

## **DRUG AND ALCOHOL POLICIES**



BROWN MACKIE COLLEGE  
KANSAS CITY<sup>SM</sup>

## **Alcohol/Drug Possession, Usage, and Distribution Policy**

### *Drug-Free Workplace and College*

The use of illegal drugs and the abuse of alcohol on the grounds of Brown Mackie College or in facilities controlled by Brown Mackie College are prohibited by college regulations and are incompatible with the Brown Mackie College goal of providing a healthy educational environment for students, faculty, staff, and guests. The following information is provided in compliance with the Drug-Free Schools and Communities Act Amendments of 1989.

### *Effects of Drugs and Alcohol*

Although individuals often use drugs and alcohol to achieve a variety of effects on mind and body that are found to be temporarily useful or pleasurable, drugs can be highly addictive and injurious. A person can pay a price in terms of his or her physical, emotional, and social health.

This price can be paid in a number of ways. The risk of contracting sexually transmitted diseases, including AIDS, is increased through unwanted or unprotected sex when one is under the influence of drugs or alcohol. Drugs can be the trigger for violent crime. Economic and legal problems usually follow directly when one tries to support a drug habit by resorting to crime. The dependence, illness, loss of job, and loss of family or friends that can result from drug or alcohol use and abuse can be tragic.

In keeping with the mission of Education Management Corporation and the requirements of state and federal law, Brown Mackie College has adopted this program to ensure a drug-free college and workplace and to prevent the use of controlled substances and the abuse of alcohol.

### *Health Risks Associated with the Use of Alcohol*

#### **Short-Term Risks**

- Increased risks of accidents and injuries
- Alcohol-related traffic accidents (the leading cause of death for teens)
- Alcohol slows reaction time, decreases muscle coordination, and impairs vision
- Fatal overdose
- Unconsciousness or blackout
- Death by aspiration of vomit
- Nausea
- Gastritis

#### **Long-Term Risks**

- Increased blood pressure
- Increased risk of heart attack
- Brain damage resulting in permanent psychosis
- Cancer of the mouth, esophagus, or stomach
- Liver damage (cirrhosis, alcohol hepatitis, cancer)
- Ulcers and gastritis
- Pancreatitis
- Birth defects
- In males, testicular atrophy and breast enlargement
- In females, increased risk of breast cancer
- Prolonged, excessive drinking can shorten life span by 10 to 12 years

### *Health Risks Associated with the Use of Drugs*

#### **Amphetamines (Speed, Uppers)**

- Malnutrition
- Hallucinations
- Dependence, psychological, and sometimes physical

#### **Deliriant (Aerosols, Lighter Fluid, Paint Thinner)**

- Permanent damage to lungs, brain, liver, bone marrow
- Loss of coordination, confusion, hallucinations
- Overdose causing convulsions, death

#### **Depressants (Barbiturates, Tranquilizers, Methaqualone)**

- Confusion, depression, loss of coordination
- Dependence — physical and psychological
- Coma, death (caused by overdose)
- Can be lethal when combined with alcohol

#### **Hallucinogens (LSD, PCP, DMT, STP, Mescaline)**

- Hallucinations, panic, irrational behaviors (which can lead to increased risk of accidents, injuries)
- Tolerance overdose leading to convulsions, coma, death
- Possible birth defects in children of LSD users

#### **Intravenous Drug Use**

- Places one at risk for HIV infection (the virus causing AIDS) when needles are shared

#### **Marijuana and Hashish**

- Chronic bronchitis
- Decreased vital capacity
- Increased risk of lung cancer
- In men, lower levels of testosterone and increase in abnormal sperm count

#### **Stimulants (Cocaine)**

- Painful nosebleeds and nasal erosion
- Intense “downs” that result in physical and/or emotional discomfort
- Tolerance and physical dependence can develop

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

- Malnutrition
- Hepatitis
- Loss of judgment and self-control leading to increased risk of accidents, injuries
- Dependence
- Overdose leading to convulsions, coma, death

### *Sanctions*

#### **Brown Mackie College Sanctions**

Brown Mackie College, in all of its actions, seeks to uphold local, state and federal laws. Insofar as permitted by these laws, Brown Mackie College will apply sanctions that could lead to a student being fined, suspended, or expelled or an employee being disciplined, suspended, or dismissed for violation of the Brown Mackie College standards of conduct.

Students and employees may also be referred for prosecution. Disciplinary sanctions may include the completion of an appropriate rehabilitation program, at the student's or employee's expense, if necessary.

