

# BLUE MOUNTAIN COLLEGE

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## POLICIES AND PROCEDURES

**AREA:** Personnel

**NUMBER:** Policy 3.20

**SUBJECT:** Drug-Free, Alcohol-Free and Tobacco-Free Environment

Because Blue Mountain College promotes the highest ideals with regard to care of the mind, body, and spirit, it attempts to provide a clean and uplifting work environment for employees and students.

1. **Drug and Alcohol Policy**

The history, philosophy, policies, and principles of Blue Mountain College prohibit the possession, distribution, use, or abuse of illicit or illegal drugs by students or employees. Further, Blue Mountain College does not approve of the use, possession, or distribution of alcoholic beverages. The use, possession, or distribution of any such substances by students or employees at Blue Mountain College is expressly forbidden and the same shall not be tolerated on any property owned by or controlled by Blue Mountain College, nor shall the same be tolerated at or as a part of any activity undertaken at or under the direction or supervision of Blue Mountain College, nor shall the same be allowed to affect the work performance of any person employed at or by Blue Mountain College.

Illicit drugs shall be defined to include any drug, the use, possession, or distribution of which is proscribed by the laws of the State of Mississippi or by the United States of America. Any violation of the provisions of this notice or of any statements of a similar nature published by Blue Mountain College relative to illicit drugs or alcoholic beverages will result in disciplinary action, which may include suspension with or without pay or termination, mandatory successful completion of approved rehabilitation programs, and/or probation, any of which may become a part of the permanent record of the person violating or breaching any expression of this statement or similar published college policies, standards, rules, and/or regulations.

A violation of the College's expectations may result in sanctions up to and including a student's expulsion or an employee's termination.

An employee or student shall notify the Office of the President within 48 hours of an arrest for the violation of any law regulating alcohol or drugs occurring anywhere. Failure to report as required may result in sanctions (see below).

Additionally, the College expressly reserves the right to refer any person violating this or similar regulations of Blue Mountain College to the appropriate law enforcement officials for prosecution for violation of Civil and/or Criminal Laws, as authorized by *The Drug Free Schools and Communities Act of 1989*.

It is the desire of Blue Mountain College to have a totally *drug-free* workplace where the body, as the temple of God, is allowed to remain healthy and to grow in stature and where the mind is allowed to grow in wisdom, both acknowledging the presence of Almighty God as the Creator. Thus, it is imperative that the employees of the college set and maintain a standard of excellence for themselves and for the students who "Enter here to learn" and "Depart to share their wisdom."

### Sanctions

Local, state and federal laws prohibit unlawful possession or distribution of illicit drugs and alcohol,

# BLUE MOUNTAIN COLLEGE

## POLICIES AND PROCEDURES

and otherwise regulate their use. A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts and licenses. For the violation of local, state, and federal laws, sanctions may occur. The College may refer for prosecution the unlawful possession, use, or distribution of illegal drugs and alcohol by students and employees on its property or as a part of any of its activities.

### Drug Penalties

#### State of Mississippi

The criminal penalties for drug possession, abuse, use, and/or distribution in the State of Mississippi, as expressed in the Mississippi Uniform Controlled Substance Law, Miss. Code Section 41-29-139, range from six-month imprisonment and \$500 fine for the sale of paraphernalia to 30 years and \$1 million in fines for second offenders. Illicit drugs are listed in schedules, and the penalties vary.

#### Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

[Source: 21.U.S.C.744(a)]

1st conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000 or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000 or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000 or both.

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

- (a) 1st conviction and the amount of crack possessed exceeds 5 grams.
- (b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams.
- (c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram. [Source: 21.U.S.C. 853(a)(2) and 881(a)(7)]

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. [Source: 21.U.S.C. 881(a)(4)]

Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance. [Source: 21.U.S.C. 844a]

Civil fine of up to \$10,000 (pending adoption of final regulations). [Source: 21.U.S.C. 853a]

Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses. [Source: 18.U.S.C. 922(g)]

Ineligible to receive or purchase a firearm.

#### MISCELLANEOUS

# BLUE MOUNTAIN COLLEGE

## POLICIES AND PROCEDURES

Revocation of certain federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc., are vested within the authorities of individual federal agencies.

