

VERMONT TECH

Manual of Policy and Procedures

<i>Title:</i> Alcohol and other Drugs	<i>Number:</i> T 313	<i>Page(s):</i> 7
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STATEMENT OF POLICY

Vermont Technical College seeks to assure the health and well-being of the entire College community. To ensure compliance with state and federal laws, including the Drug-Free Schools and Communities Act and the Drug-Free Workplace Act, the College provides opportunities for education and assistance to members of the College community and has adopted the following policy designed to prevent the illicit use or abuse of alcohol or other drugs.

PROCEDURES

The Payroll and Benefits Office will provide new employees with a copy of this policy and procedure. All incoming students will receive a copy of this policy and procedure. This policy will also be posted on the College website for current employees, returning students, and all other members of the College community to view. This Policy must be reviewed and revised as appropriate at least every two (2) years.

CAMPUS REGULATIONS

Vermont Technical College allows drinking only in a responsible and legal manner by community members and guests. Violations will result in disciplinary action by the College and possible criminal prosecution. Examples of violations include but are not limited to the following:

1. Drinking in violation of Vermont state laws, i.e., not of legal age.
2. Furnishing alcohol to someone under age or otherwise in violation of Vermont state law.
3. Public drunkenness or participating in behavior that disrupts, damages, or threatens the property and/or members of the College community.
4. Gatherings where alcohol is consumed in violations of policy,
5. Possession of excessive quantities of alcohol as defined in the Student Handbook– this includes any containers holding more alcohol than one individual could reasonably consume upon opening, i.e., kegs, half kegs, beer balls, cases of beer, etc.

Vermont Technical College does not allow the drinking of alcohol in public on the campus unless at an event approved by the College. These “public” areas include parking lots, grounds, lobbies, lounges and corridors of residence halls, the gymnasium, dining hall, meeting and classrooms.

Approved events are those authorized by an appropriate College official, usually the Dean of Student Affairs, Academic Dean, Dean of Administration, Dean of the Williston Campus, or the

President. These gatherings are scheduled events that are supervised by members of the College community and where alcohol is served only as part of the refreshments. Individuals 21 years of age or older may:

1. Consume in the privacy of their residence hall room provided that their room is not located on a designated substance free floor or residence hall
2. Purchase and consume alcohol at locations and functions operated by the College's food service agent holding a Vermont liquor license or other events authorized and approved by the College.

State Law

State law prohibits the illegal possession and/or sale of regulated substances such as heroin, cocaine, LSD-and marijuana, and preparations, compounds or mixtures containing such substances. State law further prohibits the illegal possession and/or sale of narcotics, hallucinogens, stimulants or depressants. State law also prohibits the sale, possession and manufacture of drug paraphernalia.

The penalties for such offenses include imprisonment and/or fines. The severity of the penalty depends upon such factors as the nature and the amount of the controlled substance at issue. Penalties may be compounded for repeat offenses and for delivery or sale of regulated substances to minors and on school ground. Unlawful sale, possession, delivery and manufacture of depressant, stimulant, narcotic, and hallucinogenic drug carries a penalty of up to twenty years in jail and/or a fine of not more than one million dollars. Unlawful sale, possession, delivery, and manufacture of marijuana is punishable with imprisonment of not more than 15 years and/or fines up to \$500,000.

The State of Vermont sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances and laws regarding violations of alcohol laws, including driving while intoxicated, are available from the Office of Public Safety. These include the following:

Person under 21 years of age misrepresenting age, procuring, possessing, or consuming alcoholic beverages are be enrolled in Youth Substance Abuse Safety Program or assessed a civil penalty of \$300.00 and suspension of the person's operator's license and privilege to operate a motor vehicle for a period of 90 days, for a first offense; and a civil penalty of not more than \$600.00 and suspension of the person's operator's license and privilege to operate a motor vehicle for a period of 180 days, for a second offense. A person under 21 years of age who engages in conduct in violation of subdivision 656(a)(1) of this title commits a crime if the person has been adjudicated at least twice previously in violation of subdivision 656(a)(1) of this title and shall be imprisoned not more than 30 days or fined not more than \$600.00, or both.

It is illegal to loan your Vermont liquor ID to someone else, attempt to use an ID belonging to someone else or attempt to use a falsified ID, make a written statement of age that is false when applying for ID or in trying to enter a bar.

Any person who provides alcohol for person under the age of 21 shall be fined not less than \$500.00 nor more than \$2,000.00 or imprisoned not more than two years, or both.

A violation of any law regarding alcohol is also a violation of the College's Student Code of Conduct and will be treated as a separate disciplinary matter by the College.

