



## DRUG FREE CAMPUS AND WORKPLACE COMPLIANCE

“The Drug Free Schools and Communities Act and Drug Free Workplace Act of 1989” requires that as a condition of receiving funds or any other form of financial assistance under any federal program, all institutions of higher education must adopt and implement programs to prevent the unlawful possession, use or distribution of illegal drugs and abuse of alcohol by students and employees.

As part of the drug prevention program for students and employees, Valley College annually distributes the attached report that contains Valley College’s policies and information required to be distributed to students and employees. This information includes prohibited actions, state, local and federal sanctions, health related risks associated with illicit drugs and the abuse of alcohol, alcohol and drug treatment rehabilitation centers contact information and Valley College sanctions.

It is very important that all students and employees are aware of the information contained in the attached documents and understand that Valley College is committed to maintaining a drug-free campus for its students and employees. Please read the compliance package carefully. If you have any questions, please address them with your school Campus Director.

Valley College insists on a drug-free and alcohol-free learning environment for both students and staff. Therefore, student’s use of alcohol or the unlawful manufacture, distribution, dispensing or use of a controlled substance or alcohol anywhere on college property, or while participating in college related activities, is strictly prohibited. Students and employees who violate this policy are subject to disciplinary action up to and including drug testing, expulsion, and termination.

Valley College reserves the right to investigate any suspicious activity regarding nonprescription and illegal drugs, as well as alcohol. Investigation may include but is not limited to classroom inspection, office inspections or request students/employees to submit to drug screening in cases of strong suspicion of drug or alcohol use. Refusal to submit to these measures at time of request may be viewed as strong evidence of drug/or alcohol use which could result in student's termination from the program or in the employee’s termination.

Students or employees may be referred to the outside counseling and treatment help centers or programs. The College will use its sole discretion to determine the exact conditions of continued enrollment or employment in such a case. Valley College is also a tobacco free environment. Tobacco is restricted in the classrooms and at all school events except for in designated smoking areas at each campus.

### PROHIBITED ACTIONS

Valley College absolutely prohibits any use, consumption, sale, purchase, transfer, or possession of any controlled substance by any student or employee while attending class, working at or visiting any Valley College facility, or participating in any official school activity. Employees or students are strictly prohibited from being under the influence of any controlled substance, or alcohol, while performing work or attending class or attending sponsored training, meetings, or activities as a representative of Valley College. Legally prescribed medications are excluded from this policy and are permitted to the extent that the consumption of such medication does not negatively affect work ability, job performance or the safety of self or others.

### VALLEY COLLEGE’S DISCIPLINARY SANCTIONS

Violation of this policy by either students or employees will make the individual subject to disciplinary action. Disciplinary action of students and employees will include immediate referral to a treatment center and may include termination of training for students or termination of employment for employees.

## STATE, LOCAL AND FEDERAL SANCTIONS

The following is a description of some of the applicable legal sanctions under federal, state, and local laws for the unlawful possession, use, or distribution of illicit drugs, including alcohol. This list is not intended to be an exhaustive list of all offenses involving drugs and alcohol, and this material should not be relied upon as legal advice or guidance regarding these offenses.

A summary of penalties under Federal Law can be found on the DEA Website: Federal Sanctions and Penalties for Unlawful Possession or Distribution of Illicit Drugs <https://www.dea.gov/drug-information/drug-policy>

### West Virginia State and Local Sanctions

<https://www.wvlegislature.gov/WVCODE/code.cfm?chap=60A&art=4&sect%20ion=401>

#### Chapter 60A - Uniform Controlled Substances Act

##### Article 4 - Subsection 60A-4-401

##### Offenses and Penalties

It is unlawful for any person to manufacture, deliver or possess with intent to manufacture or deliver, a controlled substance. Any person guilty of a felony, upon conviction, may be imprisoned in the penitentiary for not less than one year nor more than fifteen years, or fined not more than \$25,000, or both. Any person guilty of a misdemeanor, upon conviction, may be confined in the county jail for not less than six months nor more than one year, or fined not more than five thousand dollars or both.

Distribution to persons under the age of eighteen by persons over the age of twenty-one; distribution by persons eighteen or over in or on, or within one thousand feet of, school or college, will be ineligible for parole for a period of two years.