Federal Drug Laws

Page 1 of 2

### Federal Drug Penalties

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 - 4999 gms mixture	<b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$2 million if an individual, \$5 million if not an individual  <b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$4 million if an individual, \$10 million if not an individual	5 kgs or more mixture	<b>First Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$4 million if an individual, \$10 million if not an individual.  <b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$20 million if not an individual.  <b>2 or More Prior Offenses:</b> Life imprisonment
Cocaine Base (Schedule II)	5-49 gms mixture		50 gms or more mixture	
Fentanyl (Schedule II)	40 - 399 gms mixture		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10 - 99 gms mixture		100 gms or more mixture	
Heroin (Schedule I)	100 - 999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1 - 9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5 - 49 gms pure or 50 - 499 gms mixture		50 gms or more pure or 500 gms or more mixture	
PCP (Schedule II)	10 - 99 gms pure or 100 - 999 gms mixture	100 gm or more pure or 1 kg or more mixture		
<b>PENALTIES</b>				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<b>First Offense:</b> Not more that 20 yrs. If death or serious injury, not less than 20 yrs, or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.		
Flunitrazepam		<b>Second Offense:</b> Not more than 30 yrs. If death or serious		

# BLUE MOUNTAIN COLLEGE

## POLICIES AND PROCEDURES

### Alcohol Penalties

The legal drinking age for beer and/or alcohol is 21 years of age. A conviction for violating this law remains on one's record. A minor in possession can be fined up to \$500.00, 30 days community service, and/or a 90 days suspension of his/her driver's license. Minors convicted of using false identification, which includes using another individual's driver's license or ID, altering their own identification, or reproducing a fake ID card can be fined up to \$500.00 and serve up to 30 days of community service. Further, a person over 21 years of age who is in the business of supplying fake driver's licenses to minors can be convicted of a felony and face up to \$5,000 in fines and 3 years in jail. There are 34 (of 82 total) counties in Mississippi that are completely dry for hard liquor. In addition to this, there are 4 counties that are "half" dry because the county has two judicial districts and each district can have an independent election. There are several locations in the dry areas of the state that are legal for liquor and wine sales due to legislative action. There are currently 36 counties in Mississippi that are dry for beer and light wine sales. Within these 36 counties, there are numerous municipalities that are wet for beer sales.

#### What are the penalties for a DUI in Mississippi?

	1st Offense	2nd Offense	3rd Offense
<b>Jail</b>	Up to 48 hours	5 days up to 1year	1 to 5 years
<b>Fines and Penalties</b>	\$250 to \$1,000	\$600 to \$1,500	\$2,000 up to \$5,000
<b>License Suspension</b>	90 days	2 years	5 years
<b>IID** Required</b>	No	Yes	Yes

The minimum age to legally purchase cigarettes or other tobacco products is 18 years.

### Health Risks Associated with the Use of Alcohol and Illicit Drugs

#### A. Alcohol Consumption

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low-to-moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate-to-high doses of alcohol cause 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 can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor

# BLUE MOUNTAIN COLLEGE

## POLICIES AND PROCEDURES

nutrition, can also lead to permanent damage to vital organs such as the brain and the 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 of becoming alcoholics than other youngsters.

### **B. Illicit Drug Use**

- a. **CANNIBIS (MARIJUANA).** The use of marijuana may impair or reduce short-term memory and comprehension, alter sense of time and reduce coordination and energy level. Users often have a lowered immune system and an increased risk of lung cancer. The active ingredient in marijuana, THC, is stored in the fatty tissues of the brain and reproductive system for a minimum of 28 to 30 days.
- b. **HALLUCINOGENS.** Lysergic acid (LSD), mescaline and psilocybin cause illusions and hallucinations. The user may experience panic, confusion, suspicion, anxiety and loss of control. Delayed effects, or flashbacks, can occur even when use has ceased. Phencyclidine (PCP) affects the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries.
- c. **COCAINE/CRACK.** Cocaine users often have stuffy, runny noses and may have perforated nasal septum. The immediate effects of cocaine use include dilated pupils and elevated blood pressure, heart rate, respiratory rate and body temperature followed by depression. Crack or free-baser rock cocaine is extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, convulsions and even death.
- d. **AMPHETAMINES.** Amphetamines can cause a rapid or irregular heartbeat, tremors, loss of coordination, collapse and death. Heavy users are prone to irrational acts.

