

H-161: Drug and Alcohol Abuse Prevention Program (DAAPP)

The Drug-Free Schools and Communities Act of 1989 (20 U.S.C. § 1011i, 34 C.F.R. Part 86), requires that Gateway Technical College adopt and implement a drug and alcohol abuse prevention program (DAAPP) to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by all students and employees on College premises or as part of any of its activities. The DAAPP must be distributed annually to all students enrolled for academic credit and all employees.

The DAAPP must include:

- (1) Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on College property or as part of any of College activities;
- (2) A description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol;
- (3) A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
- (4) A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students; and
- (5) A clear statement that the institution will impose disciplinary sanctions on students and employees (consistent with local, State, and Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct noted above.

The law further requires that the institution conduct a biennial review of its program with the following objectives:

- Determining the effectiveness of the program and implementing if they are needed; and
- To ensure that disciplinary sanctions are consistently enforced.

The biennial review must also include a determination as to:

- The number of drug- and alcohol-related violations and fatalities occurring on the campus or as part of their activities that are reported to campus officials; and
- The number and types of sanctions the IHEs impose on students or employees as a result of such violations or fatalities.

Gateway Technical College conducts a biennial review of the DAAPP on even-numbered years to meet these objectives and provide these statistics. Details regarding the Biennial Review can be found in Section VII **Error! Reference source not found..**

This DAAPP is intended to comply with the requirements of the Drug-Free Schools and Communities Act of 1989 and applies to all students and employees of the institution. Questions about this DAAPP should be directed to Josh Vollendorf, Director of Compliance, at vollendorfi@gtc.edu, or by phone at 262-564-3062.

I. STANDARDS OF CONDUCT

Gateway Technical College prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities. Specific policies applicable to students and employees are as follows:

Policies Applicable to Students

Student Code of Conduct (J-300)

The Student Code of Conduct indicates that students may be subject to discipline, up to and including suspension or dismissal, for “use, under the influence of, possession, sale or distribution of narcotics or illegal drugs...alcoholic beverages, etc. on Gateway owned or leased property, or at Gateway sponsored activities.”

Furthermore, the Student Handbook indicates that “Any student who engages in an activity on District premises or at a District-sponsored event that constitutes a violation of State of Wisconsin Uniform Controlled Substances Act shall be subject to non-academic misconduct disciplinary sanctions. In determining the appropriate sanction, the College president, or designee, shall consider those penalties, including suspension and expulsion, that will contribute most effectively to maintaining a College environment free from controlled substances. In keeping with local, state, and federal laws, Gateway Technical College prohibits the possession, use, or distribution of drugs and alcohol by students while on College property or when involved in any College sponsored activity.”

Policies Applicable to Employees

Drug Free Workplace (H-160)

POLICY

The Drug Free Workplace Act of 1988 and Wisconsin State Statute, Chapter 161 Uniform Controlled Substances Act, requires Gateway Technical College to make a good faith effort to maintain a drug-free workplace environment. As an employer receiving more than \$25,000 in federal government funding, the District recognizes that violations to these state and federal statutes will have an impact on the proper functioning of the District. This policy applies to controlled substances, including alcohol.

1. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including alcohol, is prohibited.
2. Reporting to work under the influence of a controlled substance, including alcohol is prohibited.
3. All employees working directly under a federal grant or contract agree, as a condition of employment, to maintain a drug free environment.
4. As a condition of employment, all employees shall notify their supervisor of any “criminal drug statute conviction for a violation occurring in the workplace” within five (5) days.

5. All regular employees shall be provided a copy of this policy as included in the employee handbook.
6. All regular employees shall sign an acknowledgment and pledge to maintain a drug-free environment upon receiving an employee handbook.
7. The dispensing, sale, and use of alcoholic beverages at activities on or within District property is allowed subject to the approval of the president or designee.

PROCEDURES

The Gateway District may provide a drug awareness program for students and employees that will inform, educate and provide referral assistance to a community drug abuse service. The drug awareness program may be conducted in cooperation with the county alcohol and drug abuse programs established under Section 51.42 of the Wisconsin Statutes.

1. Any employee reporting to work under the influence of a controlled substance, including alcohol will not be permitted to begin work. Employees who test positive will be subject to the provisions of the progressive counseling policy, up to and including separation. Upon being advised of an employee conviction for drug activity at the workplace, the supervisor will immediately notify the Human Resources department who must notify any relevant funding agency within ten (10) days from the date the employee notified their supervisor.
2. Within thirty (30) days of receiving notice of a conviction for drug activity within the workplace, Gateway shall:
 - a. take appropriate personnel action against the employee, up to and including separation, or
 - b. require the employee to participate in an approved drug abuse assistance or rehabilitation program, and
 - c. require the employee, upon their return from any drug abuse program, to remain drug free.
3. An Employee Assistance Program (EAP) is available to all eligible employees.

Employee Code of Conduct (I-110)

The Employee Code of Conduct stipulates that "Possessing/distributing/using/selling drugs or unauthorized alcoholic beverages during working hours or while off the College premises in the performance of job duties." This type of conduct will not be tolerated under any circumstances and will result in immediate suspension pending investigation (leading to separation) for any employee or immediate separation if investigation is not applicable.

Furthermore, the Employee Code of Conduct notes that a violation of the Drug-Free Workplace Policy is considered unacceptable and may lead to disciplinary action up to and including separation.

Policies Applicable to Students and Staff

Tobacco-Free / Smoke-Free Policy (E-155)

SCOPE

This policy is applicable and extends coverage to all Gateway Technical College Campuses, Centers, and grounds with no exceptions at any time (24/7). A tobacco-free/smoke-free workplace will increase quality of life for employees, decrease absenteeism, and save on other health-related personnel costs. This policy applies to all devices including electronic cigarettes, e-cigarettes, or personal vaporizers that are alternatives to smoking tobacco products.

PURPOSE

To provide a tobacco-free / smoke-free environment for our staff, customers, and the general public, thereby fostering our wellness image. To communicate Gateway's commitment to providing a healthy tobacco-free / smoke-free work environment for current employees and to establish parameters for those employees who choose to continue to smoke. Tobacco/smoking use is the major preventable cause of premature death today, killing one third to one-half million Americans annually. Nonsmokers can also be harmed by the hazards of second-hand smoke. These adverse effects range from immediate reactions (eye irritation, headaches, and allergies) to long-term serious illness. Nonsmokers exposed to environmental tobacco smoke include an elevated risk of lung cancer or other disabling respiratory disease, and they also face a higher incidence of cardiovascular disease. Stringent workplace smoking restrictions are rapidly gaining favor in both the public and private sectors.

POLICY

1. Gateway Technical College is strongly committed to maintaining and improving the health and well-being of all employees and customers. It is, therefore, Gateway's policy that employees have the right to work in an environment free of the hazards of tobacco smoke.
2. To protect the health of our employees and customers, the following policy will be in effect as of August 1, 2007. This will eliminate an unnecessary potential hazard from our workplace and we will support all employees in choosing a healthful, non-tobacco use/nonsmoking way of life.
 - a. Use of tobacco and smoking is prohibited on all Gateway Campuses, which includes but is not limited to the following:
 - 1) All buildings, grounds, sidewalks, streets, parking lots, and structures.
 - 2) All Gateway owned and leased vehicles.
 - 3) All personal vehicles on Gateway property.

This policy applies to all devices, including electronic cigarettes, e-cigarettes, or personal vaporizers that are alternatives to smoking tobacco products.

PROVISION

This policy is one of the most important steps that Gateway Technical College can take to safeguard the health of our employees and customers, for health-related issues and the escalating cost of health care remain a key priority on Gateway's agenda.

