



Policy

DRUG FREE CAMPUS POLICY – FACULTY AND STAFF

FS.901.1

EFFECTIVE DATE: NOVEMBER 2019 REVISED: MAY 2020

REFERENCES: [SBHE Policy Manual Section 300 and 600](#)

Policy Statement

Dakota College at Bottineau (DCB) prohibits the unlawful and unauthorized manufacture, distribution, dispense, possession, use or sale of alcoholic beverages, controlled substances and illegal drugs. This campus wide prohibition applies even if the North Dakota Department of Public Health has issued a certificate of registration permitting the individual to possess a limited amount of marijuana for medical purposes; individuals with medical marijuana cards are not permitted to use medical marijuana on campus property, at college sponsored, or hosted events. The impairment by alcohol or drugs of any student or employee while participating in an academic function, or of employees when reporting for work or engaging in work (during normal work hours or other times when required to be at work) is also prohibited. DCB employees and students are required to abide by all federal and state laws, local city ordinances, State Board of Higher Education policies and other related requirements regarding the consumption or possession of alcoholic beverages, controlled substances and illegal drugs.

In accordance with the Drug Free Workplace Act and SBHE Policy 615, the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the workplace is prohibited. Every employee is required to abide by applicable law and SBHE Policy 615 as a condition of employment.

Reason for Policy

DCB is responsible for maintaining alcohol and drug policies in compliance with all federal and state laws including, but not limited to; the Jeanne Clery Act (1990), the Drug Free Workplace Act (1988), the Drug-Free Schools and Communities Act (1989 & 1994) and the North Dakota Century Code.

Scope of Policy:

This policy applies to the following members of the campus community:

- President
- Deans, Directors and Department Heads
- Area Managers and Supervisors
- Faculty
- Staff
- Students
- Campus Guests

Campus Regulations

1. A student who possesses or uses intoxicating liquors, alcoholic beverages or illegal drugs on campus is subject to disciplinary action as outlined in the Student Handbook and Residence Life Handbook.

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2. All employees of the college are subject to the standards for disciplinary action in accordance with the Code of Conduct, in compliance with SBHE Policy 308.1.
3. Any student who attends class and is visibly under the influence of alcohol or drugs is subject to disciplinary action.
4. Faculty and staff are justified and have a responsibility to contact appropriate law enforcement agencies and/or campus security in the event a student is suspected to be under the influence and demonstrating aggressive or disruptive behaviors.
5. Student organizations, societies and clubs are not allowed to sponsor on or off campus events at which alcohol or illegal drugs are consumed.
6. The sale of alcohol and or drugs by student organizations, societies and clubs is strictly forbidden. This is to include any and all actions that can be construed as profiteering (this includes any action that can be construed as alcohol sale like charging admission to parties, passing the hat, selling empty cups and drink tickets).
7. Alcoholic beverages and/or drugs may not be used as awards or prizes in connection with events or activities sponsored by student organizations, societies and or clubs.
8. Disciplinary action, which can include expulsion from the College, shall follow the procedures and regulations for sanctions that are found in the DCB student handbook under "Student Rights and Responsibilities." Further, such matters can and will be reported to the authorities when deemed appropriate.
9. Involvement with drugs and or alcohol may be indicative of a larger issue that requires medical and or psychological attention, and as such students may be referred or may refer themselves to counseling or medical services.

Each new employee, at the time of hiring, shall receive a copy of SBHE Policy 615 and this procedure and acknowledge in writing that the employee has received and reviewed the policy and procedure. Institutions and the university system office shall document on an annual basis that each benefited employee has received a copy of SBHE Policy 615 and this procedure. This may be done as part of an annual evaluation, in-service training, electronically, or other appropriate procedure.

Violation Sanctions:

Disciplinary action can and will be adjudicated as outlined in the Student Conduct Policy for violation of drugs and alcohol policies. Individuals or organizations found in violation of DCB policy may be subject to one or more of the following disciplinary actions as well as subject to prosecution by the appropriate civil authorities.

- Successful completion of a drug and alcohol awareness program
- Eviction
- Dismissal
- Fines (which can lead to withholding Transcripts and Grades)
- Warning
- Probation
- Suspension
- Expulsion

An employee who is convicted of violation of any federal or state criminal drug law for conduct in the workplace must notify the employee's supervisor of the conviction within five days of the conviction. A conviction means a finding of guilt (including a plea of guilty or *nolo contendere* or its equivalent) or the imposition of a sentence. The supervisor must within 24 hours of receiving notice of a conviction notify the institution's or system's human resource officer.

Any employee who violates SBHE Policy 615 or this procedure is subject to discipline up to and including termination.

North Dakota Law on Alcoholic Beverages:

1. The state of North Dakota requires that individuals be at least 21 years of age to buy, possess and consume alcoholic beverages.
2. It is illegal to give or sell alcohol to an individual under the age of 21.
3. It is illegal to have an open container of alcohol in any vehicle.
4. It is illegal to serve alcohol to an intoxicated person.
5. It is illegal to sell alcohol of any kind without a license or permit.
6. Organizations are not immune from prosecution for a legal violation. The officers of that group are usually the parties cited, but every group member is liable.
7. Driving while intoxicated (.08 blood alcohol content) is a criminal offense.
8. Being intoxicated is not a legal defense for any charge, including assault, rape, vandalism, slander, manslaughter or accident.
9. If an underage person is involved in a drinking/driving crash after leaving a party, the victim(s) of the crash may sue both the person at fault and those who provided the alcohol.

