Drug and Alcohol Prevention Program and the Drug-Free Workplace and Campus Program

Revised: July 7, 2016

Standards of Conduct
The use of illegal drugs and the abuse of alcohol on the campus of Brown Mackie College – South Bend or in facilities controlled by the Brown Mackie College – South Bend are prohibited by college regulations and are incompatible with the Brown Mackie College – South Bend 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 Brown Mackie College – South Bend and the requirements of state and federal law, Brown Mackie College – South Bend has adopted this program to ensure a drug-free campus 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—an increased risk of breast cancer
- Prolonged, excessive drinking can shorten life span by ten to twelve years.

Health Risks Associated with the Use of Drugs
Amphetamines (Speed, Uppers):
- Malnutrition
- Hallucinations
- Dependence, psychological and sometimes physical

Deliriums (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 serf-control leading to increased risk of accidents, injuries
- Dependence
- Overdose leading to convulsions, coma, death

Sanctions Brown Mackie College – South Bend

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

State Sanctions - State of Indiana
State penalties and sanctions for Indiana are as follows: Possession for personal use of 30 grams or less is a Class A misdemeanor punishable by a maximum sentence of one year imprisonment and a maximum fine of $5,000. Sale/Cultivation of 30 grams or less is a Class A misdemeanor punishable by a maximum sentence of 1 year imprisonment and a maximum fine of $5,000. The sale of more than 30 grams - 10 lbs is a Class D felony punishable by 6 months - 3 years imprisonment and a maximum fine of $10,000. The sale of more than 10 lbs or within 1,000 feet of a school or other specified areas is a felony punishable by 2-8 years imprisonment and a maximum fine of $10,000. The sale of any amount to a minor is a Class D
felony punishable by 6 months - 3 years imprisonment and a maximum fine of $10,000. Possession of paraphernalia is an infraction punishable by a maximum fine of $10,000. A subsequent conviction for possession or sale of paraphernalia is a felony punishable by 6 months - 3 years imprisonment and a maximum fine of $10,000. Presence "where knowledge of drug activity occurs: is a misdemeanor punishable by a maximum sentence of six months imprisonment and a maximum fine of $1,000. A possession, sale, or distribution conviction will result in a driver's license suspension for 6 months - 2 years.

Sanctions - State of Indiana - Underage Drinking/Possession

Illegal possession
Sec. 7. (a) It is a Class C misdemeanor for a minor to knowingly:
(1) possess an alcoholic beverage;
(2) consume it; or
(3) transport it on a public highway when not accompanied by at least one (1) of his parents or guardians.
(b) If a minor is found to have violated subsection (a) while operating a motor vehicle, the court may order the minor's driver's license suspended for up to one (1) year. However, if the minor is less than eighteen (18) years of age, the court shall order the minor's driver's license suspended for at least sixty (60) days.
(c) The court shall deliver any order suspending the minor's driver's license under this section to the bureau of motor vehicles, which shall suspend the minor's driver's license under IC 9-24-18-12 for the period ordered by the court.

Sales to minors prohibited
Sec. 8. (a) It is a Class B misdemeanor for a person to recklessly, knowingly, or intentionally sell, barter, exchange, provide, or furnish an alcoholic beverage to a minor.
(b) However, the offense described in subsection (a) is:
(1) a Class A misdemeanor if the person has a prior unrelated conviction under this section; and
(2) a Class D felony if the consumption, ingestion, or use of the alcoholic beverage is the proximate cause of the serious bodily injury or death of any person.
(c) This section shall not be construed to impose civil liability upon any postsecondary educational institution, including public and private universities and colleges, business schools, vocational schools, and schools for continuing education, or its agents for injury to any person or property sustained in consequence of a violation of this section unless such institution or its agent sells, barters, exchanges, provides, or furnishes an alcoholic beverage to a minor.

*A Class "C" misdemeanor is the lowest level of crime in Indiana, carrying a penalty of upon conviction of not more than sixty (60) days in jail and a fine of up to $500.00

Federal Sanctions
Federal penalties and sanctions for illegal possession of a controlled substance include the following: First conviction: up to 1 year in prison, fine of $1,000 to $100,000, or both Second conviction: at least 15 days and up to 2 years imprisonment, $5,000 to $250,000 fine, or both After two drug convictions: at least 90 days and up to 3 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 5 years and up to 20 years, fine of up to $250,000, or both, for a first conviction if the amount of crack exceeds 5 grams, for a second conviction if amount exceeds 3 grams, and for a third or subsequent conviction if the amount exceeds 1 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 (exhibit A).
## Exhibit A: Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)

