

2020 Sumner College Alcohol and Drug-Free College Policy



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.

Sumner College Alcohol and Drug-Free College Policy



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
- 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.voar.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.

LIQUOR LAW VIOLATIONS: Violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages (does not include arrests for driving while impaired or under the influence of alcohol).

The campus will report the following in its annual statistics:

1. The number of campus violations.
2. The type of sanction for violations.
3. The number of arrests.
4. The number of fatalities.

Sumner College Policy on Alcoholic Beverage Possession, Sale and Use



The possession, sale or the furnishing of alcohol on the campus of the Sumner College is governed by state law and Sumner College policy. The enforcement of alcohol laws on campus is primarily the responsibility of College administration and staff with the cooperation of local law enforcement. The Sumner College is designated as a “drug free” campus

The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced and violators are subject to College disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under 21 years of age. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of Sumner College policy for anyone to consume or possess alcohol in any public or private area of campus without prior approval from the College. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the College.

DRUG LAW VIOLATIONS: Violations of state and local laws, specifically those for the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

The campus will report the following in its annual statistics:

1. The number of campus violations.
2. The type of sanction for violations.
3. The number of arrests.
4. The number of fatalities.

Sumner College Policy on Illegal Drug Possession, Sale and Use

Sumner College campus has been designated “Drug Free” and only under certain circumstances is the consumption of alcohol permitted. The illegal possession, sale manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced and violators are subject to disciplinary action, criminal prosecution, fine and imprisonment.

Substance Abuse Education and Prevention

Sumner College is concerned about the effect of substance abuse in the school environment, in the work place, and in the lives of those involved. At Sumner College we actively work to combat substance abuse through guest speakers from health agencies and law enforcement agencies, and by referral of concerned persons to qualified licensed agencies:



Alcohol Drug Hotline

503.244.4645 or 1.800.923.4357

Clackamas Women's Services

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

Addiction Prevention & Treatment Programs,

Volunteers of America, Oregon

503.235.8655

Siloam International, Inc.

Substance Abuse Treatment

503.227.6111

Oregon Prevention & Treatment Resource Clearinghouse

503.378.8000

800.822.OPRC

Alcoholics Anonymous

503.223.8569

Staff and students are prohibited from the unlawful manufacture, distribution, possession, or use of illicit drugs or alcohol. This prohibition applies while on the property of the school or participating in any institutional activity. Students or employees who violate this policy will be subject to disciplinary action up to and including expulsion or termination from employment.

These are numerous legal sanctions under local, state, and federal laws which can be used to punish violators. Penalties can range from suspension, revocation and denial of a driver's license, to 20-50 years imprisonment at hard labor without benefit of parole. Property may be seized. Community service may be mandated.

Recent federal anti-drug laws affect a number of areas in everyone's lives. Students could lose eligibility for financial aid and could be denied other federal benefits, such as Social Security,

Retirement, Welfare, Disability, and Veterans Benefits. The Department of Housing and Urban

Development, which provides funds to states and communities for public housing, now has the authority to evict residents and members of their household who are involved in drug-related crimes on or near the public housing premises. Businesses could lose federal contracts if the company does not promote a drug-free environment. Finally, a record of a felony or conviction in a drug-related



The laws of the State of Oregon are adequate to protect the innocent, but stringent enough to ensure that persons involved with illegal dealing of drugs or excessive use of alcohol can be adequately punished. For example, a small amount of drugs found on a person may lead to an arrest which could require the person to make payment of all court costs as well as participate in mandatory community service. A person found with drugs with the intention to distribute could be imprisoned. A person found to be intoxicated while driving could be forced to pay court costs, lawyer's fees, participate in community service, receive an increase in the cost of automobile insurance or even lose their driver's license and end up in prison.

In addition to local and state authorities, the federal government has four agencies employing approximately 52,500 personnel engaged in fighting illicit drugs. These agencies are: The Drug

Enforcement Agency, U.S. Customs Service, Federal Bureau of Investigation, and the U.S. CoastGuard.

Here are a few legal facts of which you should be aware. It is a crime to hold someone else's dope. It is a crime to sell fake dope. You can be arrested if you are in a house (or a school) where people are using drugs, even though you are not. You can be charged with possessing dope even if it is not on you. You are considered to possess, under legal terms of "constructive possession", dope that is in your purse, car, or house.

