

Policy Statement on Drugs and Alcohol

The Drug and Alcohol Policies established at MWCC are intended to address student or employee misuse of alcohol and other drugs on campus, thereby creating a safer campus and an environment that nurtures students' academic and social development and employee professional development. The goal of this policy is prevention and awareness that will allow the college to establish and maintain an environment that will discourage substance use.

On December 12, 1989, Congress amended Title XII of the Higher Education Act of 1965. This amendment, known as the "Drug-Free Schools and Communities Act of 1989," requires that every educational institution as a condition of receiving funds or any other form of financial assistance under any federal program, certify its adoption and implement programs designed to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. It further requires that the college submit a written certification to the Secretary of Education that it has adopted and implemented a drug prevention program as described in the regulations. Mount Wachusett Community College, in accordance with legal mandates and its philosophy of establishing and maintaining an environment of learning and supportive climate in which to conduct the business and mission of the College will enforce the following policies:

1. The unlawful manufacture, distribution, dispensing, possession, or use of alcohol or illegal drugs (including marijuana) is prohibited on any campus of MWCC or as part of any college-related activity. Students or employees who violate these restrictions shall be subject to appropriate disciplinary action, up to and including suspension, expulsion, or discharge and shall also be subject to referral for criminal prosecution. Where students or employees are convicted of violating a criminal drug or alcohol statute related to a college activity, the college shall ordinarily expel or discharge the offender absent mitigating circumstances. Mitigating circumstances shall include, but shall not be limited to, considerations of disability under federal and state law.
2. Mount Wachusett Community College shall cooperate in the enforcement of federal and state laws concerning illegal drugs and alcoholic beverages. Massachusetts statutes pertaining to illegal drugs and alcohol include the following:
 1. Massachusetts General Laws, Chapter 94C (Controlled Substances Act)
 2. Massachusetts General Laws, Chapter 272, Section 59 (Public Drinking)
 3. Massachusetts General Laws, Chapter 90, Section 24 (Operating under the Influence, Open Containers)
 4. Massachusetts General laws, Chapter 138, Section 34C (Minor in Possession of Alcohol)
 5. Massachusetts General Laws, Chapter 138, Section 22 (Unlawful Transportation of Alcohol)

CONTROLLED SUBSTANCES ACT:

Prescribed penalties under Massachusetts General law (M.G.L.) Chapter 94C for possession of controlled substance ranges from a civil penalty of one hundred dollars for public consumption of marijuana in a public place or where smoking is prohibited, or five hundred dollars for having an open container of marijuana in a motor vehicle passenger compartment; a civil fine of one hundred dollars for possession of a Class D substance, including; marijuana (under age 21) or tetrahydrocannabinol and having cannabinoids or cannabinoid metabolites in the urine, blood, saliva, sweat, hair, fingernails, toe nails or other tissue or fluid of the human body to a mandatory minimum of 3 ½ years in State Prison for Trafficking Offenses and up to 30 years and a fine of not less than fifty thousand dollars and not more than five hundred thousand dollars. Controlled substances include the illegal possession of a Class E substance (prescription drugs other than those included in A, B, C, or D) when a valid prescription has not been authorized. Penalties vary under M.G. L. depending on the class of the controlled substance. Enhanced penalties are provided under law for possession with intent to distribute controlled substances and distributing of a controlled substance to a minor (under 18 years of age).

The civil penalties as outlined above are extended for youthful offenders under the age of (18) to include mandatory completion of a drug awareness program within one year of the offense.

- (1) Possession or consumption of any substance prohibited by State or Federal law is prohibited on any property owned, rented, leased, or in control of Mount Wachusett Community College or in connection with any College function, whether on or off campus. This includes marijuana and its derivatives.

“**Controlled substance**”, a drug, substance, controlled substance analogue or immediate precursor in any scheduled or class referred to in this chapter.