Any person convicted of a second or subsequent offense may be imprisoned for a term up to twice the term otherwise authorized, fined an amount up to twice that otherwise authorized, or both.

##### Article 7 - West Virginia Contraband Forfeiture Act.

##### Items subject to forfeiture:

- \* All controlled substances which have been manufactured, distributed, dispensed or possessed in violation of Chapter 60A.
- \* All raw materials used in manufacture of controlled substances, aircraft, vehicles or vessels used to transport or facilitate transportation, sale, receipt, possession or concealment of property and all real property used in any manner to commit a violation of Chapter 60A punishable by more than one year in prison.

### Ohio State and Local Sanctions

<https://codes.ohio.gov/ohio-revised-code/chapter-2925>

Ohio Revised Code (ORC) Section 2925.02 provides that no person shall knowingly corrupt another with drugs by inducing or forcing them to use a controlled substance.

**PENALTY FOR VIOLATION:** Mandatory imprisonment from 6 months to 10 years, depending upon amount and type of drug involved and history of previous drug abuse offenses.

ORC 2925.03 provides that no person shall knowingly "traffick" in controlled or illicit substances, including marijuana. Trafficking includes selling, offering to sell, delivering, distributing, preparing, cultivating, and manufacturing of controlled substances.

**PENALTY FOR VIOLATION:** Mandatory fines range from \$100 to \$20,000, depending on offense and drug involved. Mandatory jail sentences range from 6 months to 10 years.

ORC 2925.11 provides that no person shall knowingly obtain, possess, or use a controlled substance.

**PENALTY FOR VIOLATION:** Drug abuse involving amounts of marijuana less than 100 grams carries a penalty of \$100. Other violations involving marijuana result in mandatory jail terms of not more than 8 years and mandatory fines of \$15,000. Drug abuse offenses involving other drugs may result in jail terms of up to 10 years and fines of \$20,000.

ORC 2925.12 provides that no person shall make obtain, possess, or use drug abuse instruments.

**PENALTY FOR VIOLATION:** A first offense can carry a jail term of up to 90 days and fines of \$750.

ORC 2925.14 provides that no person shall knowingly use, possess with purpose to use, sell, manufacture or advertise drug paraphernalia.

**PENALTY FOR VIOLATION:** Depending upon the facts, imprisonment up to 6 months and fines up to \$1,000.

ORC 2925.31 provides, except for lawful research, clinical, medical, dental, or veterinary purposes, no person with intent to induce intoxication or similar effect, shall obtain, possess, or use a harmful intoxicant.

**PENALTY FOR VIOLATION:** Up to \$1,000 and 6 months in jail.

ORC 2925.37 provides that no person shall knowingly possess, make, sell, or deliver counterfeit controlled substances.

**PENALTY FOR VIOLATION:** Depending upon the facts, the penalty can be up to 180 days in jail and a \$1,000 fine, but aggravating circumstances can cause the offense to become a felony of the fourth degree with prison terms between 6-18 months and a fine up to \$5,000.

ORC 4301.63 provides that no person under the age of 21 years shall purchase beer or intoxicating liquor.

**PENALTY FOR VIOLATION:** A fine of not less than \$25 nor more than \$100 may be imposed. The court may order that the fine be paid by the performance of public work at a reasonable hourly rate established by the court and shall designate the time within which the public work shall be completed.

ORC 4301.631 provides that no underage person can purchase low alcohol beverages, that no person may furnish low alcohol beverages to an underage person, and that no person shall allow underage persons to consume low alcohol beverages on his/her property.

**PENALTY FOR VIOLATION:** Punishments for violating ORC 4301.631 range from fines of \$25 to \$250 and imprisonment up to 30 days.

ORC 4301.633 provides that no person shall knowingly furnish any false information as to the name, age, or other identification of any person under 21 years of age for the purpose of obtaining beer or intoxicating liquor for a person under 21 years of age, by purchase or as a gift.

**PENALTY FOR VIOLATION:** Misdemeanor of the first degree. The maximum penalty is imprisonment for not more than 6 months and a \$1,000 fine.