ENFORCEMENT

Failure to comply with this policy will be dealt with through the college's disciplinary procedures. Students, staff, visitors, and tenants who breach the policy will be asked to stop smoking and will be asked to leave the premises if they fail to comply with this request. All breaches of this policy will be recorded in writing.

II. LOCAL, STATE AND FEDERAL SANCTIONS

Students and employees who violate the standards of conduct outlined in this DAAPP are subject to both institutional sanctions (as outlined in Section V) as well as criminal sanctions provided under local, state and federal law. Pertinent criminal sanctions for unlawful possession, use, or distribution of illicit drugs and alcohol are outlined below.

Students and employees are cautioned that convictions for drug and alcohol violations may prevent individuals from entering many fields of employment.

Local Sanctions

Alcohol

Burlington

The City of Burlington City Ordinances prohibit possession on any public street, sidewalk, or in any motor vehicle on a public street, sidewalk or alley, any open container of alcohol. Additionally, no person under the age of 21 years shall have any concentration of alcohol in his/her blood while on a public street, sidewalk, alley or a parking lot (whether publicly or privately owned) that is open to the public; or on or in any motor vehicle in the same conditions. A person convicted of such a violation shall forfeit from \$5.00 to \$500.00 for each offense and non-payment may be punishable but up to 90 days in County Jail (City of Burlington Ordinance 187-1 and 187-3).

Elkhorn

The City of Elkhorn Code of Ordinances prohibit the carrying, exposing to view, any open can, bottle or container containing malt beverage or intoxicating liquor, or drink from the same, on any public walk, street, or in any park or other public place in the city without written permit from Common Council. A person convicted of such a violation shall forfeit from \$5.00 to \$500.00 for each offense and non-payment may be punishable but up to 90 days in County Jail (City of Elkhorn Code of Ordinance 9.14). Ordinance 19.01.05 states that no person in any park shall bring, possess or consume any alcoholic beverage in the park unless the City Clerk has issued a special permit or

be in any park in an intoxicated state. (Ord. No. 02-02, § 1 (part). Violation of this ordinance can result in denial of park use or a fine.

Kenosha

The City of Kenosha General Ordinances prohibit the serving, selling, giving or consumption of alcoholic beverages upon any public street, sidewalk or within a parked motor vehicle located on any street within the City of Kenosha. In addition, it is considered unlawful for a person to possess or consume alcohol upon any public walk, street, public park, other public place in the City or over which the City has any lease or jurisdiction, on any parking lot open to and available to the public, or within a parked vehicle located on any street within the City of Kenosha (unless specifically authorized by city ordinance). Persons violating any provision of this Chapter, authorized by Section 125.10, Wisconsin Statutes, shall not forfeit more than Five Hundred (\$500.00) Dollars per count, plus all applicable costs.

Alcohol is not allowed in nature areas within the city of Kenosha. Penalties for violating this ordinance, upon conviction, can result in a forfeiture of up to one thousand (\$1,000), plus applicable costs, and/or commitment to County Jail for a term not exceeding ninety (90) days.

Possess or consumption of Open Containers of alcoholic beverages within or upon any parking lot or facility or motor vehicle within an Outdoor Open Container Event (defined as a public event in a defined area of the city which because of adjacent zoning including but not limited to any combination of retail shops, galleries, bars, restaurants, entertainment venues and related businesses, located in any public area including the streets, sidewalks and right-of-ways located within the City of Kenosha where the possession and consumption of Fermented Malt Beverages and/or Wine from an open container is permitted subject to an approved application), is prohibited unless otherwise specifically permitted by state statute. Possession or consumption of alcoholic beverages by under age persons at an Outdoor Open Container Event is prohibited at all times unless otherwise permitted by law. A wristband issued by a licensed establishment is required for all individuals who possess or consume alcohol as such an event. Penalties upon conviction include a forfeiture of not less than two hundred dollars (\$200) and not more than five hundred (\$500), plus applicable costs and/or incarceration in the County Jail for no longer than ninety (90) days.

It is unlawful for any person(s) to host or allow and event or any other private or public property where alcohol or alcoholic beverages are present when the person knows that an underage person will or does consume any alcohol or alcoholic beverage; or possess any alcohol or alcoholic beverage with the intent to consume it; and the person fails to take reasonable steps to prevent possession or consumption by the underage person(s), unless specifically exempted under the ordinance. Penalties include a forfeiture of not less than one thousand dollars (\$1000) and nor more than five thousand (\$5000), plus applicable costs.

It is also unlawful for a person underage as defined in Section 125.02(20m), Wisconsin Statutes, to be under the influence of alcohol in the City of Kenosha, unless under the exceptions of Section 125.07(4)(b), Wisconsin Statutes (Kenosha Code of General Ordinances, 11.026).

Racine

The City of Racine Code of Ordinances prohibits the serving, selling, offering, giving or consumption of fermented malt beverage or intoxicating liquor while on any public street, sidewalk or within a parked motor vehicle located on any street within the City of Racine. In addition, it is considered unlawful for a person to possess or consume any fermented malt beverage or intoxicating liquor upon any public walk, street or within a parked vehicle located on any street within the city. Furthermore, it shall be unlawful for any person to consume, or to possess an open container containing, any fermented malt beverage or intoxicating liquor while upon the premises of any municipal parking lot or municipal parking facility, except when appropriately licensed (City of Racine Code of Ordinances 6-8).

Additionally, no person may procure for, sell, dispense or give away any alcoholic beverage to any underage person not accompanied by his parent, guardian or spouse who has attained the legal drinking age. No underage person, not accompanied by his parent, guardian or spouse who has attained the legal drinking age, shall knowingly possess or consume any alcoholic beverage. Additionally, no adult may intentionally encourage or contribute to an underage person possessing or consuming any alcoholic beverages. Violations of this provision is subject to a forfeiture of not more than \$500.00 if the person has not committed a previous violation within 12 months (City of Racine Code of Ordinances 6-6).

No intoxicating liquor, including wine, may be possessed or consumed in any city park, beach, playground, recreation area or boulevard, except as authorized by ordinance Sec. 70-89. No person shall bring into, possess or consume fermented malt beverages in any city park, playground, beach or recreation area, except in areas designated under this section and only upon written permission of the parks, recreation and cultural services commission, and except at such places as beverages are sold by licensees of the city and, except as otherwise provided in this section, in the Zoological Park, North Beach Park and Wustum Museum for specific events upon the specific approval of the common council. Persons in violation of this ordinance shall forfeit not less than twenty five (\$25.00) nor more than one thousand (\$1,000), together with the costs of prosecution. Any person charged under this section may, in lieu of a court appearance, forfeit the amount provided in section 70-1(b) at the police department.

Sturtevant

The Village of Sturtevant Municipal Code prohibits the selling, giving or offering to sell, serve or give to another person any alcohol while on any public street, alley or sidewalk or within a vehicle parked on any public street. Additionally, no individual may consume alcohol under the conditions as described above.

The Village of Sturtevant also prohibits underage consumption or possession, unless accompanied by their parent, guardian or spouse. The attempt to procure or procure alcohol, falsely represent age for the purpose of receiving alcohol; make, alter or duplicate an official identification card purporting to show attainment of the legal drinking age. Violations of this provision are subject to a forfeiture as set forth in 125.07(4) Wis. Stats. (Village of Sturtevant Municipal Code 9.155).

Racine County

Except as permitted by ordinance, no person shall bring into, possess or consume any spirit, wine, fermented malt beverage or liquor in any county park, recreation area or parkway, unless designated by the county public works commission or where alcoholic beverages are sold by the county. Violation of this ordinance may result in a fine of twenty-five dollars (\$25).