“**Controlled substance analogue**”, (i) a drug or substance with a chemical structure substantially similar to the chemical structure of a controlled substance in Class A, B, C, D, or E, listed in section 31 and which has a stimulant, depressant or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance in Class A, B, C, D, or E, listed in section 31; or (ii) a drug or substance with a chemical structure substantially similar to the chemical structure of a controlled substance in Class A, B, C, D, or E, listed in section 31 and with respect to a particular person, which such person represents or intends to have a stimulant, depressant or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance in Class A, B, C, D or E, listed in section 31; provided, however, that “controlled substance analogue” shall not include: (1) a controlled substance; (2) any substance for which there is an approved new drug application; (3) with respect to a particular person, any substance for which there is an exception in effect for investigational use for that person, under section 8, to the extent conduct with respect to the substance is pursuant to such exemption; (4) or any substance not intended for human consumption before such an exemption takes effect with respect to that substance; provided however, that for the purposes of this chapter, a “controlled substance

analogue” shall be treated as the Class A, B, C, D or E substance of which it is a controlled substance analogue.

OPERATING UNDER THE INFLUENCE/OPEN CONTAINERS:

Prescribed penalties under Chapter 90, Section 24, for operating under the influence/open containers range from a fine of not less than \$500 to imprisonment for not more than two years and one half years and/or a fine of up to \$5000. Federal judicial guidelines also exist that suggest penalties for violation of federal criminal statutes related to drugs and alcohol.

MINOR IN POSSESSION OF ALCOHOL:

Prescribed penalties under Chapter 138, Section 34C, for a minor in possession of alcohol, authorizes arrest without a warrant when committed in the officers presence. Fines may range from up to \$50 for a first offense to up to \$150 for a subsequent offense and a mandatory suspension of driver’s license or right to operate a motor vehicle for 90 days regardless of whether the minor was operating a vehicle at the time of the incident.

TRANSPORTATION OF ALCOHOL BY MINORS:

Prescribed penalties under chapter 138, Section 22, for unlawful transportation of alcohol, authorizes arrest without a warrant when committed in the officer’s presence. Penalties may include not more than 6 months in the House of Correction and/or a fine of up to \$2500.00.

(1) Underage drinking is prohibited at Mount Wachusett Community College functions and on any part of the campus.

(2) It is Mount Wachusett Community College's policy that consumption of alcohol is prohibited in connection with any College function, whether on- or off-campus, without the express written permission of the President of the College or his designee.

(3) Employees working under federally funded grants are additionally subject to the Drug-Free Workplace Act of 1988. The Act creates the following obligations:

(a) Employees convicted of any criminal drug statute violation occurring in the workplace must notify the Vice President of Human Resources and Payroll/Affirmative Action Officer of Mount Wachusett Community College no later than five (5) days after such conviction. Such notification must be in writing.

(b) The College shall notify the appropriate federal agency within ten (10) days after receiving notice from the employee regarding such conviction. Such notification will be in writing.

(c) The College, within thirty (30) days of receiving notice, with respect to any employee who is convicted, will:

(i) Take appropriate disciplinary action against the employee, up to and including termination of employment, or

(ii) Require such employee to participate satisfactorily in a drug abuse resistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

(4) The College will present campus-wide drug and alcohol education programs on an annual basis. This is in addition to other educational opportunities available in current or future academic offerings.

Health Risks Associated With the Use of Illegal Drugs and the Abuse of Alcohol

The misuse of alcohol and other drugs create problems for students or employees who engage in this behavior as well as for their peers or fellow employees who suffer a range of consequences from having their study or work interrupted to far more egregious acts. Obvious health risks include physical dependence, psychological dependence, possible overdose and withdrawal symptoms.

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. Repeated use or abuse of alcohol can lead to physical and psychological dependence. Long-term consumption of large quantities of alcohol can also lead to permanent damage to vital organs.

Statistics show that alcohol use is involved in a majority of violent behavior on college campuses, including acquaintance rape, vandalism, fights, and incidents of drinking and driving.

Mount Wachusett Community College Resources

For any member of the MWCC community who is experiencing substance abuse problems, Mount Wachusett Community College stands ready to offer supportive services and referral for treatment, as appropriate and available. Information concerning substance abuse and rehabilitation counseling programs is available through the following College resources:

(1) Alcoholics Anonymous / Narcotics Anonymous

Regular meetings are held in the North Central Massachusetts area daily. Group preferences are often based on student schedules and access to reliable transportation. The following links will direct students to the appropriate resources for these groups:

Alcoholics Anonymous (AA): <http://www.aaworcester.org/meetinglookup.htm>

Narcotics Anonymous (NA): <http://www.centralmassna.org/>

Information about these meetings may be obtained from the Health Services (978) 630-9136, Counseling Services (978) 630-9178, and the Dean of Students (978) 630-9139.

