



Drug Free Schools and Communities Act (DFSCA) June 2021

**Biannual Report for Academic Years 2018-2019 &
2019-2020**



**Report prepared by Josh Vollendorf, Director of Compliance and Tom Cousino,
Associate Vice President of Facilities and Security**

**DFSCA is jointly administered by the Office of Equal Opportunity and Civil Rights
and Department of Safety and Security**

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Introduction/Overview

The Drug Free Schools and Community Act of 1989 (34 CFR Part 86) requires institutions of higher education to establish policies that address unlawful possession, use, and distribution of alcohol and illicit drugs, as well as the establishment of a drug and alcohol prevention program (DAAPP). The DFSCA also requires the preparation of a biannual report that evaluates the effectiveness of the DAAPP.

Biennial Review Process

The biennial review covers the academic years (AY) of 2018/19 and 2019/20. This report covers the timeframe from May 2018 (the start of the 2018 AY) through August 2020 (the end of the 2020 AY). Every other year, Gateway Technical College conducts 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's Compliance Committee will 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 will be signed by the College President and maintained in the office of the Associate Vice President, Facilities and 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.

The biennial review process includes the review of unlawful alcohol and illicit drug violations that were reported to the college. Gateway has few reports of such violations each year. All reports are maintained in the Maxient system and the data was exported using the data analytics report. Once a year, Campus Security Authorities, as defined by the Clery Act, are asked to report any additional violations that are not maintained in Maxient. The purpose of the evaluation of the data is to determine trends and make recommendations for future programming and intervention.

The college maintains biennial reports for no less than seven years. The custodian of the report is the Associate Vice President of Facilities and Security and such reports can be requested by contacting this individual. To date, the college has never received a request for the biennial report.

Annual Policy Notification Process

Beginning in March 2021, Gateway implemented a method to distribute the DAAPP. All students who enroll in a credit granting program, including newly enrolled students and students who haven't attended a course in 12 or more months, are automatically emailed the summary of the DAAPP that includes a link to the full DAAPP ([gtc.edu/DAAPP](https://www.gtc.edu/DAAPP)). A copy of the DAAPP summary is included as Appendix A.

- Students who are inmates are provided a printed copy of the DAAPP by their instructor. This distribution is coordinated by the Dean of Business and Workforce Solutions.
- The DAAPP is also linked on the college's public facing Consumer Disclosures webpage (<https://www.gtc.edu/about-gateway/consumer-disclosures>).
- The DAAPP is provided to new full-time, part-time employees, and adjunct employee through the onboarding process (MyPolicies) and through an annual review and acknowledgement process each fall. These employees must acknowledge college policies, including the DAAPP. Human Resources is responsible for maintaining these acknowledgement forms.
- Casual and temporary employees receive a summary of the DAAPP and sign an acknowledgement form upon hire. These records are maintained by Human Resources.
- In addition, employees and students are provided a copy of the DAAPP each year via email.

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 the 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 the 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 diseases, 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 remains 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.

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 and make them ineligible for federal grants and loans. For example, if a student is convicted of a drug-related felony or misdemeanor that took place while the student was receiving Federal student aid, the student will become ineligible to receive further aid for a specified period of time upon conviction.

With respect to students, a federal or state drug conviction can disqualify a student for Federal Student Aid funds. The student self-certifies in applying for aid that they are eligible. Convictions only count if they were for an offense that occurred during a period of enrollment for which the student was receiving Title IV aid—they do not count if the offense was not during such a period. Also, a conviction that was reversed, set aside, or removed from the student's record does not count, nor does one received when the student was a juvenile unless the student was tried as an adult. The chart below illustrates the period of ineligibility for Federal Student Aid funds, depending on whether the conviction was for sale or possession and whether the student had previous offenses. (A conviction for sale of drugs includes convictions for conspiring to sell drugs.)

Number of Offenses	Possession of Illegal Drugs	Sale of Illegal Drugs
First offense	1 year from date of conviction	2 years from date of conviction
Second offense	2 years from date of conviction	indefinite period

Third (or higher) offense	indefinite period	indefinite period
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If the student was convicted of both possessing and selling illegal drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period.

