

# **Drug Free Schools and Communities Act**

In compliance with the Drug Free Schools and Communities Act and its implementing regulations (34 CFR Part 86), the following information is being provided to all students and employees as a statement of College policy.

Messiah College prohibits the manufacture, possession, use, or distribution of illegal drugs and alcohol by all students both on and off campus when enrolled in course work, when living in College housing, when engaged in a College activity, when representing the College, or when intersecting with anyone affiliated with the College. Sanctions may range from letter of reprimand to expulsion. As noted in the Student Handbook, a record of disciplinary sanctions is kept in the Student Affairs files while the student is at Messiah. College officials, as well as parents, may be involved or notified when appropriate. In addition, College, state, and federal financial aid may be lost as the result of documented violation of alcohol and drug laws.

Messiah College prohibits the manufacture, possession, use, or distribution of illegal drugs by all employees on its property, when engaged in College work or activities, or when representing the College. Messiah College prohibits the possession or consumption of alcohol by employees on property owned or controlled by the College with the exception of personal residences not used for student housing. Employees are prohibited from consuming alcohol with students or furnishing alcohol to students. Employees are expected to exercise professional discretion and judgment as to use of alcohol when on College business or in other business or social settings. Sanctions for violation of this policy may range from written reprimand to termination of employment, although counseling or treatment may first be directed.

The College may also involve local law enforcement officials when appropriate. Illegal possession, use, or distribution of illicit drugs, or illegal use or possession of alcohol can be punished under applicable local, state, and federal law. Possible punishments can include stringent fines, loss of driver's license, loss of possessions obtained through the profits of or used in the sale or distribution of illegal drugs, and/or imprisonment. A student or employee who violates this policy is subject both to College sanctions and to criminal sanctions provided by local, state, and federal law. Potential legal sanctions for illegal drug and alcohol use are as follows:

## **Laws Governing Drug Use**

### **A. Federal Law**

The Federal Government prohibits the manufacture, distribution, dispensation and possession of controlled substances unless specifically permitted by statute. The government categorizes controlled substances according to Schedules I through V.

Schedule I drugs have a high potential for abuse, with no accepted medical use. Schedule I drugs include,

but are not limited to, heroin, marijuana, hashish, LSD and other hallucinogens.

Schedule II drugs have a high potential for abuse, but some medical use, and include opium, morphine, codeine, barbiturates, cocaine and its derivatives, amphetamines, phencyclidine (PCP) and other narcotics. Schedule III, Schedule IV and Schedule V drugs have some potential for abuse, but less than Schedule I and II drugs, with Schedule III drugs having the most potential for abuse and Schedule V the least. Schedule III, IV and V drugs include chloral hydrate (IV), certain barbiturates (III and IV), benzodiazines (IV), glutethimide (III), other depressants and narcotics (III and IV), amphetamines (III) and other stimulants (III and IV). A complete listing of controlled substances and their classifications is contained in Title 21 of the United States Code at Section 812.

Penalties for the unauthorized possession, manufacture, sale, distribution or delivery of drugs varies according to the type and quality of drug, the existence of prior offenses and whether death or serious injury results from the drug involved.

1. The federal penalty for the manufacture, sale or distribution of small amounts of Schedule I and II drugs, for the first offense, is from five to 40 years imprisonment and/or not more than a two million dollar fine for an individual (where death or serious injury occurs, not less than 20 years imprisonment and not more than life imprisonment); for a second offense, not less than 10 years imprisonment and not more than life and/or a fine of not less than four million dollars for an individual (where death or serious injury occurs, not less than life imprisonment). Penalties are doubled in many cases for the manufacture, sale or distribution of larger amounts of Schedule I and II drugs.
2. The federal penalty for the manufacture, distribution or sale of Schedule III, IV and V drugs of any quantity is:

**Schedule III Drug:**

not more than five years imprisonment and/or a \$250,000.00 fine for a first offense; penalty is doubled for a second offense.

**Schedule IV Drug:**

not more than three years imprisonment and/or a \$250,000.00 fine for a first offense; penalty is doubled for a second offense.

**Schedule V Drug:**

not more than one year imprisonment and/or a \$100,000.00 fine; penalty is doubled for a second offense.

3. Federal law provides separate penalties for the manufacture, sale or distribution of marijuana, hashish, or their derivatives. Penalties vary according to the quantity involved, the existence of a prior offense, and whether death or serious injury results. For a first offense involving small amounts (less than 50 kilograms of marijuana; less than 10 kilograms of hashish), the penalty includes not more than five years imprisonment and/or a \$250,000.00 fine for an individual. Penalties are doubled for second offenses. For larger quantities (between 50-100 kilograms marijuana; between 10-100 kilograms hashish), the penalty includes not more than 20 years imprisonment and/or a fine of one million dollars. Penalties are increased for second offenses.

Where death or serious injury results, penalties are increased to include not less than 20 years imprisonment and not more than life for a first-time offender; not less than life for a second-time offender.