ORC 4301.634 provides that no person under the age of 21 years shall knowingly show or give false information concerning his name, age, or other identification for the purpose of purchasing or otherwise obtaining beer or intoxicating liquor in any place in this state where beer or intoxicating liquor is sold under a permit issued by the department of liquor control.

**PENALTY FOR VIOLATION:** Misdemeanor of the first degree. The maximum penalty is imprisonment for not more than 6 months and a \$1,000 fine.

ORC 4301.64 prohibits the consumption of any beer or intoxicating liquor in a motor vehicle.

PENALTY FOR VIOLATION: Misdemeanor of the fourth degree. The maximum penalty is imprisonment for not more than 30 days and a \$250 fine.

ORC 4301.69(A) prohibits selling beer or intoxicating liquor to a person under the age of 21 years, or buying it for or furnishing it to such a person.

PENALTY FOR VIOLATION: Misdemeanor. The maximum penalty is imprisonment for not more than 6 months and a fine of not less than \$500 and no more than \$1,000.

ORC 4301.69(E) provides that no underage person shall knowingly possess or consume any beer or intoxicating liquor, in any public or private place, unless he is accompanied by a parent, spouse, or legal guardian, who is not an underage person, or unless the beer or intoxicating liquor is given for medical or religious purposes.

PENALTY FOR VIOLATION: Misdemeanor of the first degree. The maximum penalty is imprisonment for not more than 6 months and a \$1,000 fine.

ORC 4511.19 prohibits any person from driving a motor vehicle while under the influence of alcohol and/or any drug of abuse.

PENALTY FOR VIOLATION: Misdemeanor of the first degree. The maximum penalty is imprisonment for not more than 6 months and a \$1,000 fine, in addition to license suspension. Penalties for repeat offenders can result in up to 5 years in prison.

## HEALTH RISKS

Substance abuse, that is abuse of drugs or alcohol, is now recognized as the number one public health problem in the United States. Substance abuse is accountable for deaths from strokes, diseases of the heart and liver, and all alcohol and drug related suicides, homicides, and accidents. Early detection can minimize or prevent the devastating consequences of substance abuse.

The National Institute of Drug Abuse is the lead federal agency supporting scientific research on drug use and its consequences.

Click on this web site for more information: <https://nida.nih.gov/research-topics/commonly-used-drugs-charts>

### Controlled Substances: Effects

A description of the health risks associated with substances under the Controlled Substances Act (21. U.S.C.811) is attached to this document as Table B. Also see Drugs of Abuse A DEA Resource Guide 2020 Edition or the Campus Drug Prevention web page at the links below.

<https://www.dea.gov/documents/2022/2022-12/2022-12-02/drugs-abuse-2022>

<https://www.campusdrugprevention.gov/content/drug-fact-sheets>

### Alcohol: Effects

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. 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 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 than other youngsters of becoming alcoholics.

The Centers of Disease Control and Prevention offers fact sheets regarding Alcohol Use and your Health.

<https://www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm>

#### ALCOHOL AND DRUG TREATMENT REHABILITATION CENTERS

Individual community counseling, treatment, and rehabilitation centers for each of Valley College's campuses are listed below. Additional information is available on each campus.

AA & Al-Anon number for local referral <http://www.aawv.org> or <https://al-anon.org/al-anon-meetings/electronic-meetings/>

Al-Anon and Al-Ateen Group Director <http://www.wv.al-anon.alateen.org> or <https://al-anon.org/al-anon-meetings/>

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Help4WV.com offers a 24/7 call, chat, and text line that provides immediate help for any West Virginian struggling with an addiction or mental health issues. 844-735-7498

#### Martinsburg – WV

Almost Heaven Area Central Atlantic Region of Narcotics Anonymous	<a href="http://www.car-na.org">www.car-na.org</a>	1-800-777-1515
Eastridge Health Systems, Inc. (Berkeley County Mental Health Services)		304-263-8954
Eastridge Health Systems, Inc. (Jefferson County Mental Health Services)		304-725-7565
Eastridge Health Systems, Inc. (Morgan County Health Services)		304-258-2889
Mental Health Services – Behavioral Health Services of Washington County Health System		301-739-2490
DRS website <a href="http://www.addicted.org/">http://www.addicted.org/</a>		1-800-304-2219
Alcoholics Anonymous Crisis Line (24 hrs)		1-800-333-5051
Narcotics Anonymous		1-800-766-4442