The use of illegal drugs and the abuse of alcohol at Brown Mackie College or in facilities controlled by Education Management Corporation are prohibited by college regulations and are incompatible with Education Management Corporation goal of providing a healthy educational environment for students, faculty, staff, and guests. The following information is provided in compliance with the Safe and Drug-Free Schools and Communities Act.

### **State of Kansas Sanctions**

#### **Kansas Law — Use and Misuse of Forms of Identification**

Possession, use, sale, or manufacture of altered or false driver's licenses or identification cards are prohibited by criminal laws. Criminal conviction may jeopardize employment status in professions requiring licensing, certification, or security clearances.

In Kansas, it is also illegal to lend a driver's license or identification card to another person under 21 years of age in order to obtain cereal malt beverage and/or alcoholic liquor.

- Possession or display of any fictitious or fraudulently altered driver's license or identification card is a Class B non-person misdemeanor.

*Maximum Penalty:* 6 months in jail; \$1,000 fine

- Lending their driver's license or identification card to a person under 21 years of age for use in obtaining cereal malt beverage and/or alcoholic liquor, is a Class B non-person misdemeanor (first conviction).

*Maximum Penalty:* at least 100 hours public service; \$500 fine, 6 months in jail; (severity level and penalties increase with subsequent convictions).

- Other crimes relating to false identifications can be more severe. Dealing in false identification documents is a severity level 9 non-person felony. Penalties will vary based upon factors considered in sentencing guidelines.

*Maximum Penalty:* 12 months in prison; \$100,000 fine

#### **Kansas Law — Consumption of Alcohol**

- It is illegal for anyone of any age to consume alcoholic liquor on state (university) property, except where specific exemptions are provided by law.

*Maximum Penalty:* 6 months in jail; \$200 fine

- It is illegal for anyone under 21 years of age to possess, purchase, attempt to purchase, or consume cereal malt beverage or alcoholic liquor anywhere within the state.

*Maximum Penalty:* 1 month in jail; \$200 minimum fine (18–21 years of age); \$500 fine (under 18 years of age); perform 40 hours of public service and attend an alcohol education program and 30 day suspension of driving privileges

- It is illegal for anyone to furnish cereal malt beverage or alcoholic liquor to another person under 21 years of age.

*Maximum Penalty:* 6 months in jail; \$1,000 fine

### **Kansas Law — Driving Under the Influence**

In Kansas, it is illegal to operate a vehicle under the influence of alcohol, drugs, or both alcohol and drugs with a breath or blood alcohol content of .08 or more. For anyone under 21, it is illegal to do so with a breath or blood alcohol content of .02 or greater. If convicted, you are subject to the following penalties:

- **First Conviction — Misdemeanor**

*Maximum Penalty:* 6 months in jail (48 hours mandatory) or 100 hours of public service; \$1,000 fine; required completion of an alcohol education program; suspended driver's license for 30 days (then restricted for 330 days); impoundment of vehicle for up to one year, with costs

- **Second Conviction — Misdemeanor**

*Maximum Penalty:* 1 year in jail (5 days mandatory); \$1,500 fine; completion of an alcohol education program; suspended driver's license for 1 year; then use of ignition interlock device for 1 year; impoundment of vehicle for up to one year, with costs

- **Third Conviction — Felony**

*Maximum Penalty:* 1 year in prison (90 days mandatory); \$2,500 fine; required completion of an alcohol education program; suspended driver's license for 1 year; then use of ignition interlock device for 1 year; impoundment of vehicle for up to one year, with costs

- **Fourth and Subsequent Convictions — Felony**

*Maximum Penalty:* 1 year in prison (90 days mandatory); \$2,500 fine; participation in alcohol abuse program; 1 year post-release supervision; suspended driver's license for 1 year; then use of ignition interlock device for 1 year; revocation for one year of the license plate or temporary registration certificate of the motor vehicle driven during the violation; impoundment of vehicle for up to one year, with costs; (on fifth conviction driver's license is permanently revoked)

- **Refusal to submit to alcohol or drug testing**

Penalty: First time — suspended driver's license for 1 year

Second time — suspended driver's license for 2 years

Third time — suspended driver's license for 3 years

Fourth time — suspended driver's license for 10 years

Fifth time — license is permanently revoked

### **Kansas Law — Drugs**

The illegal possession or illegal use of drugs may subject individuals to criminal prosecution. The College will refer violations or proscribed conduct to appropriate authorities for prosecution.