Federal Law

Federal law prohibits the illegal manufacture, distribution, possession with intent to distribute and simple possession of controlled substances, including but not limited to heroin, morphine, cocaine, phencyclidine (PCP), lysergic acid diethylamide (LSD), hashish, marijuana, and controlled stimulants and depressants including but not limited to amphetamines and barbiturates. The penalties for such offenses include imprisonment and/or fines; the severity of the penalty depends upon such factors as the nature and amount of the controlled substance at issue. Penalties may be compounded for repeat offenses and for distribution of controlled substances and/or within certain distance of schools, including colleges and universities.

These descriptions of Federal and State law are intended to provide, general, representative information only. For additional information regarding these laws, and the penalties associated with their violation, please contact the Office of the U.S. Attorney in Burlington at (802) 951-6725 (federal law) and The Office of the State's Attorney in Burlington at 802-828-2891. (State and local laws). They can also give you the contact information for the county office where your campus/site is located.

Policy Violations: Employees

The Drug-Free Workplace Act of 1988 requires that any employee of the College who has been convicted of a violation of a statute involving illegal drugs shall notify the Director of Human Resources within five days of the criminal conviction if the conduct giving rise to the conviction occurred on campus or while the member was engaged in activities sponsored by or connected to the College. The College will then make any reports to government agencies that may be required by law.

All Vermont Tech employees should be aware that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance will not be tolerated, and in fact, is prohibited on the campuses of Vermont Technical College. It is a condition of employment for all Vermont Tech employees to adhere to this rule

Noncompliance with this policy may result in penalties up to and including dismissal from employment. The nature and severity of the violation will determine the progression of progressive discipline. As required by federal law, the College reserves the right to refer students or employees for prosecution if the severity of the violation warrants such action.

Without a conviction, any employee with an alcohol/drug related work problem may be required by the College to satisfactorily participate in an alcohol and/or drug abuse assistance or rehabilitation program, and/or may be subject to appropriate discipline and/or sanctions up to and including dismissal.

Policy Violations: Students

The student Code of Conduct and the student conduct process apply to the conduct of all individual students and to all college-affiliated student organizations. Because the Code is based on shared community values, students are accountable for their actions at all times. When private choices become public, and those choices are a violation of one or more College policies or federal/state laws, any member of the campus community, in particular, College staff

will respond. As such, the student Code of Conduct will apply to behaviors that take place on all College premises, at all College sponsored events, and will also apply off- campus, when the administration determines that the off-campus conduct has a direct impact on the educational mission or other interests of the College.

A designed college official in Student Affairs will hear each allegation of student misconduct. Outcomes may include but are not limited to the following: warning, loss of privileges, fines, restitution, parental notification, alcohol/drug assessment referral to outside agency, alcohol/drug awareness course, counseling referral, work assignments, discretionary sanctions, probation, suspension, expulsion, termination, or others as determined by the appropriate College official.

In addition to any disciplinary action that may be taken against individuals, College-sponsored or College- supported groups that condone or encourage violations of this policy are subject to discipline and possible dissolution. The College may also remove any person from the college property whenever there may be a threat to the safety, health, or well-being of the College community, whether alcohol- or drug-related or otherwise.

Federal Trafficking Penalties*

Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances	
Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants	<p>First Offense: 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.</p> <p>Second Offense: 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.</p>
Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants	<p>First Offense: 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.</p> <p>Second Offense: Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50million if other than an individual.</p>
Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants	<p>First Offense: 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.</p> <p>Second Offense: 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.</p>
Hashish More than 10 kilograms	
Hashish Oil More than 1 kilogram	
Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)	<p>First Offense: Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.</p> <p>Second Offense: Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.</p>
1 to 49 marijuana plants	
Hashish 10 kilograms or less	
Hashish Oil 1 kilogram or less	

*Information taken from the Department of Justice website:
<http://www.justice.gov/dea/druginfo/ftp3.shtml>

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Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)				
Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	First Offense: Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.	Cocaine 5 kilograms or more mixture	First Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture	Second Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	Heroin 1 kilogram or more mixture	Second Offense: Not less than 20 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.

Substance/Quantity	Penalty
Any Amount Of Other Schedule I & II Substances	First Offense: 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 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.
Any Drug Product Containing Gamma Hydroxybutyric Acid	
Flunitrazepam (Schedule IV) 1 Gram	
Any Amount Of Other Schedule III Drugs	First Offense: Not more than 10 yrs. If death or serious bodily 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.
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)	First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.
Any Amount Of All Schedule V Drugs	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.