4. In addition to the manufacture, distribution or sale of controlled substances, federal law prohibits unauthorized possession of controlled substances. Penalties for simple possession include up to one year imprisonment and/or at least a \$1,000.00 fine (but less than \$10,000.00) for a first offense; up to two years imprisonment and/or at least a \$2,500.00 fine (but less than \$250,000.00) for a second offense; up to three years imprisonment and/or at least a \$5,000.00 fine (but less than \$250,000.00) for subsequent offenses. Special sentencing provisions apply to the possession of crack cocaine.
5. Special federal penalties apply to the sale or distribution of controlled substances to persons under age 21 or within 1,000 feet of school, college or university property.

## **B. Pennsylvania Law**

The Commonwealth of Pennsylvania also imposes penalties for the possession, sale or delivery of a controlled substance. Pennsylvania classifies controlled substances according to Schedules I through V consistent with federal law. As with federal law, penalties vary according to the type of controlled substance involved.

1. The penalty for the sale or delivery, or possession with the intent to deliver, of a Schedule I or II drug, which is a narcotic, includes up to 15 years imprisonment and/or a \$250,000.00 fine.
2. The penalty for the sale, delivery or distribution of phencyclidines (PCP), methamphetamines, cocoa and its derivatives, and marijuana in excess of 1,000 pounds includes up to 10 years imprisonment and/or a \$100,000.00 fine.
3. The penalty for the sale, delivery or distribution of any other Schedule I, II or III drug not listed in (2) or (3) above, is up to five years imprisonment and/or a \$15,000.00 fine.
4. The penalty for the sale, delivery or distribution of any Schedule IV drug includes up to three years imprisonment and/or a \$10,000.00 fine.
5. The penalty for the sale, delivery or distribution of any Schedule V drug includes up to one year imprisonment and/or a \$1,000.00 fine.
6. Penalties for unauthorized possession of a controlled substance include up to one year imprisonment and/or a \$5,000.00 fine for the first offense.
7. Penalties for possession of a small amount of marijuana for personal use or with the intent to distribute but not to sell or the distribution of a small amount of marijuana but not sale include up to 30 days in prison and/or a fine not to exceed \$500.00.
8. Penalties for the intentional purchase or knowing receipt in commerce by any person of any controlled substance, other drug or device from any person not authorized by law to sell, distribute, dispense or otherwise deal in such controlled substance, other drug or device include up to three

years imprisonment and/or a fine not to exceed \$5,000.00.

## **Laws Governing Alcohol Use**

In the Commonwealth, the Pennsylvania Crime Code and the Pennsylvania Liquor Code govern the consumption, distribution and sale of alcohol.

1. It is a summary offense for a person under 21 years of age to purchase, consume, possess or knowingly and intentionally transport any alcoholic beverages. Penalty for a first offense is suspension of driving privileges for 90 days, a fine of up to \$300.00 and imprisonment for up to 90 days; for a second offense, suspension of driving privileges for up to one year, a fine of up to \$500.00, and imprisonment for up to one year. Multiple sentences involving suspension of driving privileges must be served consecutively.
2. It is a crime to intentionally and knowingly sell or intentionally and knowingly furnish any alcoholic beverage to a minor (under 21). "Furnish" means to supply, give or provide to, or to allow a minor to possess on premises or property owned or controlled by the person.
3. It is a crime for any person under 21 years of age to possess an identification card falsely identifying that person as being 21 years of age or older, or to obtain or attempt to obtain alcoholic beverages by using a false identification card or otherwise misrepresent one's age in an attempt to obtain alcoholic beverages. Penalties are as stated in (1) above.
4. It is a crime to intentionally, knowingly or recklessly manufacture, make, alter, sell or attempt to sell an identification card falsely representing the identity, birth date or age of another. The minimum fine is \$1000.00 for first violation; \$2500.00 for subsequent violations; imprisonment for up to two years for any violation.
5. It is a crime to hire, request or induce any minor to purchase alcoholic beverages or to misrepresent that another is of legal age in order to obtain alcoholic beverages. The penalty is a minimum fine of \$300.00 and imprisonment for up to one year.
6. It is a crime to drive or operate any vehicle under the influence of alcohol or any controlled substance or drug. It is also a crime to drive or operate a vehicle where the amount of alcohol by weight in the blood of the person equals or exceeds 0.08%. Penalties for violation include a minimum fine of \$300.00; loss or suspension of driver's license; participation in and completion of a counseling or treatment program; and imprisonment from 48 hours to not less than one year, depending on the nature and number of prior violations.
7. It is a crime to sell, furnish or serve alcohol to any person who is visibly intoxicated.
8. The Commonwealth of Pennsylvania prohibits the consumption or distribution of alcohol in any public place without a proper license or permit and prohibit public drunkenness.

9. Sales without a license or purchases of alcoholic beverages from an unlicensed source are prohibited. It is unlawful to possess or transport liquor or alcohol within the Commonwealth unless it has been purchased from a State Store or in accordance with Liquor Control Board regulation.

## **Health Risks**

The health risks associated with the use of illegal drugs and the abuse of alcohol are significant. Alcohol and other drugs affect brain functioning, result in direct injury to body tissue, result in several thousand traffic fatalities each year, lead to addiction in some individuals, and can alter moods in a potentially harmful way.

