

Drug Free Schools Policy

Purpose

To comply with the Drug Free Schools and Communities Act Amendments of 1989, signed by President Bush on December 12, 1989.

Statement of the Policy

The Drug Free Schools and Communities Act Amendments of 1989 require the University of Mary to distribute annually the following information to all its students and employees.

A. Standards of Conduct for Students

According to the University of Mary Community Standards for Students, as written in the University of Mary Student Handbook, the university has designed policies and established procedures designed to encourage legal and healthy decision-making and to prevent the abuse and illegal use of alcohol and drugs on the part of students.

- Drug Policy for Students

The possession, accepted association, use or distribution of illegal drugs, substances, and drug paraphernalia by students is expressly prohibited on university property and at any university sponsored function (on- or off-campus), including those student activities requiring travel. The university reserves the right to report all such violations to appropriate law enforcement officials for possible prosecution. Any violation by a student of any local, state or federal drug law, whether the violation occurs on or off-campus, are also considered a violation of university's Community Standards for Students. The university's drug policy is strictly enforced and violators are subject to student conduct action and sanction.

- Alcohol Policy for Students

The possession, accepted association, use or distribution of alcohol is expressly prohibited by students (including those who have reached the age of 21) on university property and at any university sponsored function (on- or off-campus), including those activities requiring travel.

Any violation by a student of any local, state or federal alcohol law, whether the violation occurs on or off-campus, are also considered a violation of the university's Community Standards for Students.

Any exception to the university's alcohol policy involving students must be approved by the vice president for student development and must be consistent with all applicable laws.

B. Standards of Conduct for Faculty/Staff

Possession, use or distribution of drugs and/or alcohol by members of the corporate faculty or supporting staff on University of Mary property is strictly prohibited. The board of trustees may authorize the serving of wine to persons over 21 at adult social functions of special occasion such as meetings of the President's Club. The university policies concerning alcohol and drug use are defined in the Drug Free Schools Act Compliance appendix found in the University of Mary corporate faculty and supporting staff handbooks.

C. The Applicable Legal Sanctions under Local, State or Federal Law for Unlawful Possession or Distribution of Illicit Drugs and Alcohol

1. Alcohol

Under Title 5-01-08 of the North Dakota Century Code, it shall be unlawful for persons under the age of twenty-one (21) to purchase, attempt to purchase or be in possession of alcoholic beverages or to furnish money to a person for such a purchase. It is also unlawful for persons under the age of twenty-one (21) to enter into a licensed establishment except a restaurant when accompanied by a parent or guardian. It is also unlawful to misrepresent or misstate a person's age in order to purchase alcoholic beverages.

Persons in violation of this section of the Century Code are guilty of a class B misdemeanor for which a maximum penalty is thirty (30) days imprisonment and/or a fine of five hundred (500) dollars.

Any person who knowingly delivers alcoholic beverages to a person under twenty-one (21) years of age is guilty of a class A misdemeanor for which a maximum penalty is one (1) year imprisonment and/or a one thousand (1,000) dollar fine.

2. Drugs

Under the uniform controlled substances act, Title 19 of the Century Code, the possession, use, purchase or attempt to purchase, or the distribution of opiates, opium derivatives, hallucinogenic substances, or prescribed or misused depressants or amphetamines or any other controlled substance as stated in Title 19-02.1 of the Century Code is unlawful.

Persons in violation of this section of the Code are guilty of a felony and, depending on the severity of the violation, may face a maximum penalty of twenty (20) years imprisonment and or a ten thousand (10,000) dollar fine.

3. Drug Paraphernalia

Under Title 12.1-31.1 of the Century Code it is unlawful for a person to use, possess with intent to use, deliver, or manufacture with the intent to deliver drug paraphernalia. Persons in violation of this section of the Code are guilty of a class A misdemeanor.

It is also illegal for persons eighteen (18) years or older to deliver drug paraphernalia to persons under eighteen (18) years of age. Any person in violation of this section is guilty of a class C felony for which a penalty of five (5) years imprisonment and/or a five thousand (5,000) dollar fine may be imposed. A clear definition of drug paraphernalia can be found in the North Dakota Century Code under Title 12.1-30.1-01.

4. Local or Federal Law

In addition to the state laws described above, local ordinances and federal law generally provide for legal sanctions for unlawful possession or distribution of illicit drugs and alcohol.

D. Risks Associated with Alcohol and Drugs

Alcohol is a depressant drug that acts on the central nervous system, affecting mood and behavior as well as motor coordination and thought processes. It can create physical tolerance (the need for increasing quantities to obtain the same effect) and dependence. Alcohol abuse is any drinking that harms or endangers the drinker or other people. It can be a single episode or a regular pattern of drinking. Possible effects of alcohol abuse include loss of memory, destruction of brain cells and damage to the liver. Alcohol may also cause psychological disorders.

Drug abuse is using natural and/or synthetic chemical substances for non-medical reasons. Abusing drugs can be dangerous especially when taken in excess, or over extended periods of time, or in the wrong combinations. Because of the diversity and unpredictability of drugs, their use holds significant risks including but not limited to loss of memory, destruction of brain cells and irreversible damage to the body. The combination of alcohol and drugs can have unexpected and dangerous results. Even a simple cold remedy plus alcohol may be dangerous. The behavioral and psychological effects of drugs and/or alcohol places the user at a greater risk for AIDS, sexually transmitted diseases, unwanted pregnancies and acquaintance rape.

E. Crisis Response

In the event of a life-threatening situation the following procedure should be followed:

1. Notify emergency authorities by calling 911 and follow the instructions of the 911 dispatcher.
2. Notify Campus Security at 471-6070.
3. Notify a member of the University of Mary Emergency/Crisis Response Team (vice president for financial affairs, vice president for student development, vice president for academic affairs, or the director of physical plant).

If the immediate situation is not life-threatening please contact the following campus resources:

- If the individual of concern is a student, notify the vice president for student development who has authority to convene the Behavioral Concerns Committee to evaluate the nature of the concern and determine the most appropriate course of action.
- If the individual of concern is a employee, notify the director of human resources who will work with the employee's supervisor(s) to evaluate and determine the most appropriate course of action.
- If the individual of concern is other than a student or an employee, notify Campus Security at 471-6070.

F. Violations of the University of Mary Drug and Alcohol Policies

1. Students who violate the university's drug and alcohol policies and/or drug and alcohol laws (on- or off campus) are subject to student disciplinary action and are monitored for indications of a pattern of abuse or addiction. Sanctions for violators include mandatory educational programs and if circumstances warrant, may include a mandatory evaluation by a licensed addiction counselor and mandated completion of an appropriate rehabilitation program. Repeat violators, those involved in criminal activity and those determined by the university to be a risk to self or others or incapable of functioning in the academic environment may be subject to suspension or expulsion according to established student conduct procedures.
2. Employees who violate the university's drug and alcohol policies are subject to disciplinary action and sanctions consistent with procedures in the Supporting Staff and Corporate Faculty handbooks. Sanctions may

include a mandatory evaluation by a licensed addiction counselor, mandatory completion of an appropriate education/rehabilitation program recommended as a result of such evaluation, a mandatory drug or alcohol testing schedule to verify abstinence, probation, mandatory leave with or without pay, termination of employment, referral of the matter to law enforcement official for possible prosecution, and/or other sanctions deemed appropriate by the university based on the circumstances involved.

Approved

July 2009 by the President of the University of Mary

November 2009 by the Executive Committee of the University of Mary Board of Trustees