North Dakota Law on Illegal Drugs:

North Dakota has adopted the Uniform Controlled Substances Act, which restricts the manufacture, transfer, and possession of narcotic drugs and other drugs that have a potential for abuse or that may lead to physical or psychological dependence.

1. It is a Class A felony to manufacture, deliver, or possess with intent to manufacture or deliver a controlled substance such as methamphetamine or narcotic drugs such as opium or cocaine in North Dakota.
2. Felony Penalties: Class A (up to 20 years imprisonment and/or a \$10,000 fine), Class C (up to five years imprisonment and/or \$5,000 fine).
3. Possession of one-half ounce to one ounce of marijuana is a Class B misdemeanor.
4. Possession of less than one-half ounce (14.175 grams) is a Class B misdemeanor.¹
5. Inhaling vapors of a volatile chemical in a manner designed to create intoxication, hallucination, or elation is a Class B misdemeanor.
6. Possession of drug paraphernalia for controlled substances other than marijuana is a Class C felony.
7. Possession of drug paraphernalia for marijuana is a Class A misdemeanor.

¹ First time offenders are subject to a fine up to 1,000 USD with no jail time. Individuals can be charged with a misdemeanor if receiving additional infractions in the course of a year.

8. It is a Class A misdemeanor to advertise drug paraphernalia.

9. In accordance with North Dakota Century Code SB 2344 Section 19-24, 1-01 a registered qualifying patient may not be in possession of medical marijuana more than 2.5 oz [70.87 grams] or 2,000 milligrams of tetrahydrocannabinol.

Misdemeanor penalties: Class A (up to one-year imprisonment and/or \$2,000 fine), Class B (up to 30 days imprisonment and/or \$1,000 fine).

Federal Law: Federal law provides criminal and civil penalties for unlawful possession or distribution of drugs and alcohol. See <http://www.usdoj.gov/dea/agency/penalties.html> for details on federal trafficking penalties for controlled substance violations. Penalties include incarceration, fines, forfeiture of property, ineligibility to own firearms, and becoming ineligible to receive federal benefits such as student loans and grants.

Health Risks Associated with Alcohol and other substances of abuse:

Alcohol: Alcohol consumption causes a number of impairments including changes in behavior and normal body function. Even low doses significantly impair judgment, coordination and mental function thus increasing the risks of accidents and injuries. 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 taken acutely can cause respiratory depression and even death. Statistics show that alcohol use is involved in a majority of violent behaviors on college campuses, including acquaintance rape, vandalism and fights. Additional consequences include DUI arrests and serious or fatal car crashes. Continued abuse may lead to dependency, which can cause permanent damage to vital organs and deterioration of a healthy lifestyle.

Short-Term Health Risks: Excessive alcohol use has immediate effects that increase the risk of many harmful health conditions. These are most often the result of binge drinking and include the following:

- Injuries, such as motor vehicle crashes, falls, drownings, and burns.²
- Violence, including homicide, suicide, sexual assault, and intimate partner violence.^{2,3}
- Alcohol poisoning, a medical emergency that results from high blood alcohol levels.⁴
- Risky sexual behaviors, including unprotected sex or sex with multiple partners. These behaviors can result in unintended pregnancy or sexually transmitted diseases, including HIV.⁵

² World Health Organization. [Global status report on alcohol and health—2014External](#). Geneva, Switzerland: World Health Organization; 2014.

³ Smith GS, Branas CC, Miller TR. [Fatal nontraffic injuries involving alcohol: a metaanalysisExternal](#). *Ann of Emer Med* 1999;33(6):659–668.

Greenfield LA. [Alcohol and Crime: An Analysis of National Data on the Prevalence of Alcohol Involvement in Crime Cdc-pdfExternal](#) [PDF – 229 KB]. Report prepared for the Assistant Attorney General's National Symposium on Alcohol Abuse and Crime. Washington, DC: U.S. Department of Justice, 1998.

Mohler-Kuo M, Dowdall GW, Koss M, Wechsler H. [Correlates of rape while intoxicated in a national sample of college womenExternal](#). *Journal of Studies on Alcohol* 2004;65(1):37–45.

Abbey A. [Alcohol-related sexual assault: A common problem among college studentsExternal](#). *J Stud Alcohol Suppl* 2002;14:118–128.

⁴ Kanny D, Brewer RD, Mesnick JB, Paulozzi LJ, Naimi TS, Lu H. [Vital Signs: Alcohol Poisoning Deaths — United States, 2010–2012](#). *MMWR* 2015;63:1238–1242.

⁵ Naimi TS, Lipscomb LE, Brewer RD, Colley BG. [Binge drinking in the preconception period and the risk of unintended pregnancy: Implications for women and their childrenExternal](#). *Pediatrics* 2003;111(5):1136–1141.