Kenosha County

Except where permitted by ordinance, it shall be unlawful for any person to sell, bring, drink, possess, or give away any beer, or other intoxicating beverages within a county park except that designated employees of the Department of Public Works may sell beer or wine to persons of legal drinking age for consumption only in areas specifically designated by the Committee. In addition, alcoholic beverages are not allowed in any dog parks.

Walworth County

Walworth County prohibits the possession of open intoxicants in any motor vehicle, in any County park or other County property without authorization from the Walworth County Board. IN addition, no person may possess open containers of fermented malt beverages or intoxicating liquors on any public walk, street, road, or highway within Walworth County unless the municipality allows such possession. Violations of this ordinance, upon conviction, may result in a forfeiture of not more than five hundred (\$500) plus costs.

Possession, use, sale or consumption of alcohol is prohibited in any County park or trail. Persons found guilty of violating this section shall forfeit not less than thirty dollars (\$30) nor more than one hundred (\$100) for a first offense, and not less than \$50.00 nor more than two hundred and fifty (\$250) for a second and any subsequent violations of this section, plus costs of prosecution for each violation.

Illicit Drugs

Burlington

The City of Burlington City Ordinances prohibit the carrying, possession or attempt to possess marijuana, THC, or a controlled substance analog, as that term is defined in 961.01(4), Wis. Stats. A person convicted of such a violation shall forfeit from \$5.00 to \$500.00 for each offense and non-payment may be punishable but up to 90 days in County Jail (City of Burlington Ordinance 135-1).

Elkhorn

The City of Elkhorn Code of Ordinances prohibits possession of Marijuana as defined in Section 961.01(14), Wis. Stats., in the amount of 25 grams or less. A person convicted of such a violation shall forfeit from \$50.00 to \$500.00 plus the cost of prosecution. Possession of amounts of marijuana exceeding 25 grams and/or subsequent violations for such offenses will continue to be referred to the District Attorney's office for State criminal prosecution (City of Elkhorn Code of Ordinance 9.18).

The City of Elkhorn Code of Ordinances prohibit the possession of THC, in any form, unless specifically excepted by federal regulations. Additionally, no person shall possess synthetic cannabinoids, in any form, unless excepted by federal regulations. A person convicted of such a violation shall forfeit from \$5.00 to \$500.00 for each offense and non-payment may be punishable but up to 90 days in County Jail (City of Elkhorn Code of Ordinance 9.17).

Kenosha

The City of Kenosha General Ordinances prohibit the possession and use of small amounts of marijuana (1 ounce or 28 grams or less of marijuana). Further, city ordinances also prohibit any person to use or carry, or for any person, firm, party or corporation to possess marijuana. A person convicted of such a violation shall forfeit from \$10.00 to \$750.00 for each offense, plus the costs of prosecution, and in default thereof shall be committed to the County Jail for a period not to exceed ninety (90) days (Kenosha Code of General Ordinances, 11.146). Possession of amounts of marijuana exceeding 1 ounce or 28 grams and/or subsequent violations for such offenses will continue to be referred to the District Attorney's office for State criminal prosecution.

It is also unlawful to possess, purchase, display for sale, attempt to sell, sell, give back or use any chemical derivative of marijuana, or any other substance, designed to mimic the physical, psychological, intoxicating, narcotic or other effects of marijuana. Penalties for these violations include forfeiture of not less than \$100.00 nor more than \$750.00 for each offense, plus the cost of prosecution, and upon default shall be imprisoned in the county jail or house of correction for a period not to exceed ninety (90) days (Kenosha Code of General Ordinances, 11.147).

Racine

The City of Racine Municipal Codes prohibit the possession of small amounts of marijuana (25 grams or less) unless the substance was obtained in accordance with Wis. Stats. Ch. 961. A person convicted of a violation shall forfeit \$75.00 plus court fees. Possession of amounts of marijuana exceeding 25 grams and/or subsequent violations for such offenses will continue to be referred to the District Attorney's office for State criminal prosecution (Racine Municipal Code 66-261).

The City of Racine Municipal Codes also prohibit the use, possession, purchase or attempt to purchase, sale, public display, and give or barter of any one or more of what is considered a synthetic cannabinoid product. A person convicted of a violation shall forfeit \$300.00 for the possession, public display, attempt to sell, or bartering and \$2,500.00 for the sale of synthetic cannabinoid (Racine Municipal Code 66-262).

Sturtevant

The Village of Sturtevant Municipal Codes prohibit the possession, use or keeping of any Marijuana, THC, or synthetic cannabinoid. Penalties for this violation include forfeiture of not less than \$100.00 nor more than \$500.00 and in default of payment shall be imprisoned in the county jail not more than 30 days (Village of Sturtevant Municipal Code 9.12).

Pleasant Prairie

The Village of Pleasant Prairie via their municipal code, adopted the following state statutes in reference to their local drug laws: 961.14(4)(t) to 961.41, 961.573, 961.574, 961.575, and 961.576. The penalty associated with these violations shall be limited to a forfeiture imposed under Chapter 1 of the Municipal Code (Village of Pleasant Prairie Municipal Code 250-1).

County of Walworth

No person or entity shall possess, purchase, display for sale, attempt to sell, give, barter or use any chemical derivative of marijuana or any other substance designed to mimic the physical, psychological, intoxicating, narcotic, or other effects of marijuana, except if done by or under the direction or prescription of a licensed physician, dentist, or other medical health professional authorized to direct or prescribe such acts, provided such use is permitted under state and federal laws. Any person or entity violating this section shall be required to forfeit not less than two hundred dollars (\$200) nor more than one thousand dollars (\$1,000). Any person or entity who violates this section by offering synthetic marijuana for sale, displaying it for sale, or selling it shall be required to forfeit not less than four hundred (\$400) nor more than two thousand dollars (\$2,000).

County of Racine

It is unlawful for any person to carry, possess or use marijuana or synthetic marijuana as those substances are defined in either W.S.A., § 961.01 or have been placed on an emergency schedule by the US DEA administrator, unless such substance was

obtained directly from, or pursuant to, a valid prescription or order of a practitioner filled out in the course of his professional practice, or except as otherwise authorized by W.S.A., ch. 961. Violations of this ordinance may result in a forfeiture of one hundred dollars (\$100).

State Sanctions

Alcohol

It is a violation of Wisconsin law for any person to procure for, sell, dispense or give away any alcoholic beverages to any underage person not accompanied by his or her parent, guardian or spouse who has attained the legal drinking age. Furthermore, no adult may knowingly permit or fail to take action to prevent the illegal consumption of alcoholic beverages by an underage person on property, including any premises, owned and occupied by the adult or occupied by the adult and under the adult's control. Penalties for these offenses range from a fine not greater than \$500 (for a first violation with a mandatory license/permit suspension of up to 3 days, but subsequent violations can result in a fine of up to \$10,000, license/permit suspension of up to 30 days, and/or up to 9 months of imprisonment depending on the frequency of violations and the amount of time between them ([Wis. Stat. 125.07](#)).

It is also a violation of law for an underage person to: procure or attempt to procure alcohol beverages from a licensee or permittee; to enter, knowingly attempt to enter, or be on any premises of a licensee/permittee; to falsely represents his or her age for the purpose of receiving alcohol beverages from a licensee or permittee; or to otherwise knowingly possess or consume alcohol beverages. First-time violations of these provisions can include a fine of \$250-\$500, suspension of the person's driver's license/permit, and/or mandated participation in a supervised work program or other community service. Repeated violations may result in fines of up to \$1,000 in addition to suspension of the person's driver's license/permit and/or mandated participation in a supervised work program or other community service ([Wis. Stat. 125.07\(4\)](#)).