<table>
<thead>
<tr>
<th>Schedule</th>
<th>Substance/Quantity</th>
<th>Penalty</th>
<th>Substance/Quantity</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>II</td>
<td>Cocaine 500-4999 grams mixture</td>
<td>First Offense: Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual.</td>
<td>Cocaine 5 kilograms or more mixture</td>
<td>First Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $10 million if an individual, $50 million if not an individual.</td>
</tr>
<tr>
<td>II</td>
<td>Cocaine Base 28-279 grams mixture</td>
<td>Second Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than $8 million if an individual, $50 million if not an individual.</td>
<td>Cocaine Base 280 grams or more mixture</td>
<td>Second Offense: Not less than 20 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than $20 million if an individual, $75 million if not an individual.</td>
</tr>
<tr>
<td>IV</td>
<td>Fentanyl 40-399 grams mixture</td>
<td>II</td>
<td>Fentanyl 400 grams or more mixture</td>
<td>Second Offense: Life imprisonment. Fine of not more than $20 million if an individual, $75 million if not an individual.</td>
</tr>
<tr>
<td>I</td>
<td>Fentanyl Analogue 10-99 grams mixture</td>
<td></td>
<td>Fentanyl Analogue 100 grams or more mixture</td>
<td></td>
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<tr>
<td>I</td>
<td>Heroin 100-999 grams mixture</td>
<td></td>
<td>Heroin 1 kilogram or more mixture</td>
<td></td>
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<tr>
<td>I</td>
<td>LSD 1-9 grams mixture</td>
<td></td>
<td>LSD 10 grams or more mixture</td>
<td></td>
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<tr>
<td>II</td>
<td>Methamphetamine 5-49 grams pure or 50-499 grams mixture</td>
<td></td>
<td>Methamphetamine 50 grams or more pure or 500 grams or more mixture</td>
<td></td>
</tr>
<tr>
<td>II</td>
<td>PCP 10-99 grams pure or 100-999 grams mixture</td>
<td></td>
<td>PCP 100 grams or more pure or 1 kilogram or more mixture</td>
<td></td>
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</tbody>
</table>

### Substance/Quantity

- Any Amount Of Other Schedule I & II Substances

### Penalty

- First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than Life. Fine $1 million if an individual, $5 million if not an individual.

- Any Drug Product Containing Gamma Hydroxybutyric Acid

### Penalty

- Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if not an individual.

- Flunitrazepam (Schedule IV)

### Penalty

- First Offense: Not more than 5 yrs. Fine not more than $250,000 if an individual, $1 million if not an individual.

- Any Amount Of Other Schedule III Drugs

### Penalty

- Second Offense: Not more than 10 yrs. Fine not more than $500,000 if an individual, $2 million if not an individual.

- Any Amount Of Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)

### Penalty

- First Offense: Not more than 5 yrs. Fine not more than $250,000 if an individual, $1 million if not an individual.

- Second Offense: Not more than 10 yrs. Fine not more than $500,000 if an individual, $2 million if other than an individual.

- Any Amount Of All Other Schedule V Drugs

### Penalty

- First Offense: Not more than 1 yr. Fine not more than $100,000 if an individual, $250,000 if not an individual.

- Second Offense: Not more than 4 yrs. Fine not more than $200,000 if an individual, $500,000 if not an individual.
### Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances

<table>
<thead>
<tr>
<th>Substances</th>
<th>First Offense</th>
<th>Second Offense</th>
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<tbody>
<tr>
<td>Marijuana</td>
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<tr>
<td>1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants</td>
<td>Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than $10 million if an individual, $50 million if other than an individual.</td>
<td>Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than $20 million if an individual, $75 million if other than an individual.</td>
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<tr>
<td>Marijuana</td>
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<tr>
<td>100 to 999 kilograms or 100 to 999 marijuana plants</td>
<td>Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than $5 million if an individual, $25 million if other than an individual.</td>
<td>Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than $8 million if an individual, $50 million if other than an individual.</td>
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<tr>
<td>Marijuana</td>
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<tr>
<td>50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants</td>
<td>Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine $1 million if an individual, $5 million if other than an individual.</td>
<td>Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if other than an individual.</td>
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<tr>
<td>Hashish</td>
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<td>More than 10 kilograms</td>
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<td>Hashish Oil</td>
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<tr>
<td>More than 1 kilogram</td>
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<tr>
<td>Marijuana</td>
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<tr>
<td>less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants</td>
<td>Not more than 5 yrs. Fine not more than $250,000, $1 million if other than an individual.</td>
<td>Not more than 10 yrs. Fine $500,000 if an individual, $2 million if other than individual.</td>
</tr>
<tr>
<td>Hashish</td>
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<tr>
<td>10 kilograms or less</td>
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<tr>
<td>Hashish Oil</td>
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<tr>
<td>1 kilogram or less</td>
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</table>
Convictions for Drug-Related Offenses
Any student convicted of any drug-related criminal statute must notify the Dean of Student Affairs, in writing, no later than five (5) 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 and Indiana State Aid. However, a criminal conviction shall not be necessary to find that a student has violated these standards of conduct, and the Brown Mackie College – South Bend 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

Counseling
If you observe any of these changes in yourself or another student, you are encouraged to talk with a Counselor. The college contracts with Talk One-2-One, a free service, which provides confidential professional counseling via the telephone 24 hours per day, 7 days a week, at 1- 888-617-3362. The Talk One-2-One counselor may refer you, for limited visits, with an area network mental health provider or assist you with locating resources within the community.

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. The College Counselor can refer you to one that meets your needs.

South Bend, Indiana Area Resources
There are also organizations that may be contacted for help. The National Institute on Drug Abuse Hotline (1.800.662.4357) is available from 8:00 a.m. to 2:00 a.m., Monday through Friday and from 11:00 a.m. to 2:00 a.m. on weekends.

A list of emergency and sliding-fee scale resources is available from the Student Affairs Office.