A student regains eligibility the day after the period of ineligibility ends or when they successfully complete a qualified drug rehabilitation program. Further drug convictions will make an individual ineligible again.

Students denied eligibility for an indefinite period can regain it only after successfully completing a rehabilitation program as described below or if a conviction is reversed, set aside, or removed from the student's record so that fewer than two convictions for sale or three convictions for possession remain on the record. In such cases, the nature and dates of the remaining convictions will determine when the student regains eligibility. It is the student's responsibility to certify to Gateway Technical College that he or she has successfully completed the rehabilitation program.

When a student regains eligibility during the award year, Gateway Technical College may award Pell, and Campus-based aid for the current payment period and Direct loans for the period of enrollment.

Standards for a qualified drug rehabilitation program

A qualified drug rehabilitation program must include at least two unannounced drug tests and must satisfy at least one of the following requirements:

- Be qualified to receive funds directly or indirectly from a federal, state, or local government program.
- Be qualified to receive payment directly or indirectly from a federally or state-licensed insurance company.
- Be administered or recognized by a federal, state, or local government agency or court.
- Be administered or recognized by a federally or state-licensed hospital, health clinic, or medical doctor.

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 prohibits 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).

Kenosha

The City of Kenosha General Ordinances prohibits 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.

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 upon 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).

Sturtevant

The Village of Sturtevant Municipal Code prohibits the selling, giving or offer to sell, serve or give to another person any alcohol while upon 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 represents 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 is subject to a forfeiture as set forth in 125.07(4) Wis. Stats. (Village of Sturtevant Municipal Code 9.155).

Pleasant Prairie

The Village of Pleasant Prairie Municipal Code prohibits the carrying or exposing to view any open can, bottle, or other container which contains intoxicating liquor, wine or fermented malt beverage or drink from the same on any public walk or street, in any park or other public place in the Village or over which the Village has any lease or legal jurisdiction, or on any parking lot open to and available to the public, unless such public place shall have issued to it a license for the sale or use of such beverage. 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 (Village of Pleasant Prairie Municipal Code 1-4).

The Village of Pleasant Prairie also prohibits underage persons from being under the influence of alcohol in the Village of Pleasant Prairie pursuant to any exceptions set forth in 125.07(4)(b) 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 (Village of Pleasant Prairie Municipal Code 1-4).

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 prohibits 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 prohibits 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).

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 alcoholic 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 services. 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 services ([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 student loans, grants, 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.

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, the 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 an 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</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

			<p>coordination or slurred speech.</p> <p>Physical dependence is a consequence of chronic opioid use, and withdrawal takes place when drug use 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.</p>	
<p>Stimulants</p> <p>Stimulants speed up the body's systems. this class of drugs includes:</p> <p>Prescription drugs such as amphetamines [Adderall® and dexedrine®], methylphenidate [Concerta® and Ritalin®], diet aids [such as didrex®, Bontril®, Preludin®, Fastin®, Adipex P®, ionomin®, and Meridia®] and illicitly produced drugs such as methamphetamine, cocaine, and methcathinone.</p>	<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</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 period, and "get high".</p> <p>Chronic, high-dose use is frequently associated</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>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>

	<p>resulted in a proliferation of caffeine-free products and efforts to discourage cigarette smoking.</p> <p>Stimulant chemicals in over-the-counter products, such as ephedrine and pseudo-ephedrine 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</p>	<p>with agitation, hostility, panic, aggression, and suicidal or homicidal tendencies. Paranoia, sometimes accompanied by both auditory and visual hallucinations, may also occur.</p> <p>Tolerance, in which more and more drug is 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>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 palpitations, excessive sweating, vomiting, and abdominal cramps.</p>	
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	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>Depressants 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®.</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</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>

<p>Rohypnol® is a benzodiazepine that is not manufactured or legally marketed in the United States, but it is used illegally. Ambien® and Sonata® are 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.</p>			<p>most other drugs of abuse, withdrawal from depressants can be life threatening.</p>	
<p>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:</p> <ul style="list-style-type: none"> • Ecstasy/MDMA • K2 /Spice • Ketamine • LSD • Peyote & Mescaline • Psilocybin 	<p>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.</p>	<p>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</p>	<p>Physiological effects include elevated heart rate, increased blood pressure, and dilated pupils.</p>	<p>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</p>