Effects of Drug Abuse and Alcohol Abuse

The College recognizes alcohol and other drug dependence as an illness and a major health problem. Alcohol is the number one drug problem in this country and on campus. Drinking alcohol has acute effects on the body. It impairs speech, coordination, vision, and judgment, and often leads to dangerous risk-taking behavior. Nearly half of all accidental deaths, suicides, and homicides are alcohol related. The misuse of alcohol is often involved in violent behavior, non-stranger rape, unintended pregnancy, and exposure to sexually transmitted infections.

Long-term excessive drinking and other drug use can lead to a variety of health problems. Drugs and alcohol can cause physical and psychological dependence. They can interfere with memory, sensation, and perception. Drugs impair the brain's ability to synthesize information. Regular users of drugs develop tolerance and physical dependence, often evidenced by withdrawal symptoms. A user is psychologically dependent when a drug is central to his or her life. Abuse of alcohol or other drugs can have significant negative impacts on academic and job performance.

Health Risks

Serious health and personal risks are associated with the use of illegal drugs and abuse of alcohol. They may include temporary or permanent physical or mental impairment, and injury or death. Use and abuse of such substances may also give rise to conduct – which causes injury, death or damage to the user/abuser or to the person or property of others, resulting in criminal or civil prosecution and liability. Use and abuse of such substances may also lead to unsafe and/or nonconsensual sex, unwanted pregnancy, and may cause defects, injury or death in unborn children. Consequences may also include temporary or permanent loss of educational or employment opportunities.

Drugs and the Body

NARCOTICS (Heroin):

- Initial euphoria followed by drowsiness and nausea
- Constricted pupils, watery eyes, dazed look
- Overdose may produce slow, shallow breathing, clammy skin, loss of appetite and weight, and possible death

DEPRESSANTS (Barbiturates, Tranquilizers):

- Relaxed muscles, calmness, drowsiness
- Confusion, disorientation, slurred speech
- Overdose may produce shallow breathing, clammy skin, weak and rapid pulse, coma, and possible death

STIMULANTS (Cocaine, Methamphetamine):

- Increased heart and respiratory rate, elevated blood pressure, decreased appetite
- Blurred vision, dizziness, insomnia, anxiety

HALLUCINOGENS (LSD, PCP, Mushrooms):

- Illusions and hallucinations
- Confusion, panic anxiety, depression, and poor perception of time and distance
- Respiratory failure, death due to careless behavior

CANNABIS (Marijuana, Hashish):

- Increase in heart rate, bloodshot eyes, dry mouth and throat, and increased appetite
- Interferes with memory, speech, coordination and perception of time
- Increased risk of lung cancer, weakened immune system, and affects reproductive system

ALCOHOL AND THE BODY

- Impairment of brain function, judgment, alertness coordination, and reflexes
- Attitude and / or behavioral changes, such as uncharacteristic hostility, or increased risk taking; such as driving recklessly
- Alcohol taken with other drug scan intensify the effects of the drug, alter the desired effect of the drug, cause nausea, sweating, severe headaches and convulsions
- Addiction or chemical dependency
- Memory blackouts
- Uncharacteristic family, school, work, legal problems
- Health problems such as cirrhosis of the liver
- Birth defects and mental retardation in user's children

Resources


The College encourages all students who use illegal drugs or abuse alcohol to seek appropriate assistance. The College provides alcohol and drug abuse information, education, or referral services to help meet individual needs and to assist in times of crisis. All students for confidential alcohol or drug-related consultation, whether or not those students are covered under the College health insurance program may contact the Center for Academic Success and students and employees at the Randolph Campus may contact the Campus Nurse. All members of the College community are urged to refer student troubled by illegal drug use or alcohol abuse to the Center for Academic Success or Student Affairs.

Full time, regular Vermont Technical College employees and their dependents are eligible for the College's Employee Assistance Program (EAP). Eligible employees can contract EAP by phone or online to receive assistance in locating a counselor in their area. These appointments take place away from work and are confidential. If the employee initiates the contact, no information—not even the fact that the employee has seen an EAP counselor—will be released to the employer. All other employees may contact their supervisor or the Department of Human Resources.

Students and employees may also contact the Vermont Department of Health: Division of Alcohol and Drug Abuse Programs (ADAP.) **Tel. 802-651-1550 or Email AHS.VDHADAP@state.vt.us**

POLICY MODIFICATION HISTORY

- I. The following dates reflect chronological changes made to this policy which are henceforth considered depreciated.
 - a) January 12, 2015

Signed By:  Patricia Moulton President
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