- Miscarriage and stillbirth or [fetal alcohol spectrum disorders \(FASDs\)](#) among pregnant women.^{2,5,6}

Long-Term Health Risks: Over time, excessive alcohol use can lead to the development of chronic diseases and other serious problems including:

- High blood pressure, heart disease, stroke, liver disease, and digestive problems.^{2,7}
- Cancer of the breast, mouth, throat, esophagus, liver, and colon.^{2,8}
- Learning and memory problems, including dementia and poor school performance.^{2,9}
- Mental health problems, including depression and anxiety.^{2,10}
- Social problems, including lost productivity, family problems, and unemployment.^{2,10,11}
- Alcohol dependence, or alcoholism.

Amphetamines: Amphetamines can cause a rapid or irregular heartbeat, tremors, convulsions, loss of coordination, collapse, and death. Heavy users are prone to irrational acts.

Cannabis (Marijuana, Hashish): 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.

Cocaine/Crack: Cocaine users often have a stuffy, runny nose and may have a 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 freebase rock cocaine, is extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, convulsions, and even death.

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, PCP episodes may result in self-inflicted injuries, violence and aggressive behavior toward others.

Wechsler H, Davenport A, Dowdall G, Moeykens B, Castillo S. [Health and behavioral consequences of binge drinking in collegeExternal](#). *JAMA* 1994;272(21):1672–1677.

⁶ Kesmodel U, Wisborg K, Olsen SF, Henriksen TB, Sechler NJ. [Moderate alcohol intake in pregnancy and the risk of spontaneous abortionExternal](#). *Alcohol & Alcoholism* 2002;37(1):87–92.

American Academy of Pediatrics, Committee on Substance Abuse and Committee on Children with Disabilities. 2000. [Fetal alcohol syndrome and alcohol-related neurodevelopmental disordersExternal](#). *Pediatrics* 2000;106:358–361

⁷ Rehm J, Baliunas D, Borges GL, Graham K, Irving H, Kehoe T, et al. [The relation between different dimensions of alcohol consumption and burden of disease: an overviewExternal](#). *Addiction*. 2010;105(5):817–43.

⁸ International Agency for Research on Cancer. Personal Habits and Indoor Combustions: A Review of Human Carcinogens, Volume 100E 2012. Available from: <http://monographs.iarc.fr/ENG/Monographs/vol100E/index.php>

⁹ Miller JW, Naimi TS, Brewer RD, Jones SE. [Binge drinking and associated health risk behaviors among high school studentsExternal](#). *Pediatrics*. 2007;119(1):76–85.

¹⁰ Castaneda R, Sussman N, Westreich L, Levy R, O'Malley M. [A review of the effects of moderate alcohol intake on the treatment of anxiety and mood disordersExternal](#). *J Clin Psychiatry* 1996;57(5):207–212.

¹¹ Booth BM, Feng W. [The impact of drinking and drinking consequences on short-term employment outcomes in at-risk drinkers in six southern statesExternal](#). *Behavioral Health Services and Research* 2002;29(2):157–166.

Leonard KE, Rothbard JC. [Alcohol and the marriage effectExternal](#). *J Stud Alcohol Suppl* 1999;13:139–146.

Heroin: Heroin is an opiate drug that causes the body to have diminished pain reactions. Overdoses of this highly addictive drug can result in coma or death due to respiratory failure or cardiovascular collapse. To find out more about these commonly abused agents and other substances of abuse not listed here go to the Drug Enforcement Administration http://www.justice.gov/dea/docs/drugs_of_abuse_2011.pdf

Where to turn for Help:

Students, Faculty and Staff may initiate help for themselves or others by contacting any of the following:

On Campus:

1. Behavioral Health Counselor, Corey Gorder 701-228-5451
corey.gorder@ndus.edu
2. Alcohol and Drug Prevention; Student Nurse
701-228-5460
3. Behavioral and Intervention Team: Laura Halvorson 701-228-5680
Laura.Halvorson@ndus.edu

Community Resources:

1. “211” –24-hour referral and crisis management hotline for North Dakota
2. Bottineau Family Crisis Center, 701-228-2028.
3. ND Al-Anon Family meeting, United Parish. 801 Main Street (Back door)
Thursday’s 8pm

National Resources:

1. Substance Abuse and Mental Health Services Administration (SAMHSA) National Helpline: 1-800-662-4357. Website: www.samhsa.gov/find-help/national-helpline
2. [Area 52-North Dakota. Alcoholics Anonymous. https://aanorthdakota.org/](https://aanorthdakota.org/)

Contacts

Specific questions regarding the policy direct to:
Campus Judicial Officer
Campus Security Officer
Dean of Student Affairs

References:

[US Public Law 101-226](#)

Dakota College at Bottineau 2018-2019 [Student Code of Conduct](#)

North Dakota Public Law, Century Code [Title Five Alcoholic Beverages](#)

[BSC Alcohol and Drug Policy](#)



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[Minot State University Campus Free Drug Policy](#)