<ul style="list-style-type: none"> ● Marijuana/Cannabis (addressed as its own class in this table) 		<p>drug experience in the absence of actually taking the drug. The occurrence of a flashback is unpredictable, but is more likely to occur during times of stress and seems to occur more frequently in younger individuals. With time, these episodes diminish and become less intense.</p>		
<p>Marijuana/Cannabis</p> <p>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>	<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</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 cell. Many of these receptors are found in the parts of the brain that influence: Pleasure, memory, thought, concentration, sensory and time perception, and coordinated movement. The short-term effects of</p>	<p>Short-term physical effects from marijuana use may include: Sedation, blood shot 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</p>	<p>No death from overdose of marijuana has been reported.</p>

	<p>agents used in the treatment of cancer and to stimulate appetite in AIDS patients. Marinol is a Schedule III substance under the Controlled Substances Act.</p>	<p>marijuana include: Problems with memory and learning, distorted perception, difficulty in thinking and problem-solving, and loss of coordination. The effect of 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 	<p>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 headache, shakiness, sweating, and stomach pains and nausea. Withdrawal symptoms also include behavioral signs such as: Restlessness, irritability, sleep difficulties, and decreased appetite</p>	
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		<ul style="list-style-type: none">• Merriment, happiness, and even exhilaration at high doses• Disinhibition, relaxation, increased sociability, and talkativeness• Enhanced sensory perception, giving rise to increased appreciation of music, art, and touch• 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		
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		<p>inexperienced users or in those who have taken a large dose</p> <ul style="list-style-type: none"> ● Increased appetite and short-term memory impairment are common <p>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.</p>		
<p>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.</p>	<p>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</p>	<p>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</p>	<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>Anabolic steroids are not associated with overdoses. The adverse effects a user would experience develop from the use of steroids over time.</p>

	<p>cancer, and tissue wasting resulting from AIDS.</p>	<p>that may be severe enough to lead one to commit suicide. Anabolic steroid use may also cause psychological dependence and addiction.</p>	<p>In boys, steroid use can cause early sexual development, acne, and stunted growth.</p> <p>In adolescent girls and women, anabolic steroid 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</p>	
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			<p>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 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>	
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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.”

ALCOHOL AND OTHER DRUG PROGRAMS AND RESOURCES

If a student has a drug or alcohol problem, GTC highly recommends that they seek assistance from the Student Support Counselors. The private and confidential counseling for students is free of charge at the Elkhorn, Kenosha, and Racine Campuses. GTC Student Support Counselors have Master's Degrees in Counseling, are Licensed Professional Counselors by the State of Wisconsin, and are members of the American Counseling Association and the American College Counseling Association.

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.

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	<p>National helpline (referral and assistance for AODA issues), English and Spanish assistance: 1-800-662-HELP</p> <p>Interconnections SC 920 60th Street Kenosha, WI 53140 Main Tel: 262-654-5333</p> <p>Birds of a Feather Inc 6530 Sheridan Road</p>
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	<p>Suite 2 Kenosha, WI 53143 Main Tel: 262-605-8442 Intake Tel 2: 262-605-1444 Psychiatric and Psychotherapy Clinic 3601 30th Avenue Suite 102 Kenosha, WI 53144 Main Tel: 262-654-0487</p> <p>Oakwood Clinical Associates Ltd 4109 67th Street Kenosha, WI 53142 Main Tel: 262-652-9830</p> <p>Kenosha County Department of Human Services, Mental Health and Substance Abuse Counseling 262-657-7188</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</p>

	<p>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>Walworth County Alcoholics Anonymous meetings District 6 Main Tel: 262-723-1224</p> <p>Credence Counseling Therapy Assoc 1 1/2 West Geneva Street Elkhorn, WI 53121 Main Tel: 262-723-3424</p>

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.