### **Available Counseling Resources**

The Behavioral Intervention Team (BIT) is an administrative committee designed to help faculty/staff and students respond to students and employees in distress, to help facilitate a comprehensive reporting culture on the campus, and to integrate threat assessment tools in the campus community. In addition to the services provided by the BIT, employees and students have access to nearby counseling services, including:

1. **Communicare** 820 Highway 178 East, Holly Springs, MS 38635 662-252-4140, Intake 662-252-4140, [www.commicarems.org](http://www.commicarems.org).
2. **Region IV MH/MR Commission- Booneville Extension Office** 2100 Chambers Street, Booneville, MS 38829 662-728-3174, Intake 662-728-3174, Hotline 662-728-3175, [www.regionivmhs.com](http://www.regionivmhs.com)
3. **Region IV MH/MR Commission- 401 New Hope Drive, Corinth, MS 38835** 662-286-7199, Intake 662-286-7199, Hotline 888-287-4443, [www.regionivmhs.com](http://www.regionivmhs.com)
4. **North Mississippi Medical Center Behavioral Health Center** 4579 South Eason Boulevard, Tupelo, MS 38801 662-377-3161, Intakes 662-377-3161-3154, 800-442-2238, Hotlines 662-377-3161 800-442-2238 [www.nmhs.net](http://www.nmhs.net)
5. **Region III Chemical Dependency Services, Lifecore Health Group Addiction Services** 920 Boone Street, Tupelo, MS 38804 662-987-4260, Intakes 662-844-3531-100, 662-844-3532-135, Hotlines 662-844-3531 662-844-1717
6. **Communicare Haven House** 152 Highway 7 South, Oxford, MS 38655 (662) 234-7237, Intake (662) 234-7237, Hotline (662) 234-7521 [www.communicarems.org](http://www.communicarems.org)

# BLUE MOUNTAIN COLLEGE

## POLICIES AND PROCEDURES

7. Communicare Outpatient Treatment 152 Highway 7 South, (662) 234-7521, Intake (662) 234-7521 Hotline (662) 234-7521, [www.communicarems.org](http://www.communicarems.org)
8. Quinco Mental Health Center McNairy County Center 641 East Poplar Street, Selmer, TN 38375 731645-5753, Intake 800-532-6339, Hotline 800-467-2515
9. Quinco Community Mental Health Center 10710 Old Highway 64, Bolivar, TN 38008 (731) 658-6113, Intake 800-532-6339, Hotline 800-467-2515
10. Professional Care Services of West Tennessee, 12615 South Main Street, Somerville, TN 38068, (901)465-9831, Intake (901) 465-9831, Hotline (800) 353- 9918 [www.pcswn.org](http://www.pcswn.org)

### Compliance and Program Review

The effectiveness of this policy relies on the thoughtfulness, consideration, and cooperation of students, administrators, faculty, and staff for its success. It is the responsibility of ALL members of the campus community to comply with the policy. This policy shall be given to each employee upon employment, and each student upon enrollment, and thereafter this policy shall be given to each employee and student annually. A biennial review will be conducted by the President's Cabinet to determine the effectiveness of, and to implement changes to, the College's drug prevention program as needed, and to ensure that the disciplinary sanctions are consistently enforced by the College.

## 2. Tobacco-Free Environment

Blue Mountain College maintains a tobacco-free campus. In an attempt to achieve that goal, the use of all tobacco products on the Blue Mountain College campus is prohibited. Campus social regulations for students prohibit tobacco use on campus. [Cross reference with Policy 4.13: Student Conduct and Judiciary.]

### A. Definition of Tobacco

Tobacco is defined as all tobacco-derived or containing products, including, but not limited to, cigarettes, electronic cigarettes, personal vaporizers, electronic nicotine delivery systems, cigars, cigarillos, and oral tobacco (spit and spitless, smokeless, chew, snuff).

### B. Meaning of Tobacco-free Environment

Tobacco-free at Blue Mountain College means no tobacco use on College property, including College-owned vehicles, by employees, students, visitors, or vendors.  
All employees must sign a tobacco-free statement to ensure understanding of policy.

### C. Disciplinary Actions for Employee Violations

Violation of the tobacco-free rules will result in the following disciplinary actions:

1. First offense: A verbal warning with written follow up will be given to the violator.
2. Second offense: A letter of reprimand will be sent to the violator. The letter of reprimand will be placed in the personnel file.
3. Third offense: The violator will be dismissed from employment. To avoid dismissal, the violator may choose to enroll in a tobacco cessation program at the employee's expense. [Cross reference with Policy 4.22: Drug-Free, Alcohol-Free, and Tobacco-Free Environment and Policy 6.02: Drug-Free, Alcohol-Free, and Tobacco-Free Environment]