule 1, 2, or 3 controlled substance within 1,000 feet of the real property comprising a public or private elementary, vocational or secondary school attended by minors (class A felony, penalty of up to 20 years and \$100,000 fine).

In addition, the court may order the defendant to pay the cost of prosecution, and the defendant's vehicle used in the crime may be forfeited to the state. Finally, the defendant may forfeit any property used in the crime to the county in which the crime occurred.

## **Federal Sanctions**

The federal system establishes sanctions for possession and distribution of controlled substances, based on the schedule of the drug and the amount involved. However, in addition, the statutory sanctions for possession and distribution are subject to the "Sentencing Guidelines for U.S. Courts." Imposition of the guidelines may lead to higher offense levels and, thus, stricter penalties than otherwise indicated. Courts must make adjustments in the offense level for victim-related considerations, defendant's role in the offense, multiple counts, obstruction and acceptance of responsibility. Finally, the guidelines establish sentences for each offense based on the defendant's criminal history. Federal penal sanctions range from: Manufacture, distribution or trafficking of large amounts of heroin, cocaine, PCP, methamphetamine, Schedule I and II hallucinogens, marijuana, hashish, or any of their derivatives (30 years to life, regardless of the defendant's criminal history) to Possession of any Schedule III-V drug if defendant has lowest level or criminal history (0-4 months).

Further, if serious injury or death results from the crime, minimums of up to 10 years (serious injury) and 20 years (death), plus fines of up to \$4,000,000 may be added. These penalties may be doubled for defendants with past felony drug convictions. Finally, penal sanctions in the federal system are "real time", with reductions in sentences only for good behavior.

## Other Sanctions



**You may lose eligibility for federal financial aid if you use drugs, please see below for the regulations regarding drug use while using financial aid (found at <https://studentaid.ed.gov/sa/eligibility/criminal-convictions>):**

Your eligibility might be suspended if the offense occurred while you were receiving federal student aid (grants, loans, or work-study). When you complete the FAFSA, you will be asked whether you had a drug conviction for an offense that occurred while you were receiving federal student aid. If the answer is yes, you will be provided a worksheet to help you determine whether your conviction affects your eligibility for federal student aid.

If your eligibility for federal student aid has been suspended due to a drug conviction, you can regain eligibility early by successfully completing an *approved drug rehabilitation program* or by passing two unannounced drug tests administered by an approved drug rehabilitation program. If you regain eligibility during the *award year*, notify your *financial aid office* immediately so you can get any aid you're eligible for.

If you are convicted of a drug-related offense after you submit the FAFSA, you might lose eligibility for federal student aid, and you might be liable for returning any financial aid you received during a period of ineligibility.

If you have been convicted of a forcible or non forcible sexual offense, and you are subject to an involuntary civil commitment upon completion of a period of incarceration for that offense, you cannot receive a Federal Pell Grant.