Data and Trends

Gateway is a drug and alcohol-free campus. The College seeks to abide by all drug and alcohol related policies, regulations and laws, and to impose consistent disciplinary sanctions against those students and/or employees who violate said policies and laws consistent with local, State or Federal law. In reviewing each offense listed below, there were no irregularities or inconsistencies found in the disciplinary action taken. Gateway will continue to strive for each individual offense to be handled fairly, consistently and in accordance with policies and regulations. Should a student feel that disciplinary action taken or not taken was unfair or inconsistent with any drug or alcohol use or abuse policy, they should contact the Dean of Campus Affairs. Should an employee feel that disciplinary action taken or not taken was unfair or inconsistent with any drug or alcohol use or abuse policy, they should contact the Human Resources Office. All such concerns

will be taken seriously. Students The data below represents the number of drug and/or alcohol offenses committed by students in the previous two academic years. AY 2018-2019 AY 2019- 2020.

Students

	AY 2018-2019	AY 2019-2020
1. On-campus reported alcohol-related incidents	0	1
2. On-campus reported drug-related incidents	2	2
3. Off-campus reported alcohol-related student conduct violations	1	0
4. Off-campus reported drug-related student conduct violations	0	0

1. On-campus alcohol related reports
 - a. 2019-2020, a student was under the influence of alcohol in class. The student was placed on disciplinary probation for one year.
2. On-campus drug-related reports
 - a. 2018-2019: Two students admitted smoking marijuana and coming to campus under the influence. Both were assigned a year of disciplinary probation.
 - b. 2019-2020: The same student admitted to using a prescription drug that was not prescribed to them and came to campus under the influence of this drug. The student did not respond to student conduct letters and a hold was placed on their account preventing registration without meeting with the campus dean.
3. Off-campus alcohol-related student conduct violations
 - a. 2018-2019: A student was admittedly intoxicated and fondled another student. The student was suspended for a year.
4. Off-campus drug-related student conduct violations

Employees

	AY 2018-2019	AY 2019-2020
5. On-campus reported alcohol-related incidents	0	0
6. On-campus reported drug-related incidents	0	0
7. Off-campus reported alcohol-related employee conduct violations	0	0
8. Off-campus reported drug-related employee conduct violations	0	0

1. On-campus alcohol related reports – No reports filed
2. On-campus drug related reports – No reports filed
3. Off-campus alcohol-related student conduct violations – No reports filed
4. Off-campus drug-related student conduct violations – No reports filed

ALCOHOL AND OTHER DRUGS

Comprehensive Program Goals and Objectives for Biennium Period Being Reviewed

- A review of reported incidents for the prior biennium shows that only six incidents of drug and alcohol violations among the student population. There are no reported incidents involving staff. Given a student population of nearly 19,000, these numbers indicate that there are few drug and alcohol issues on campus. This can be attributed to the lack of residential housing, sports, and Greek life, as well as proactive measures by the college, including security patrols and policy communication.
- To further reduce incidences of alcohol and drug violations, the committee proposed the following measures:
 - o Add signage within the buildings regarding Gateway being a drug and alcohol-free campus.
 - o Develop drug and alcohol prevention programming for students.

ALCOHOL AND OTHER DRUGS

Goal Achievement and Objective Achievement

- N/A

AOD SWOT/C Analysis

- Strengths:
 - Gateway developed an accessible DAAPP summary that is an easily digestible summary of the full DAAPP. This summary is automatically sent to all new students and posted on the website. The current full DAAPP is comprehensive and covers all areas required by the law.
 - Employees are trained on the policy and utilize Maxient for all reports of violations.
 - The DAAP distribution plan is thorough and covers all required populations.
- Weaknesses:
 - The DAAPP notification doesn't mean the intended individuals read the policy.
 - The DAAPP summary and full policy are lengthy.
 - There is no current drug and alcohol prevention programming on campus.
- Opportunities:
 - With an increased institutional focus on the DAAPP, the college can develop and offer drug and alcohol prevention and awareness training.
- Threats/Challenges:
 - A new presidential administration may change the DFSCA regulations which may require a modification to our DAAP or additional regulatory requirements.
 - There is currently no dedicated funding to support drug and alcohol abuse prevention strategies.
- Strengths related to programs/interventions:

- The college does not currently offer any drug or alcohol programming.
- The current interventions for policy violations include sanctions.
- Weaknesses related to programs/interventions:
 - The current interventions for policy violations are limited to sanctions and typically do not include an educational component.
 - There is no on-campus drug and alcohol intervention programs or counseling.