- Kansas law provides that any person who violates the criminal statutes on controlled substances by manufacturing a controlled substance will be guilty of a drug severity level 1 felony.

*Maximum penalty:* 17 years imprisonment; \$500,000 fine

- Illegal possession of opiates, amphetamines, and narcotics is a drug severity level 4 felony.

*Maximum penalty:* 3 1/2 years imprisonment; \$100,000 fine

- Unlawful possession of a depressant,\* paraphernalia, stimulant, or hallucinogenic drug is punishable as a Class A non-person misdemeanor.

*Maximum penalty:* 1 year and 2 months imprisonment; \$2,500 fine

- The sale or distribution of these drugs is a drug severity level 3 felony.

*Maximum penalty:* 4 years and 3 months imprisonment; \$300,000 fine

*\*Depressants include barbiturates and barbital. Hallucinogens include LSD, marijuana, and psilocybin.*

### *Financial Aid*

A student may be ineligible to receive financial aid if the student has been convicted of an offense involving the possession or sale of illegal drugs.

### **Federal Penalties and Sanctions**

Federal penalties and sanctions for illegal possession of a controlled substance include the following:

**First Conviction** Up to one year in prison, fine of \$1,000 to \$100,000, or both

**Second Conviction** At least 15 days and up to two years imprisonment, \$5,000 to \$250,000 fine, or both

**After Two Drug Convictions** At least 90 days and up to three years in prison, \$5,000 to \$250,000 fine, or both.

Special federal sentencing provisions for possession of crack cocaine include a mandatory prison term of at least five years and up to 20 years, fine of up to \$250,000, or both, for a first conviction if the amount of crack exceeds five grams, for a second conviction if amount exceeds three grams, and for a third or subsequent conviction if the amount exceeds one gram.

Additional federal sanctions may also apply including forfeiture of vehicles used to transport controlled substances; denial of federal benefits including student loans, grants, and contracts, and denial or revocation of certain federal licenses and benefits.

### *Convictions for Drug-Related Offenses*

Any student convicted of any drug-related criminal statute must notify the Dean of Academic Affairs, in writing, no later than five days after such conviction regardless of where the offense occurred. This is because under federal and state laws, any student convicted of a drug-related felony offense must be denied all federal and state assistance, including Pell Grants. However, a criminal conviction shall not be necessary to find that a student has violated these standards of conduct, and Brown Mackie College need not, and ordinarily will not, defer its own actions and sanctions pending the outcome of any criminal proceeding.

### *Danger Signals Indicating a Drug or Alcohol Problem*

Following is a listing of classic danger signals that may indicate the presence of a drug or alcohol problem:

- Abrupt changes in mood or attitude
- Decreased efficiency at work or at school
- Frequent absences, tardiness, and/or early departures
- Relationship problems with family, friends, and co-workers
- Unusual outbursts of anger and hostility
- Social withdrawal

### *Advising*

If you observe any of these changes in yourself or another student, you are encouraged to talk with the Student Advisor.

Abuse of alcohol or drugs can lead to dependency and addiction, with serious consequences for personal health and overall quality of life. There are drug and alcohol counseling, treatment, and rehabilitation facilities available in our area where students and employees may seek advice and treatment. They can refer you to one that meets your needs.

*Organizations to Contact for Help*

**Salina Area Resources**

Central Kansas Foundation for Alcohol and Chemical Dependency  
1805 South Ohio  
Salina, KS 67401  
785-825-6224

Central Kansas Mental Health Center  
809 Elmhurst Boulevard  
Salina, KS 67401  
785-823-6322

St. Francis Center at Salina  
1646-B North 9th Street  
Salina, KS 67401  
785-823-0001

**Kansas City Area Resources**

Johnson County Adult Detox Center  
11120 W. 65th St.  
Shawnee, KS 66203  
913-897-6101

Heart of America Family Services  
10500 Berkley, Suite 210  
Overland Park, KS 66212  
913-642-4300

SACEK — Social Abuse Center of Eastern Kansas  
3424 Rainbow  
Kansas City, KS 66103  
913-362-0002

Johnson County Mental Health/Substance Abuse Center  
6000 Lamar, Suite 130  
Shawnee, KS 66202  
913-831-2550

**National Resources**

The National Institute on Drug Abuse Hotline 800.662.4357 is available from 8 a.m. to 2 a.m., Monday through Friday and from 11 a.m. to 2 a.m. on weekends.

A list of emergency and sliding-fee scale resources is available from the counselor.