

DRUG AND ALCOHOL POLICY

Substance abuse poses a threat to all of us in virtually every aspect of our lives—including school and the workplace. It is up to us, individually and collectively, to address the threat. As responsible individuals, each of us is obligated to provide for our own physical, mental, and emotional health. Our school has a vital interest in insuring safe, healthful, and efficient working conditions and learning environment for our employees and students. For these reasons, we have established as a condition of employment and/or enrollment in our training program, a drug-free policy.

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

The National Institute on Drug Abuse, (<https://www.drugabuse.gov/>) says that most drugs of abuse can alter a person's thinking and judgment, leading to health risks, including addiction, drugged driving and infectious disease. And most drugs could potentially harm an unborn baby. Even legal, over-the-counter drugs can be abused and can pose short term dangerous effects, at least.

The initial decision to take drugs may be voluntary, but repeated drug use can lead to brain changes that challenge an addicted person's self-control and interfere with the ability to resist intense urges to take drugs. These brain changes can be persistent and people in recovery from drug use disorders are at increased risk for returning to drug use even after years of not taking the drug. Long-term use also causes changes in brain chemical systems and circuits, affecting functions that include learning, judgment, decision-making, stress, memory, and behavior.

People who suffer from addiction often have one or more accompanying medical issues, which may include lung or cardiovascular disease, stroke, cancer, and mental disorders. Imaging scans, chest X-rays, and blood tests show the damaging effects of long-term drug abuse throughout the body. For example, research has shown that tobacco smoke causes cancer of the mouth, throat, larynx, blood, lungs, stomach, pancreas, kidney, bladder, and cervix. In addition, some drugs of abuse, such as inhalants, are toxic to nerve cells and may damage or destroy them either in the brain or the peripheral nervous system.

Numerous legal sanctions listed in local, state and federal laws can be used to punish violators of drug laws. Penalties range from suspension, revocation and denial of a driver's license to 20-50 years imprisonment at hard labor without benefit of parole. Property may be seized or hours of community service may be mandated. A list of drug-related sanctions appears in Appendix A.

There are many drug or alcohol counseling treatment and rehabilitation counselors in our area. The Ohio Behavioral Health Directory maintained by the Ohio Department of Mental Health & Addiction Services at <https://prod.ada.ohio.gov/directory/> is an excellent public resource for finding local treatment providers. The National Institute on Drug Abuse, The National Institute on Alcohol Abuse and Alcoholism, and the Substance Abuse and Mental Health Services Administration, provide free information, including publications and multimedia presentations about drug and alcohol addiction and abuse. These institutes are part of the National Institute of Health and SAMHSA is an agency within the U.S. Department of Health and Human Services. Their web sites are <https://www.drugabuse.gov/> , <https://www.niaaa.nih.gov/> , <https://www.samhsa.gov/>.

APPENDIX A DRUG AND ALCOHOL POLICY

In accordance with the Drug-Free Schools and Communities Act Amendment to the Higher Education Act of 1965, a student shall not possess, use or appear to have used, or conceal any narcotic drug, anabolic steroid, hallucinogenic drug, amphetamine, barbiturate, marijuana, caffeine tablets, counterfeit drug, poisonous intoxicant, and intoxicating and/or alcoholic substance of any kinds, at any time while on school grounds or at any school event, activity, or function off school grounds, or prior to coming to school.

Following suspension, each student may be referred to an appropriate community rehabilitation agency. Every effort should be made encourage the student to seek professional help.

Federal Penalties for Illegal Possession of a Controlled Substance

21.U.S.C. 884(a)

1st conviction: Up to 1 year imprisonment and fined at least \$1,000.00, but not more than \$100,000.00 or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined \$2,500.00, but not more than \$250,000.00 or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000.00, but not more than \$250,000.00 or both.

Special sentencing provisions for possession of crack cocaine; Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000.00 or both.

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

22.U.S.S. 853(a)(2) and 881(a)(7)

Forfeiture of personal and real property used to possess or to facilitate possessions of a controlled substance, that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack).

21,U.S.C.881(a)(4)

Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21.U.S.C.884a

Civil fine of up to \$10,000.00 (Pending adoption of final regulations).

21.U.S.C.853a

Denial of Federal benefits such as student loans, grants, contracts and professional and commercial licenses, up to 1 year for 1st offense, up to 5 years for 2nd and subsequent offenses.