Recommendations & Goals for next Biennium

- Develop Alcohol and Drug Abuse prevention programming in line with National Substance Abuse Month (Though nationally designated for each October, the college will designate January of each year as Substance Abuse Awareness Month).
- Implement an educational program aspect to all student disciplinary sanctions for alcohol and drug abuse policy violations.
- Develop a Visitor Code of Conduct to guide and govern visitor use of spaces when on campus.

Conclusion

- There were no prior goals. The college is committed to drug and alcohol abuse prevention even though the college has very few incidences. Gateway will continue to leverage the newly created Compliance Committee to provide feedback from various stakeholders, implement the recommendations and goals, and assist in monitoring progress through regular meetings.
- There is no line-item funding for DAAPP funding; however, there are numerous free and low-cost services and programs that can be utilized for prevention programming and education.
- The college will begin implementation of drug and alcohol prevention programming, including educational resources, awareness campaigns and ongoing visibility of the DAAPP, and developing a visitor code of conduct.

Appendices

- Appendix A: DAAPP summary.
- Appendix B: Full DAAPP (available gtc.edu/DAAPP)

APPENDIX A

Important Student Notifications

Drug and Alcohol Abuse Prevention Program
Sexual Harassment and Nondiscrimination
Crime Notification and Statistics

Gateway's Drug and Alcohol Prevention Program

Gateway Technical College has a comprehensive program to prevent the use of illegal drugs and the abuse of alcohol as required by the Drug-Free Schools and Communities Act Amendments of 1989 and the Drug Free Workplace Act of 1988. A copy of the full policy can be viewed at gtc.edu/DAAPP.

Standards of Conduct

Gateway students and employees are subject to all applicable local, state, and federal laws and regulations, as well as all Gateway drug and alcohol policies which can be found in the college's policy manual.

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. The possession, consumption, and distribution of alcohol by individuals under 21 years of age is prohibited by law and College policy. The DAAPP includes a comprehensive description of the standards of conduct applicable to students and employees.

State, Federal, and Local Sanctions

Students and employees who violate the standards of conduct outlined in the DAAPP are subject to both institutional sanctions 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 detailed in the DAAPP. Such actions can subject a student or employee to arrest by federal, state, and/or local law enforcement agencies. Criminal penalties for violation of such laws may include, but are not limited to, fines, loss of driving privileges, and imprisonment for terms up to and including life in prison. Additionally, violations may also be referred to the Human Resources Department (for employees) or the Campus Dean (for students) for investigation and resolution.

Financial Aid

A student will be ineligible for financial aid if the student is convicted of an offense under federal or state law involving possession or sale of a controlled substance, provided the conduct occurred while the student was enrolled and receiving financial aid. Ineligibility will run from the date of conviction for the following periods of time:

- **For drug possession:** a first offense carries a one-year disqualification, a second offense carries a two-year disqualification, and a third offense makes the student ineligible indefinitely.
- **For sale of a controlled substance:** a first offense carries a two-year disqualification, and a second offense makes the student ineligible indefinitely.

A student can regain eligibility by successfully completing an approved drug rehabilitation program.





DRUG FREE ZONE

College Sanctions

Violations of College Policy

For Employees: Sanctions that may be imposed for violations of the 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. Disciplinary sanctions range from verbal counseling, written counseling, suspension, to termination of employment.

For Students: Sanctions that may be imposed for violations of the 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 the 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. Disciplinary sanctions include, but are not limited to, warnings, disciplinary probation, suspension, and expulsion.

Violations of the Drug Free Workplace Act

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. Federal law requires that all employees engaging in the performance of work supported by a federal grant or contract must, as a condition of employment, notify the College of any conviction for a violation of a criminal drug statute occurring in the workplace no later than five days after the conviction. Failure to report a conviction is grounds for dismissal. The College must notify the contracting party or granting agency within 10 days after receiving notice from the employee or otherwise receiving actual notice of such conviction. Federal law also requires that, within 30 days of receiving notice of a conviction, Gateway impose a sanction on the convicted employee or require satisfactory participation in an approved drug treatment program, or both. Department heads and other supervisors, in consultation with the Human Resources Department, will have the responsibility for any disciplinary action, or for requiring participation in an approved drug treatment program, or both.