Drug Abuse is the utilization of natural and/or synthetic chemical substances for non-medical reasons to affect the body and its processes, the mind and nervous system and behavior. The abuse of drugs can affect a person's physical and emotional health and social life. Alcohol is the most abused drug in the

United States.

Drugs can be highly addictive and injurious to the body as well as one's self. People tend to lose their sense of responsibility and coordination. Restlessness, irritability, anxiety, paranoia, depression, acting slow moving, inattentiveness, loss of appetite, sexual indifference, comas, convulsions, even death can result from overuse or abuse of drugs. Not only does the person using the drug subject himself to all sorts of health risks, drug use can and, in many instances does, cause grief and discomfort to innocent people. A drug-dulled brain, for example, affects the wide range of skills needed for safe driving, such as thinking. Further, reflexes are slowed, making it hard for drivers to respond to sudden, unexpected events. Alcohol-related highway deaths are the top killer of 15-24 year olds.

There are drug or alcohol counseling, treatment, and rehabilitation facilities available in our area where you can seek advice and treatment. An excellent source is the yellow pages of the local telephone book. Look under the heading "Drug Abuse & Addiction -Information and Treatment". You may also contact the Oregon Department of Alcohol and Drug Programs at (503)-945-5763 for further information on drug and alcohol rehabilitation centers in our area.

There are national organizations one can contact for help. The Alcoholism and Drug Abuse Hotline is open 24 hours (800) 252-6465. The Cocaine Hotline (800) 444-9999 is open 24 hours a day. The

National Institute on Drug Abuse Hotline is available 8:00 AM to 2:00 AM, Monday through Friday and 11:00 AM to 2:00 AM, on weekends (800) 662-4357.

Treatment is available and may be expensive. For example, a typical live-in program lasting four weeks can cost from \$5,000 to \$15,000. Outpatient programs cost from \$1,000 to \$5,000. Who pays for these treatments? There may be programs which cover the costs. One way or another, the person and the taxpayer pay! It has been proven that an individual "hooked" cannot just stop, but requires professional care to kick the habit.

There are classic danger signals that could indicate the first sign of drug use. The primary ones that could call attention to one's use of drugs are:

- Abrupt changes in mood or attitude
- Continuing slump at work or school



- Cannot get along with family or friends
- Unusual temper flare-ups
- Increased borrowing of money
- Heightened secrecy

We recommend that any person observing any of the above changes in either staff or students immediately notify the Campus President. Caution must be observed not to wrongly accuse a person suspected of taking drugs as an improper accusation could lead to embarrassment both to the individual and the school.

Once it has been determined by management that assistance to overcome a drug problem is a necessity, the individual and his/her family should be counseled on the need for assistance.

Records must be maintained of any counseling provided to the individual. There are clinics in the school's vicinity which can render assistance. Treatment must be an expense borne by the patient. The school can only offer advice in a limited manner. If the individual is in immediate danger of harming either him/herself or others, local law authorities should be immediately contacted.

Staff and students who violate these standards of conduct subject themselves to disciplinary actions.

Students are reminded that as a pre-condition to accepting a Federal Pell Grant that they sign a certificate stating they would not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance during the period covered by a Federal Pell Grant. A Federal Pell Grant recipient convicted of a criminal drug offense resulting from a violation occurring during the period of enrollment covered by the Federal Pell Grant must report the conviction, in writing, within 10 calendar days of the conviction, to the Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W., Room 3073, FOB-6, Washington, DC 20202- 4571. Failure to report the conviction could lead to LS&T or debarment.

Staff, upon being hired by Sumner College receives a briefing and acknowledgment in writing that they understand the provisions of the Drug-Free Workplace Act of 1988. Employees must notify the Campus President of the school in writing of a conviction of a criminal drug statute occurring in the workplace, within five (5) days after receiving the conviction. Disciplinary action will take place within 30 days of notification and can range from a letter of admonishment, suspension from school or work, and/or enrollment in a rehabilitation program, to termination from either school or employment.

FEDERAL PENALTIES AND SANCTIONS FOR ILLEGAL POSSESSION OF A CONTROLLED SUBSTANCE



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. Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000 or both, if:

- (a) 1st conviction and the amount of crack possessed exceeds 5 grams.
- (b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams.
- (c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

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. 844a

Civil fine of up to \$10,000 (pending adoption of final regulations).

21. U.S.C. 853a

Denial of Federal benefits, such as student loans, grants contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

18. U.S.C. 922(g)

Ineligible to receive or purchase a firearm.

Miscellaneous

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. Additional State penalties and sanctions may apply.