MWCC members interested in a sober support group on campus are invited to consult with Health Services.

(2) **Substance Abuse Education - Student Life Informational Programs**

(a) Substance Abuse Education and Counseling

The Health Services and Counseling Services offices at Mount Wachusett Community College are the primary resources for individuals experiencing or affected by persons with substance abuse issues. Information and referral services are available on a drop-in basis. Informational brochures on topics such as drug and alcohol abuse, AIDS transmission and other sexually transmitted diseases are made available to students, so they may access information in an anonymous manner. The College nurse and college counselors are available by appointment at each of the campuses by contacting Student Services at (978) 630-9855 to discuss issues with students confidentially.

(b) **Awareness Activities**

i. The Office of Student Life, in conjunction with the MWCC Student Government Association, plans a number of alcohol and drug awareness activities. In conjunction with National Collegiate Alcohol Awareness Week in October, activities such as educational performers and drunk driving awareness programs are held on the Gardner Campus and are open to all students and staff. Additionally, groups such as MADD (Mothers Against Drunk Driving) and SADD (Students Against Drunk Driving) set up informational booths on campus to encourage responsible drinking.

At key times during the semester, such as during the holiday season and at graduation, awareness activities are scheduled. The focus of these activities is to raise awareness of students on responsible use of alcohol and the effects of illegal and prescription drug use and abuse. The responsible and legal choice is always emphasized.

ii. Student Health 101

An on-line educational resource magazine with health information designed specifically for community college students through the College's student portal-iConnect. This format of content is accessible to all students regardless of their campus affiliation and addresses information for on-line learners. Content varies and may include a number of topics including; the use and abuse of drugs and alcohol, interaction of substances with prescription medication, misuse of prescription medication and other related topic.

iii. Informational tables and activities

Information regarding sexually transmitted diseases (STDs) and impaired decision making due to alcohol and drug use is offered through informational tables, which include activities & literature-one time per year. Additionally information is provided once per year, prior to spring break via informational tables and literature regarding alcohol and drug use and impaired decision making.

(3) **Human Services**

Alcoholism is treated as part of a unit of Psychology 240, Abnormal Psychology, a course required of Human Services and Criminal Justice students. This topic is discussed in 3 classes as a category of Substance Use Disorders as outlined in the Diagnostic and Statistical Manual (DSMIV) of the American Psychiatric Association. The following broad concepts are covered in this unit: incidence; physical effects; progression; gender differences in addiction; and treatment.

(4) **Mount Wachusett Community College Library**

An electronic bibliography available in the MWCC Library lists books on alcohol & drug abuse.

Distribution of the Policy

This policy is distributed annually in writing to all students and employees through the following means:

- Printed publications
 - College catalog
 - Employee Publications and Policy Manual
- Online
 - MWCC website
 - All student and all employee email

Review and Compliance

In compliance with the United States Department of Education requirement, this policy is reviewed on a biennial basis to: (1) determine its effectiveness and implement changes if they are needed and (2) to ensure that the sanctions developed are enforced consistently. The most recent biennial review was completed in December 2016. Copies of this review are retained in the Office of the President, the Student Services Office and the Division of Human Resources. The next review/report will be completed by December 2018.

FERPA Parental Notification Policy

In compliance with **Family Educational Rights and Privacy Act** (FERPA) regulations, Mount Wachusett Community College, has adopted a Massachusetts Board of Higher Education

recommendation that the parents or legal guardians of students under twenty-one years of age be notified when the student has violated the MWCC alcohol or drug policies. Section 952 of the 1998 Higher Education Amendments, authorizes institutions of higher education to disclose to parents and guardians of students under age twenty-one, violations of institutional policies or rules, as well as local, state, and federal laws governing the use or possession of alcohol or a controlled substance.

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