#### Beckley –WV and Princeton – WV

Mountaineer Region of Narcotics Anonymous	<a href="http://www.mrscna.org">www.mrscna.org</a>	304 344-4442
FMRS Mental Health Council. Summers County	24-hour help line	304-466-3899
FMRS Mental Health Council, Fayetteville, WV		304-574-2100
Raleigh General Hospital, Beckley, WV		304-256-4100
Raleigh County FMRS Mental Health Council, Beckley, WV		304-256-7100
Appalachian Regional Hospital Mental Health		304-255-3302
Inpatient Drug Detox & Rehab	24-hour help line	1-866-469-0954
Southern Highlands Community Mental Health Center Wyoming County	24-hour help line	1-800-615-0122
Beckley VA Medical Center, Beckley, WV <b>Suicide Prevention</b>	24-hour help line	1-800-273-8255
Alcoholics Anonymous & Al-Anon, Beckley, WV		304-252-9444
AA – Raleigh County		304-252-9444
NA – Raleigh County		304-252-9444

Princeton –WV

Southern Highlands Comm. Mental Health Ctr., Princeton, WV	(24 hours) 1-800-615-0122
	304- 425-0122
Mercer County	304-425-9541
McDowell County	304-436-2106
Wyoming County	304-294-5353
Department of Human Services, Princeton, WV	304-425-8738
Princeton Community Hospital, Princeton, WV	304-487-7000
	304-913-4956
<b>Community Connections, Inc.</b>	
<a href="http://www.strongcommunities.org">www.strongcommunities.org</a>	
Appalachian Substance Abuse Coalition for Prevention & Treatment (ASAC)	276-988-5583
Clinch Valley Community Action, North Tazewell, VA	
L.C.G. Tazewell (Narcotics Anonymous), Cedar Bluff, VA	1-800-838-1752

Cleveland – Ohio

Stella Maris, Cleveland, Ohio	216-781-0550
Matt Talbot for Women, Cleveland, Ohio	216-634-7500
Northern Ohio Recovery, Cleveland, Ohio	216-391-6672
Orca House, Cleveland, Ohio	216-231-3772
Recovery Resources, Cleveland, Ohio	216-431-4131
The Wellness Center, Cleveland, Ohio	216-898-1445
Hitchcock Center for Women, Cleveland, Ohio	216-421-0662
Windsor Laurelwood, Willoughby, Ohio	800-438-4673
Y-Haven, Cleveland, Ohio	216-431-2018
ADRC Lutheran Hospital, Cleveland, Ohio	216-696-4300
Day Break Treatment Solutions (DETOX)	216-881-7882 or 216-417-4213
Oriana House, Cleveland, Ohio	216-881-7882
Rosary Hall-Addiction Medicine St. Vincent Hospital, Cleveland, Ohio	216-363-2580

Fairlawn -Ohio

Ohio Guidestone	440-260-2916
County of Summit ADM Board	330-762-3500
ADM Crisis Center	330-996-7730
Gray Mountain Detox Support	234-718-8229
Davenport Detox Support	330-754-0114

Akron - Ohio

IBH Addiction Recovery Center, Akron, Ohio

330-644-4095

Medspa The Wellness Center

330-867-2399

Cleveland Clinic Akron General

330-344-6000

All Campuses

**National Suicide Prevention Hotlines**

1-800-SUICIDE (1-800-784-2433)

1-800-273-TALK (8255)

RESPONSIBLE ADMINISTRATIVE OFFICE

The Compliance Director is required to evaluate the effectiveness of the program and implement any needed changes in coordination with Campus management on a biennial basis. Campus Directors are responsible for ensuring that disciplinary sanctions are enforced in a consistent manner.

Biennial Review: The institution conducted a biennial review of its drug and alcohol prevention program in the summer of 2022 and determined that the program is effective. There were no drug or alcohol-related violations that occurred on the institution's campus or as part of any of the institution's activities and therefore, there were no sanctions imposed.