18.U.C.933(g)

Ineligible to receive or purchase a firearm.

Miscellaneous: Revocation of certain Federal licensees and benefits, e.g. pilot license, public housing tenancy, etc., are vested within the authorities of individual Federal Agencies.

State Penalties for Possession, Use and Distribution of Illicit Drugs

In addition to the laws described below, the Ohio Revised Code includes drug-related offenses regarding permitting drug abuse, drug paraphernalia, deception to obtain drugs, drug documents, intoxicants, and more.

Corrupting Another with Drugs

ORC. 2925.02

No person shall knowingly use force, threat or deception to administer or induce or cause another to use a controlled substance; to use a controlled substance to cause serious physical harm, or to cause another to become drug dependent. Further consideration is given when these actions involve a juvenile who is at least two years younger than the offender. Corrupting another with drugs is a felony of the second degree.

Corrupting another with drugs in the vicinity of a school is first degree felony. The penalty can include a mandatory prison sentence prescribed for a first degree felony. The court can also impose upon the offender the mandatory fines for the offense.

Trafficking and Aggravated Trafficking in Drugs

ORC. 2925.03

No person shall knowingly sell or offer to sell a controlled substance or a controlled substance analog. If the drug involved in the violation is any compound, mixture, preparation, or

substance included in schedule I or schedule II, with the exception of marihuana, cocaine, L.S.D., heroin, hashish, and controlled substance analogs, whoever violates this law is guilty of aggravated trafficking in drugs, a felony of the fourth degree. If the violation occurs in the vicinity of a school, or in the vicinity of a juvenile, it is a felony of the third degree. If the amount of the drug involved is five times, fifty times, or 100 times the bulk amount, the degree of the felony rises to third, second or first degree.

The penalty imposed for the offense may be a presumption of a prison term or a mandatory prison term prescribed for the degree of the felony.

If the controlled substance is one of the exceptions listed above, the offense might be determined by other measurements of the drugs involved and can also range from fourth to first degree felony with the presumption of a prison term or a mandatory prison term included as punishment.

Illegal Manufacture and Cultivation of Drugs

ORC. 2925.04

No person shall knowingly cultivate marihuana or knowingly manufacture or otherwise engage in any part of the production of a controlled substance. If the drug is any compound, mixture, preparation, or substance included in schedule I or II, with the exception of methamphetamine or marihuana, illegal manufacture of drugs is a felony of the second degree, and, the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the second degree.

If the offense was committed in the vicinity of a juvenile or in the vicinity of a school, it is a felony of the first degree, and the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the first degree.

Possession of Controlled Substances

ORC. 2925.11

No person shall knowingly obtain, possess, or use a controlled substance or a controlled substance analog. If the drug involved in the violation is a compound, mixture, preparation, or substance included in schedule I or II, with the exception of marihuana, cocaine, L.S.D., heroin, hashish, and controlled substance analogs, whoever violates division (A) of this section is guilty of aggravated possession of drugs.

Penalties depend on the amount of the substance possessed, and they range from fifth to first degree felony and there is a presumption of a prison term or a mandatory prison term can be assigned. In addition, the court can impose mandatory fines for the offense.

Possession of Drug Abuse Instruments

ORC. 2925.12

No person shall knowingly make, obtain, possess, or use any instrument, article, or thing the customary and primary purpose of which is for the administration or use of a dangerous drug,

other than marihuana, when the instrument involved is a hypodermic or syringe, whether or not of crude or extemporized manufacture or assembly, and the instrument, article, or thing involved has been used by the offender to unlawfully administer or use a dangerous drug, other than marihuana, or to prepare a dangerous drug, other than marihuana, for unlawful administration or use.

Whoever violates this section is guilty of possessing drug abuse instruments, a misdemeanor of the second degree. If the offender previously has been convicted of a drug abuse offense, a violation of this section is a misdemeanor of the first degree.

HEALTH RISKS ASSOCIATED WITH ALCOHOL

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required in driving a car safely, increasing the likelihood that the driver will be involved in a car accident. Low to moderate doses of alcohol also increases the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol caused marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal symptoms can be life threatening. Long term consumption of large quantities of alcohol, particularly when combined with poor nutrition can also lead to permanent damage to vital organs such as the brain and liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

As described in What Works: Schools Without Drugs (1989 Edition, Department of Education).