Illicit Drugs

State law penalties pertaining to the unlawful possession or distribution of controlled substances originate from the Wisconsin Uniform Controlled Substances Act ([Wis. Stat. 961](#)). This act stipulates that it is unlawful for any person to manufacture, distribute or deliver a controlled substance or controlled substance analog. It is also unlawful for any person to possess, with intent to manufacture, distribute or deliver, a controlled substance or a controlled substance analog. Penalties vary based on the schedule, type, and amount of the controlled substance at issue; whether the person possessed, manufactured, distributed, or delivered a controlled substance unlawfully (or intended to do so); and the number of previous offenses committed by a person. Specific penalties are contained in the "Offenses and Penalties" subchapter of the Wisconsin Uniform Controlled Substances Act (Wis. Stat. [961.41](#), [961.42](#), and [961.43](#)). Generally,

penalties for these offenses range from Class C felonies to Class I felonies, which carry the following penalties:

- For a Class C felony, a fine not to exceed \$100,000 or imprisonment not to exceed 40 years, or both.
- For a Class D felony, a fine not to exceed \$100,000 or imprisonment not to exceed 25 years, or both.
- For a Class E felony, a fine not to exceed \$50,000 or imprisonment not to exceed 15 years, or both.
- For a Class F felony, a fine not to exceed \$25,000 or imprisonment not to exceed 12 years and 6 months, or both.
- For a Class G felony, a fine not to exceed \$25,000 or imprisonment not to exceed 10 years, or both.
- For a Class H felony, a fine not to exceed \$10,000 or imprisonment not to exceed 6 years, or both.
- For a Class I felony, a fine not to exceed \$10,000 or imprisonment not to exceed 3 years and 6 months, or both.

Federal Sanctions

The Federal *Controlled Substance Act* proscribes federal penalties and sanctions for illegal trafficking and possession of a controlled substance. A summary of this information is available online at:

https://www.dea.gov/sites/default/files/2018-06/drug_of_abuse.pdf and included as Appendix 1 to this policy. A separate summary of penalties and sanctions pertaining to Marijuana, also available online at the aforementioned link, is included as Appendix 2 to this DAAPP.

Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

Sentencing Provisions (21 U.S.C. 844(a))

- 1st conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.
- After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.
- After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both.

Forfeitures

- Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack) 21 U.S.C. 853(a)(2) and 881(a)(7)

- Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance. 21 U.S.C. 881(a)(4)

Denial of Federal Benefits

- Denial of Federal benefits, such as contracts and professional and commercial licenses, up to one year for first offense, up to five years for second and subsequent offenses. 21 U.S.C. 853a

Miscellaneous

- Ineligible to receive or purchase a firearm. Revocation of certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies. Note: These are only Federal penalties and sanctions.

III. HEALTH RISKS

Health Risks Associated with Illicit Drug Use

The *Controlled Substances Act* (CSA) places all substances which were in some manner regulated under existing federal law into one of five schedules. This placement is based upon the substance's medical use, potential for abuse, and safety or dependence liability. A description of each schedule is included below:

Schedule I

- The drug or other substance has a high potential for abuse.
- The drug or other substance has no currently accepted medical use in treatment in the United States.
- There is a lack of accepted safety for use of the drug or other substance under medical supervision.
- Examples of Schedule I substances include heroin, gamma hydroxybutyric acid (GHB), lysergic acid diethylamide (LSD), marijuana, and methaqualone.

Schedule II

- The drug or other substance has a high potential for abuse.
- The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions.
- Abuse of the drug or other substance may lead to severe psychological or physical dependence.
- Examples of Schedule II substances include morphine, phencyclidine (PCP), cocaine, methadone, hydrocodone, fentanyl, and methamphetamine.

Schedule III

- The drug or other substance has less potential for abuse than the drugs or other substances in Schedules I and II.

- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence.
- Anabolic steroids, codeine and hydrocodone products with aspirin or Tylenol®, and some barbiturates are examples of Schedule III substances.

Schedule IV

- The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule III.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III.
- Examples of drugs included in Schedule IV are alprazolam, clonazepam, and diazepam.

Schedule V

- The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule IV.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substances may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule IV.
- Cough medicines with codeine are examples of Schedule V drugs.

The Controlled Substances Act (CSA) regulates five classes of drugs:

- Narcotics,
- Depressants,
- Stimulants,
- Hallucinogens and
- Anabolic steroids.

Each class has distinguishing properties, and drugs within each class often produce similar effects. However, all controlled substances, regardless of class, share a number of common features. All controlled substances have abuse potential or are immediate precursors to substances with abuse potential. With the exception of anabolic steroids, controlled substances are abused to alter mood, thought, and feeling through their actions on the central nervous system (brain and spinal cord). Some of these drugs alleviate pain, anxiety, or depression. Some induce sleep and others energize. Though some controlled substances are therapeutically useful, the “feel good” effects of these drugs contribute to their abuse. The extent to which a substance is reliably capable of producing intensely pleasurable feelings (euphoria) increases the likelihood of that substance being abused.

The following chart summarizes each class's legal status, effects on the mind, effects on the body and effects of overdose.

Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
Narcotics Also known as “opioids,” the term “narcotic” comes from the Greek word for “stupor” and originally referred to a variety of substances that dulled the senses and relieved pain. Though some people still refer to all drugs as “narcotics,” today “narcotic” refers to opium, opium derivatives, and their semi-synthetic substitutes. A more current term for these drugs, with less uncertainty regarding its meaning, is “opioid.” Examples include the illicit drug heroin and pharmaceutical drugs like OxyContin®, Vicodin®, codeine, morphine, methadone, and fentanyl.	Narcotics/opioids are controlled substances that vary from Schedule I to Schedule V, depending on their medical usefulness, abuse potential, safety, and drug dependence profile. Schedule I narcotics, like heroin, have no medical use in the U.S. and are illegal to distribute, purchase, or use outside of medical research.	<p>Besides their medical use, narcotics/opioids produce a general sense of well-being by reducing tension, anxiety, and aggression. These effects are helpful in a therapeutic setting but contribute to the drugs’ abuse. Narcotic/opioid use comes with a variety of unwanted effects, including drowsiness, inability to concentrate, and apathy.</p> <p>Use can create psychological dependence. Long after the physical need for the drug has passed, the addict may continue to think and talk about using drugs and feel overwhelmed coping with daily activities. Relapse is common if there are not changes to the physical environment or the behavioral motivators that prompted the abuse in the first place.</p>	<p>Narcotics/opioids are prescribed by doctors to treat pain, suppress cough, cure diarrhea, and put people to sleep. Effects depend heavily on the dose, how it’s taken, and previous exposure to the drug. Negative effects include: Slowed physical activity, constriction of the pupils, flushing of the face and neck, constipation, nausea, vomiting, and slowed breathing</p> <p>As the dose is increased, both the pain relief and the harmful effects become more pronounced. Some of these preparations are so potent that a single dose can be lethal to an inexperienced user. However, except in cases of extreme intoxication, there is no loss of motor coordination or slurred speech. Physical dependence is a consequence of chronic opioid use, and withdrawal takes place when drug use</p>	Overdoses of narcotics are not uncommon and can be fatal. Physical signs of narcotics/opioid overdose include: Constricted (pinpoint) pupils, cold clammy skin, confusion, convulsions, extreme drowsiness, and slowed breathing

Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
			is discontinued. The intensity and character of the physical symptoms experienced during withdrawal are directly related to the particular drug used, the total daily dose, the interval between doses, the duration of use and the health and personality of the user.	
Stimulants Stimulants speed up the body's systems. this class of drugs includes: Prescription drugs such as amphetamines [Adderall® and dexedrine®], methylphenidate [Concerta® and Ritalin®], diet aids [such as didrex®, Bontril®, Preludin®, Fastin®, Adipex P®, ionamin®, and Meridia®] and illicitly produced drugs such as methamphetamine, cocaine, and methcathinone.	<p>A number of stimulants have no medical use in the United States but have a high potential for abuse. These stimulants are controlled in Schedule I. Some prescription stimulants are not controlled, and some stimulants like tobacco and caffeine don't require a prescription — though society's recognition of their adverse effects has resulted in a proliferation of caffeine-free products and efforts to discourage cigarette smoking.</p> <p>Stimulant chemicals in over-the-counter</p>	<p>When used as drugs of abuse and not under a doctor's supervision, stimulants are frequently taken to: Produce a sense of exhilaration, enhance self-esteem, improve mental and physical performance, increase activity, reduce appetite, extend wakefulness for prolonged periods, and "get high".</p> <p>Chronic, high-dose use is frequently associated with agitation, hostility, panic, aggression, and suicidal or homicidal tendencies. Paranoia, sometimes accompanied by both auditory and visual</p>	<p>Stimulants are sometimes referred to as uppers and reverse the effects of fatigue on both mental and physical tasks. Therapeutic levels of stimulants can produce exhilaration, extended wakefulness, and loss of appetite. These effects are greatly intensified when large doses of stimulants are taken.</p> <p>Taking too large a dose at one time or taking large doses over an extended period of time may cause such physical side effects as: Dizziness, tremors, headache, flushed skin, chest pain with</p>	<p>In overdose, unless there is medical intervention, high fever, convulsions, and cardiovascular collapse may precede death. Because accidental death is partially due to the effects of stimulants on the body's cardiovascular and temperature-regulating systems, physical exertion increases the hazards of stimulant use.</p>

Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
	<p>products, such as ephedrine and pseudoephedrine can be found in allergy and cold medicine. As required by The Combat Methamphetamine Epidemic Act of 2005, a retail outlet must store these products out of reach of customers, either behind the counter or in a locked cabinet. Regulated sellers are required to maintain a written or electronic form of a logbook to record sales of these products. In order to purchase these products, customers must now show a photo identification issued by a state or federal government. They are also required to write or enter into the logbook: their name, signature, address, date, and time of sale. In addition to the above, there are daily and monthly sales limits set for customers.</p>	<p>hallucinations, may also occur.</p> <p>Tolerance, in which more and more drugs are needed to produce the usual effects, can develop rapidly, and psychological dependence occurs. In fact, the strongest psychological dependence observed occurs with the more potent stimulants, such as amphetamine, methylphenidate, methamphetamine, cocaine and methcathinone.</p> <p>Abrupt cessation is commonly followed by depression, anxiety, drug craving, and extreme fatigue, known as a “crash.”</p>	<p>palpitations, excessive sweating, vomiting, and abdominal cramps.</p>	

Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
<p>Depressants</p> <p>Depressants will put you to sleep, relieve anxiety and muscle spasms, and prevent seizures. Barbiturates are older drugs and include butalbital (Fiorina®), phenobarbital, Pentothal®, Seconal® and Nembutal®. You can rapidly develop dependence on and tolerance to barbiturates, meaning you need more and more of them to feel and function normally. This makes them unsafe, increasing the likelihood of coma or death. Benzodiazepines were developed to replace barbiturates, though they still share many of the undesirable side effects. Some examples are Valium®, Xanax®, Halcion®, Ativan®, Klonopin® and Restoril®. Rohypnol® is a benzodiazepine that is not manufactured or legally marketed in the United States, but it is used illegally. Ambien® and Sonata® are</p>	<p>Most depressants are controlled substances that range from Schedule I to Schedule IV under the Controlled Substances Act, depending on their risk for abuse and whether they currently have an accepted medical use. Many of the depressants have FDA-approved medical uses. Rohypnol® is not manufactured or legally marketed in the United States.</p>	<p>Depressants used therapeutically do what they are prescribed for: to put you to sleep, relieve anxiety and muscle spasms, and prevent seizures. They also: Cause amnesia, leaving no memory of events that occur while under the influence, reduce your reaction time, impair mental functioning and judgment, and cause confusion. Long-term use of depressants produces psychological dependence and tolerance.</p>	<p>Some depressants can relax the muscles. Unwanted physical effects include: Slurred speech, loss of motor coordination, weakness, headache, lightheadedness, blurred vision, dizziness, nausea, vomiting, low blood pressure, and slowed breathing</p> <p>Prolonged use of depressants can lead to physical dependence even at doses recommended for medical treatment. Unlike barbiturates, large doses of benzodiazepines are rarely fatal unless combined with other drugs or alcohol. But unlike the withdrawal syndrome seen with most other drugs of abuse, withdrawal from depressants can be life threatening.</p>	<p>High doses of depressants or use of them with alcohol or other drugs can slow heart rate and breathing enough to cause death.</p>

Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
sedative-hypnotic medications approved for the short-term treatment of insomnia that share many of the properties of benzodiazepines. Other CNS depressants include meprobamate, methaqualone (Quaalude®), and the illicit drug GHB.				
Hallucinogens Hallucinogens are found in plants and fungi or are synthetically produced and are among the oldest known group of drugs used for their ability to alter human perception and mood. Hallucinogens include: <ul style="list-style-type: none"> • Ecstasy/MDMA • K2 /Spice • Ketamine • LSD • Peyote & Mescaline • Psilocybin • Marijuana/Cannabis (addressed as its own class in this table) 	Many hallucinogens are Schedule I under the Controlled Substances Act, meaning that they have a high potential for abuse, no currently accepted medical use in treatment in the United States, and a lack of accepted safety for use under medical supervision.	Sensory effects include perceptual distortions that vary with dose, setting, and mood. Psychic effects include distortions of thought associated with time and space. Time may appear to stand still, and forms and colors seem to change and take on new significance. Weeks or even months after some hallucinogens have been taken, the user may experience flashbacks — fragmentary recurrences of certain aspects of the drug experience in the absence of actually taking the drug. The occurrence of a flashback is unpredictable, but is more likely to occur	Physiological effects include elevated heart rate, increased blood pressure, and dilated pupils.	Deaths exclusively from acute overdose of LSD, magic mushrooms, and mescaline are extremely rare. Deaths generally occur due to suicide, accidents, and dangerous behavior, or due to the person inadvertently eating poisonous plant material. A severe overdose of PCP and ketamine can result in: respiratory depression, coma, convulsions, seizures, and death due to respiratory arrest

Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
		during times of stress and seems to occur more frequently in younger individuals. With time, these episodes diminish and become less intense.		
Marijuana/Cannabis Marijuana is classified in the Controlled Substances Act as a hallucinogen. Marijuana is a mind-altering (psychoactive) drug, produced by the Cannabis sativa plant. Marijuana contains over 480 constituents. THC (delta-9-tetrahydrocannabinol) is believed to be the main ingredient that produces the psychoactive effect.	<p>Marijuana is a Schedule I substance under the Controlled Substances Act, meaning that it has a high potential for abuse, no currently accepted medical use in treatment in the United States, and a lack of accepted safety for use under medical supervision.</p> <p>Marinol, a synthetic version of THC, the active ingredient found in the marijuana plant, can be prescribed for the control of nausea and vomiting caused by chemotherapeutic agents used in the treatment of cancer and to stimulate appetite in AIDS patients. Marinol is a Schedule III substance under the Controlled</p>	<p>When marijuana is smoked, the THC passes from the lungs and into the bloodstream, which carries the chemical to the organs throughout the body, including the brain. In the brain, the THC connects to specific sites called cannabinoid receptors on nerve cells and influences the activity of those cells. Many of these receptors are found in the parts of the brain that influence:</p> <p>Pleasure, memory, thought, concentration, sensory and time perception, and coordinated movement.</p> <p>The short-term effects of marijuana include:</p> <p>Problems with memory and learning, distorted perception, difficulty in thinking and problem-solving, and loss of coordination. The effect of</p>	<p>Short-term physical effects from marijuana use may include: Sedation, bloodshot eyes, increased heart rate, coughing from lung irritation, increased appetite, and decreased blood pressure Like tobacco smokers, marijuana smokers experience serious health problems such as bronchitis, emphysema, and bronchial asthma. Extended use may cause suppression of the immune system. Because marijuana contains toxins and carcinogens, marijuana smokers increase their risk of cancer of the head, neck, lungs, and respiratory tract. Withdrawal from chronic use of high doses of marijuana causes physical signs including</p>	<p>No death from overdose of marijuana has been reported.</p>

Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
	Substances Act.	<p>marijuana on perception and coordination are responsible for serious impairments in learning, associative processes, and psychomotor behavior (driving abilities). Long term, regular use can lead to physical dependence and withdrawal following discontinuation, as well as psychic addiction or dependence. Clinical studies show that the physiological, psychological, and behavioral effects of marijuana vary among individuals and present a list of common responses to cannabinoids, as described in the scientific literature:</p> <ul style="list-style-type: none"> ● Dizziness, nausea, tachycardia, facial flushing, dry mouth and tremor initially ● Merriment, happiness, and even exhilaration at high doses ● Disinhibition, relaxation, increased sociability, and talkativeness ● Enhanced sensory 	<p>headache, shakiness, sweating, and stomach pains and nausea. Withdrawal symptoms also include behavioral signs such as: Restlessness, irritability, sleep difficulties, and decreased appetite</p>	

Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
		<p>perception, giving rise to increased appreciation of music, art, and touch</p> <ul style="list-style-type: none"> ● Heightened imagination leading to a subjective sense of increased creativity ● Time distortions ● Illusions, delusions, and hallucinations are rare except at high doses ● Impaired judgment, reduced coordination, and ataxia, which can impede driving ability or lead to an increase in risk-taking behavior ● Emotional lability, incongruity of affect, dysphoria, disorganized thinking, inability to converse logically, agitation, paranoia, confusion, restlessness, anxiety, drowsiness, and panic attacks may occur, especially in inexperienced users or in those who have taken a large dose ● Increased appetite and short-term memory impairment are common 		

Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
		Researchers have also found an association between marijuana use and an increased risk of depression, an increased risk and earlier onset of schizophrenia, and other psychotic disorders, especially for teens that have a genetic predisposition.		
Steroids Anabolic steroids are synthetically produced variants of the naturally occurring male hormone testosterone that are abused in an attempt to promote muscle growth, enhance athletic or other physical performance, and improve physical appearance. Testosterone, nandrolone, stanozolol, methandienone, and boldenone are some of the most frequently abused anabolic steroids.	Anabolic steroids are Schedule III substances under the Controlled Substances Act. Only a small number of anabolic steroids are approved for either human or veterinary use. Steroids may be prescribed by a licensed physician for the treatment of testosterone deficiency, delayed puberty, low red blood cell count, breast cancer, and tissue wasting resulting from AIDS.	Case studies and scientific research indicate that high doses of anabolic steroids may cause mood and behavioral effects. In some individuals, steroid use can cause dramatic mood swings, increased feelings of hostility, impaired judgment, and increased levels of aggression (often referred to as "roid rage") When users stop taking steroids, they may experience depression that may be severe enough to lead one to commit suicide. Anabolic steroid use may also cause psychological dependence and addiction.	<p>A wide range of adverse effects is associated with the use or abuse of anabolic steroids. These effects depend on several factors including: Age, sex, the anabolic steroid used, amount used, and duration of use.</p> <p>In adolescents, anabolic steroid use can stunt the ultimate height that an individual achieves.</p> <p>In boys, steroid use can cause early sexual development, acne, and stunted growth.</p> <p>In adolescent girls and women, anabolic steroid</p>	Anabolic steroids are not associated with overdoses. The adverse effects a user would experience develop from the use of steroids over time.

Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
			<p>use can induce permanent physical changes, such as deepening of the voice, increased facial and body hair growth, menstrual irregularities, male pattern baldness, and lengthening of the clitoris.</p> <p>In men, anabolic steroid use can cause shrinkage of the testicles, reduced sperm count, enlargement of the male breast tissue, sterility, and an increased risk of prostate cancer.</p> <p>In both men and women, anabolic steroid use can cause high cholesterol levels, which may increase the risk of coronary artery disease, strokes, and heart attacks. Anabolic steroid use can also cause acne and fluid retention. Oral preparations of anabolic steroids, in particular, can damage the liver.</p> <p>Abusers who inject steroids run the risk of contracting various</p>	

Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
			<p>infections due to non-sterile injection techniques, sharing of contaminated needles, and the use of steroid preparations manufactured in non-sterile environments. All these factors put users at risk for contracting viral infections such as HIV/AIDS or hepatitis B or C, and bacterial infections at the sight of injection. Abusers may also develop endocarditis, a bacterial infection that causes a potentially fatal inflammation of the heart lining.</p>	

Health Risks Associated with Alcohol Abuse

The consequences associated with alcohol abuse among college students are far reaching. According to the National Institute on Alcohol Abuse and Alcoholism, “Students who engage in risky drinking may experience blackouts (i.e., memory loss during periods of heavy drinking); fatal and nonfatal injuries, including falls, drownings, and automobile crashes; illnesses; missed classes; unprotected sex that could lead to a sexually transmitted disease or an unwanted pregnancy; falling grades and academic failure; an arrest record; accidental death; and death by suicide. In addition, college students who drink to excess may miss opportunities to participate in the social, athletic, and cultural activities that are part of college life.”

The risks are not just limited to students. The Centers for Disease Control and Prevention identifies the following short-term and long-term health risks related to alcohol use and abuse:

Short-Term Health Risks

Excessive alcohol use has immediate effects that increase the risk of many harmful health conditions. These are most often the result of binge drinking and include the following:

- Injuries, such as motor vehicle crashes, falls, drownings, and burns.
- Violence, including homicide, suicide, sexual assault, and intimate partner violence.
- Alcohol poisoning, a medical emergency that results from high blood alcohol levels.
- Risky sexual behaviors, including unprotected sex or sex with multiple partners. These behaviors can result in unintended pregnancy or sexually transmitted diseases, including HIV.
- Miscarriage and stillbirth or fetal alcohol spectrum disorders (FASDs) among pregnant women.

Long-Term Health Risks

Over time, excessive alcohol use can lead to the development of chronic diseases and other serious problems including:

- High blood pressure, heart disease, stroke, liver disease, and digestive problems.
- Cancer of the breast, mouth, throat, esophagus, liver, and colon.
- Learning and memory problems, including dementia and poor school performance.
- Mental health problems, including depression and anxiety.
- Social problems, including lost productivity, family problems, and unemployment.
- Alcohol dependence, or alcoholism.

Educational Consequences of Alcohol and Other Drug Abuse

There are numerous educational consequences associated with alcohol and other drug abuse. About 25 percent of college students report academic consequences of their drinking, including missing class, falling behind, doing poorly on exams or papers, and receiving lower grades. A post-college study found binge drinking in college to be

associated with academic attrition, early departure from college, and lower earnings in post-college employment. Additionally, a study found that college students who used marijuana were more likely to put themselves in physical danger when under the influence, experience concentration problems, and miss class.