The following are summaries of the major health risks of and common symptoms associated with alcohol and other drug use and abuse. This is not a complete listing but an overview. Each individual will experience the effects of alcohol and other drugs in a slightly different way given his or her tolerance, body size, family history, gender, and other physical and psychological factors. Abuse of alcohol and other drugs can lead to chemical dependency and can be harmful during pregnancy.

### **Alcohol**

**Health Risks:** Alcohol in moderate amounts causes dizziness, dulling of the senses, impairment of coordination, reflexes, memory and judgment. Increased amounts of alcohol produce staggering, slurred speech, double vision, mood changes and, possibly, unconsciousness. Larger amounts result in death. Alcohol causes damage to the liver, heart and pancreas. It also may lead to malnutrition, stomach irritation, lowered resistance to disease and irreversible brain or nervous system damage.

**Symptoms:** Glazed eyes, obvious odor, pale and dry skin, broken blood vessels in facial area, slowed motor coordination and enlarged stomach.

### **Marijuana**

**Health Risks:** Marijuana use leads to a substantial increase in heart rate. It impairs or reduces short-term memory and comprehension, and motivation and cognition are altered. With extended use it can produce paranoia and psychosis. Smoking marijuana damages the lungs and pulmonary system. Marijuana contains more cancer causing agents than tobacco. It also lowers male sex hormones, suppresses ovulation, and causes changes in the menstrual cycle and possibly causes birth defects.

**Symptoms:** Someone who uses marijuana may laugh inappropriately and have bloodshot eyes, dry mouth and throat, and a tell-tale odor of the drug, a poor sense of timing and increased appetite.

### **Cocaine and Crack**

**Health Risks:** Cocaine and its derivative crack produce dilated pupils and elevated blood pressure, heart rate, respiratory rate and body temperature. They may also cause insomnia, loss of appetite, tactile hallucinations, paranoia, seizure and death.

**Symptoms:** Someone using cocaine may experience muscle twitching, panic reactions, anxiety, numbness

in hands and feet, loss of weight, a period of hyperactivity followed by a depression, a running or bleeding nose and sustained depression.

### **Barbiturates**

**Health Risks:** In small doses, barbiturates produce calmness, relaxed muscles and lowered anxiety. Larger doses cause slurred speech, staggering gait and altered perception. Very large doses taken in combination with other central nervous system depressants (e.g., alcohol) cause respiratory depression, coma and sometimes death.

**Symptoms:** A person who uses barbiturates may have poor muscle control, appear drowsy or drunk, become confused, irritable, inattentive or have slowed reactions.

### **Amphetamines**

**Health Risks:** Amphetamine use causes increased heart and respiratory rates, elevated blood pressure, and dilated pupils. Larger doses cause rapid or irregular heartbeat, tremors and physical collapse. An amphetamine injection creates a sudden increase in blood pressure that can result in stroke, high fever and heart failure.

**Symptoms:** An individual using amphetamines might begin to lose weight, have periods of excessive sweating, and appear restless, anxious, moody and unable to focus. Extended use may produce psychosis, including hallucinations, delusions and paranoia.

### **Hallucinogens** (including PCP, LSD, Mescaline, Peyote, Psilocybin)

**Health Risks:** PCP, or angel dust, interrupts the part of the brain that controls the intellect and impulsive behavior. PCP blocks pain receptors. Violent episodes, including self-inflicted injuries, are not uncommon. Chronic users report memory loss and speech difficulty. Very large doses produce convulsions, coma, heart and lung failure, or ruptured blood vessels in the brain. LSD, mescaline, peyote, etc. cause dilated pupils, elevated body temperature, increased heart rate and blood pressure, and tremors.

**Symptoms:** Someone using PCP might appear moody, aggressive or violent. Such an individual may become paranoid and experience hallucinations and have time and body movements slowed. LSD users may experience loss of appetite, sleeplessness, confusion, anxiety and panic. Flashbacks may also occur.

### **Narcotics** (including Heroin, Codeine, Morphine, Opium, Percodan)

**Health Risks:** Because these narcotics are generally injected, the use of contaminated needles may result in AIDS and hepatitis. Symptoms of overdose include shallow breathing, clammy skin and convulsions. An overdose may result in a coma or even death.

**Symptoms:** Some signs of narcotic use are euphoria, drowsiness, constricted pupils and nausea. Other symptoms include itchy skin, needle or "track" marks on the arms and legs, nodding, loss of sex drive and appetite. When withdrawing from the drug, sweating, cramps and nausea occur.

The College desires and is prepared to help students and employees who have a drug or alcohol related problem. Students who ask for help will be treated through the Counseling Center rather than through the disciplinary process in most circumstances. Similarly, employees seeking assistance will be provided with access to substance abuse programs, community resources for assessment and treatment, and counseling. Confidential assistance is available through Counseling Services. The College will also refer students to off-campus treatment centers if requested or if the issues being addressed warrant such referral.

For additional information on resources available, students should contact the Engle Center or Doug Wood, Associate Dean of Students. Employees should contact Amanda Coffey, Director of Human Resources.

Revised 2/09