Health Risks of Drug and Alcohol Use and Abuse

Specific serious health risks are associated with the use of alcohol and illicit drugs. Some of the major risks are listed below.

Alcohol and Other Depressants (barbiturates, sedatives, and tranquilizers)	Addiction, accidents as a result of impaired ability and judgment, blackouts, alcohol poisoning, overdose when used with other depressants, damage to a developing fetus, heart and liver damage.
Marijuana	Impair short-term memory, thinking, and physical coordination. Can cause panic reaction and increase the risk of lung cancer and emphysema. Can interfere with judgment, attention span, concentration, and overall intellectual performance. Impairs driving ability. May cause psychological dependence and compromise the immune system.
Cocaine and Crack Cocaine	Addiction, cardiovascular system damage including heart attack, brain damage, seizures, lung damage, severe depression, paranoia, psychosis. Similar risks are associated with other stimulants, such as speed and uppers.
Amphetamines, Methamphetamine, and Other Stimulants	Increased heart rate, addiction, restlessness, anxiety, mood swings, panic and paranoia, brain damage, coma, convulsions, cardiac disturbances, increase in heart rate and blood pressure, behavioral problems, severe oral cavities (from meth use).
Opiates (Oxycontin, codeine, morphine, heroin, etc.)	Addiction, euphoria, itching, depressed respiration or respiratory failure, clammy skin, convulsions, coma, death, premature or stillborn infants,

<https://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts>

The DAAPP includes a comprehensive list of the short and long-term health effects associated with the use of illegal drugs and abuse of alcohol, including those not mentioned in this summary.

Resources

A variety of resources exist for alcohol and other drug prevention, education, counseling, and referral.

Gateway students can receive free counseling from licensed professional counselors on the Elkhorn, Kenosha, and Racine campuses by calling 800-247-7122. Employees can access confidential AODA counseling services and referrals through Gateway's Employee Assistance Program (EAP) by calling 800-540-2758 or emailing eap@ascension.org.

Students and employees can access local treatment providers using the Substance Abuse and Mental Health Services Administration (SAMHSA) Treatment Locator at FindTreatment.gov or by calling the SAMHSA National Helpline at 800-662-4357.

Self-help, peer support, and consumer groups can be located by calling the SAMHSA National Helpline at 800-662-4357.

The DAAPP includes additional information about community-based treatment and rehabilitation resources available to



TITLE

X



Title IX

Gateway prohibits illegal discrimination on the basis of sex, race, color, religion, national origin, age, and other protected characteristics/statuses as identified by state or federal law. In addition, sexual harassment, sexual assault, stalking and dating/domestic violence violate Gateway's policies. The college has designated the Office for Equal Opportunity and Civil Rights to address complaints of discrimination and harassment by providing supportive services as well as formal and informal resolution options, as appropriate and consistent with Gateway's policy.

Students can learn more about Gateway's anti-discrimination policy, access resources, and file a complaint regarding discrimination committed by a college employee, student, or visitor by visiting gtc.edu/eeo. Additionally, students can learn more about our sexual harassment, sexual assault, stalking, and dating/domestic violence, access resources, and file a complaint by visiting gtc.edu/TitleIX.

Even if a student chooses not to file a formal complaint, the Office for Equal Opportunity and Civil Rights will coordinate supportive services and referrals. Students who are victims of these offenses by someone who is not a member of the Gateway community can receive supportive services and assistance.

Clery Act Notification

CAMPUS
SAFETY

Your safety while attending Gateway Technical College is one of our top priorities. The college provides students with a variety of resources, including our Annual Security Report prior to beginning classes. This report is published in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and the Violence Against Women Act. This report includes crime statistics, institutional policies on campus security and safety, alcohol and drug use, crime prevention, the reporting of crimes or incidents, sexual harassment, and other important matters. The full text of this report is available under the section at gtc.edu/safety-and-security. Please feel free to email cousinot@gtc.edu or call 262-564-2812 to request a hard copy of the report.

Gateway cares about your safety and provides a valuable resource for protecting yourself on and off campus.