“Substance misuse among college students has frequent and severe negative consequences. These consequences include violent and sometimes fatal effects. Much of the research on the consequences of college student substance misuse focuses on alcohol. A 2009 estimate of annual immediate physical harm as a result of alcohol use among college students aged 18 to 24 included 1,825 deaths, 599,000 unintentional injuries, and 696,000 students assaulted by another student who has been drinking. While most injury and death among college students is unintentional, some students consider taking their own lives and some of them attempt it. Studies show a strong connection between suicidal behavior and substance use in both the college and general populations. Substance use also can damage students’ health. Consequences of excessive drinking include sleep issues and depression. Substance use among college students also often progresses to the level of a disorder. In 2015 one in seven full-time college students aged 18 to 22 (14.6 percent) met the criteria for past-year had a substance use disorder. Substance use disorders cause significant impairment, such as health problems, disability, and failure to meet major responsibilities at work, school, or home.

Alcohol use also plays a large role in sex-related harm among college students. College students are more likely to engage in unprotected sex when drunk or high and are more likely to engage in sexual activity with someone they just met. In a study of undergraduates, 42 percent reported engaging in unplanned sexual activity in the past year as a result of their alcohol use. Each year, an estimated 97,000 college students are victims of alcohol-related sexual assault that includes rape as well as forced touching or kissing. Sexual assault often is linked to substance use by victims as well as by perpetrators. Students who misuse alcohol or use illicit drugs are also more likely than students who abstain to have difficulty meeting academic responsibilities. Consequences of college substance use include falling behind in studies, getting poor grades, and dropping out. More broadly, the impact of substance misuse on students’ academic performance undermines the very purpose of higher education and the financial sacrifices families make for it. College substance use may bring disciplinary penalties imposed by schools. In addition to non-punitive actions such as substance misuse education, counseling, and treatment, students may be subject to disciplinary action, including suspension and expulsion from the college. Such actions may be based on substance use or on other violations of college standards, such as damaging property and causing or threatening physical harm. Moreover, substance use often has legal consequences. Students may be arrested for alcohol and drug violations, fighting, and damaging property. Finally, substance-using college students often diminish the quality of campus life for other students, many of whom report having study and sleep time interrupted and having personal property damaged and destroyed because of intoxicated students.”

IV. ALCOHOL AND OTHER DRUG PROGRAMS AND RESOURCES

If a student has a drug or alcohol problem, Gateway highly recommends that they seek assistance from the Student Support Counselors. These private and confidential counseling for students is free of charge at the Elkhorn, Kenosha, and Racine Campuses. Gateway Student Support Counselors have Master's Degrees in Counseling or Social Work, are licensed by the State of Wisconsin, and are members of relevant professional organizations.

Generally, students are seen on an appointment basis. Walk-in hours are also offered weekly on each campus. To schedule an appointment, contact Student Services at 1-800-247-7122.

Short-term counseling is available, with referrals to community partners for long term needs.

Employees can access additional confidential Alcohol and Other Drug Abuse (AODA) services and referrals through the college's Employee Assistance Program (EAP). This can include free or reduced cost counseling sessions. The EAP provider can be reached by contacting 1-800-540-3758 or by emailing eap@ascension.org.

Students and employees are encouraged to access the Substance Abuse and Mental Health Services Administration (SAMHSA) Treatment Locator, a confidential and anonymous source of information for persons seeking treatment facilities in the United States or U.S. Territories for substance abuse/addiction and/or mental health problems. To access this resource, visit [FindTreatment.gov](https://findtreatment.gov) or by calling the SAMHSA National Helpline at 800-662-4357.

Cultural factors can impact substance abuse and finding a provider that understands these factors and can tailor treatment is an important consideration. In addition, finding a culturally competent provider can impact the success of therapy.

Students and employees seeking information regarding Self-Help, Peer Support, and Consumer Groups related to addiction (such as Alcoholics Anonymous, Narcotics Anonymous, Marijuana Anonymous, and others) are encouraged to call the SAMHSA National Helpline at 800-662-4357.

In addition to these resources, students and employees are advised of the availability of the following alcohol and other drug resources in the community.

Kenosha County	National helpline (referral and assistance for AODA issues), English and Spanish assistance: 1-800-662-HELP Birds of a Feather Inc 6530 Sheridan Road
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	<p>Suite 2 Kenosha, WI 53143 Main Tel: 262-605-8442 Intake Tel 2: 262-605-1444</p> <p>Kenosha County Department of Human Services, Mental Health and Substance Abuse Counseling 262-657-7188</p> <p>Oakwood Clinical Associates Ltd 4109 67th Street Kenosha, WI 53142 Main Tel: 262-652-9830</p> <p>Psychiatric and Psychotherapy Clinic 3601 30th Avenue Suite 102 Kenosha, WI 53144 Main Tel: 262-654-0487</p> <p>Rogers Memorial Hospital 9916 75th St #205 Kenosha, WI 53142 262-942-4000</p>
Racine County	<p>National helpline (referral and assistance for AODA issues), English and Spanish assistance: 1-800-662-HELP</p> <p>Ascension All Saints Mental Health and Addiction Care 1320 Wisconsin Avenue Racine, WI 53403 Main Tel: 262-687-2380 Intake Tel 1: 262-687-2273</p> <p>Genesis Behavioral Services Inc Spring Place 1725 Spring Place Racine, WI 53404 Main Tel: 414-909-8757 Intake Tel 1: 414-892-4961</p> <p>Center for Addiction Recovery 3805-B Spring Street Suite LL-20 Racine, WI 53405 Main Tel: 262-687-2222</p>

	<p>Lakeside Family Therapy Services 4810 Northwestern Avenue Racine, WI 53406 Main Tel: 262-637-9984</p> <p>Racine Comp Treatment Center 5735 Durand Avenue Suite A Racine, WI 53406 Main Tel: 888-978-1329 Intake Tel 1: 877-329-8957</p> <p>Agape Recovery Center 201 North Pine Street Burlington, WI 53105 Main Tel: 262-767-0441</p> <p>Racine County Human Services, Behavioral and AODA services 262-638-6741</p>
Walworth County	<p>National helpline (referral and assistance for AODA issues), English and Spanish assistance: 1-800-662-HELP</p> <p>Walworth Dept. of Health and Human Services AODA assessment, counseling, and detoxification. Main Tel: 262-741-3200</p> <p><u>Walworth County Alcoholics Anonymous meetings</u> District 6 Main Tel: 262-723-1224</p>

V. DISCIPLINARY SANCTIONS

Gateway Technical College will impose sanctions on students and employees for violations of the standards of conduct included in Section I (consistent with local, state, and federal law). As noted below, such sanctions may include, but are not limited to, expulsion (for students), termination of employment (for employees), and referral for prosecution.

Employee Sanctions

Sanctions that may be imposed for violations of this DAAPP are informed by the College's Progressive Discipline policy, as described in the Administrative Procedures

& College Practices Manual (Progressive Discipline I-210) and in the Employee Handbook (4.30).

The progressive discipline procedure is designed to identify and correct problems that may affect work performance. This process provides a supervisor and employee with an opportunity to talk about specific problems, to determine when and how these problems can be resolved and to set goals and follow-up dates.

The Progressive Discipline process includes the following actions:

1. *Verbal Counseling (Step One)*

The first step of Progressive Discipline is Verbal Counseling. The verbal counseling is a discussion between a supervisor and an employee usually to review a first offense of a minor nature.

- a. The supervisor will review the violation with the employee and develop a performance improvement plan. The employee may be given a specific time within which the improvement must be made and will be informed as to what further action will be taken if continued violation(s) occurs.
- b. For union employees, a union representative may be present at the option of the employee. If a union representative is present, a Human Resources representative will also be present at this step.
- c. Verbal Counseling will be documented using the Record of Discipline form and will be forwarded to Human Resources for review, and then placed in the employee's personnel file.
- d. Employee will be provided the opportunity to respond in writing on the Record of Discipline form.

2. *Written Counseling (Step Two)*

The second step of Progressive Discipline is Written Counseling. Written counseling may be issued for repeated violations or misconduct of a more serious nature. Union, where applicable, and Human Resources representatives will be present at this step.

- a. The employee will be informed of the specific violations(s). The supervisor shall explain other disciplinary measures which may be taken if violation(s) continued.
- b. The supervisor will complete a Record of Counseling which clearly describes the misconduct, and the steps necessary for improvement. The written counseling may establish a specific time within which improvement must be made.
- c. The employee will be provided with an opportunity to respond in writing on the Record of Counseling. The Record of Counseling will become a part of the employee's personnel file.

3. *Disciplinary Suspension or Final Written Warning (Step Three)*

Depending on the nature and seriousness of the violation, a disciplinary suspension or final written warning may be issued.

- a. All suspensions and/or final written warnings must be reviewed and approved by the vice president of Human Resources.

- b. Recommendation(s) should also be documented on a Record of Counseling form and placed in the employee's personnel file.

4. *Termination (Step Four)*

After the previous steps have been taken, or as previously stated in cases of more serious misconduct, an employee may be terminated.

- a. The discharge of employees for repeated minor violations will normally be preceded by the previous steps. However, serious violations of policy and/or procedures may lead to skipping the previous steps and may warrant immediate termination.
- b. All terminations must be reviewed and approved by the vice president of Human Resources.

Employees who violate established policies, rules, and regulations, fail to perform their jobs according to accepted standards, or who otherwise conduct themselves in a manner which is detrimental to the college, the college's students, clients, or to other employees, are subject to disciplinary action up to and including termination.

Depending on the situation, any step may be repeated, omitted, or taken out of sequence. The college reserves the right to effect immediate termination should the situation be warranted. Each case is considered on an individual, fair, and consistent basis.

For additional information on Progressive Discipline, refer to:

- Administrative Procedures and College Practices Manual
 - I-110, Employee Code of Conduct
 - I-210, Progressive Discipline
- Employee Handbook
 - 4.18, Fair Treatment

Student Sanctions

Sanctions that may be imposed for violations of this DAAPP are informed by the College's Student Conduct policy (J-300). These sanctions are not meant to be progressive in nature. A student may be issued one or more of these sanctions in response to an incident. The college will determine the level of sanction based on the severity of the incident or series of incidents.

Non-Academic Sanctions:

The following sanctions may be imposed to students who fail to comply with the Student Code of Conduct, which includes prohibitions against use, under the influence of, possession, sale or distribution of narcotic or illegal drugs...alcoholic beverages, etc. on Gateway owned or leased property, or at Gateway sponsored activities."

1. *Warning:* Issued to a student who has committed a minor violation of this policy and doesn't pose a continued concern for the college.

2. *Disciplinary Probation*: Issued to a student who has committed a violation of this policy and will face additional sanctions if any additional violations occur during a specified time frame.
3. *Suspension*: Issued to a student, for a specified time frame, who has committed a major, egregious or continued violation(s) of this policy.
4. *Dismissal*: Permanent removal, issued to a student who has committed a major, egregious or continued violation(s) of this policy.
5. *Restriction*: Issued to a student who has committed a violation of this policy, and the resolution is a limitation on the student's access to identified services, locations, education, community activities or persons. Issued for a specified time frame.
6. *Restitution*: Issued to a student who has committed a violation of this policy that resulted in staff, institutional or another student's financial loss. May be issued as a condition of return or continued attendance in the college.
7. *Referral*: Issued to a student who has committed a violation of this policy and it's determined that continued participation at the college is contingent upon the student attending designated services (college or private vendor) or programs. May be issued for a specified time frame or as permanent and may be issued as a condition of return or continued attendance in the college.
8. *Loss of Privileges*: Issued to a student who has committed a violation of this policy and it is determined that the student may continue attendance in the college with permanent limitations on the student's access to identified service, location, or educational community activities.
9. *No Contact*: Issued to a student who has committed a violation of this policy and it is determined that the student may continue attendance in the college with permanent limitations on the student's access/contact with an identified individual(s) or groups of students and/or staff.

VI. POLICY DISTRIBUTION

All enrolled students will be sent this policy each semester to ensure that all students enrolled for academic credit receive the DAAPP each year, as required. Students in the correctional setting receive a paper copy of the policy. Employees will be sent this policy via email in January of each year. Employees hired after the initial distribution of the DAAPP will be provided with this policy as part of the employee's new hire paperwork. The Director of Security or designee is responsible for ensuring distribution of this policy to all enrolled students and all employees.

VII. BIENNIAL REVIEW

Every other year, Gateway Technical College will conduct a biennial review of the DAAPP to assess its effectiveness and the consistency of sanctions imposed for violations of the College's disciplinary standards and codes of conduct.

During the fall semester of even-numbered calendar years, the College will form a committee consisting of representatives from Human Resources, Deans of Campus Affairs, Student Services, CARE Team and Safety and Security to conduct a biennial review of the DAAPP.

The DAAPP will draw upon available data sources, which may include, but are not limited to, the following:

- number of drug- and alcohol-related disciplinary sanctions imposed;
- number of drug- and alcohol-related referrals for counseling or treatment;
- number of drug- and alcohol-related incidents recorded in the logs of campus security or other law enforcement officials;
- number of drug- and alcohol-related incidents of vandalism;
- number of students or employees attending self-help or other counseling groups related to alcohol or drug abuse; and/or
- student, faculty and employee attitudes and perceptions about the drug and alcohol problem on campus.

Each review will determine the program's effectiveness and will ensure that sanctions imposed for violations of the standards of conduct identified in the DAAPP are consistently enforced. The review must also identify any changes to be implemented during the next biennium should any changes be necessary following the review.

Furthermore, each Biennial Review Report will disclose the following statistics, as required by law:

- the number of drug and alcohol-related violations and fatalities that occur on the institution's campus (as defined by the Clery Act) or as part of any of the institution's activities that are reported to campus officials; and
- the number and type of sanctions that are imposed by the institution as a result of drug and alcohol-related violations and fatalities on the institution's campus or as part of any of the institution's activities.

The report will cover the prior two academic years and will result in a written Biennial Review Report. The Report will describe the research methods and data analysis tools that the College used to determine the effectiveness of the DAAPP and will identify the offices or officials that have conducted the Biennial Review.

A copy of the final Biennial Review Report is maintained by the Director of Security.

The office is located in the Administration Building at 3520 30th Avenue, Kenosha, WI 53144. A copy of the report will be provided upon request.

VIII. APPENDICES

- Appendix 1: Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)
- Appendix 2: Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances

Appendix 1: Federal Trafficking Penalties

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	First Offense: Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual. Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	5 kgs or more mixture	First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. Second Offense: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. 2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		100 gm or more pure or 1 kg or more mixture	
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid) Flunitrazepam (Schedule IV)	Any amount 1 gram	First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual. Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Other Schedule III drugs	Any amount	First Offense: Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
All other Schedule IV drugs	Any amount	First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.		
Flunitrazepam (Schedule IV)	Other than 1 gram or more	Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
All Schedule V drugs	Any amount	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

Appendix 2: Federal Trafficking Penalties-Marijuana

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants;	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.
Hashish (Schedule I)	10 kg or less		
Hashish Oil (Schedule I)	1 kg or less		