

Appendix 1

Drug Free Initiatives

Northeast Community College (Northeast) has adopted and implemented an Alcohol and Other Drugs (AOD) program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. The AOD Workgroup is representative of students, faculty, and staff. A student alcohol and drug use and opinion survey (CORE) is conducted bi-annually. On-campus residents complete the College Alcohol Profile (CAP) prior to occupying Northeast's housing facilities. Numerous alcohol and drug education programs are presented each academic year for students, faculty, and staff. The "We Agree" campaign is a collaborative effort between Northeast's AOD Workgroup and Wayne State College's TRUST Coalition. The campaign resulted in the publishing and distribution of the "Off-Campus Living Guide" that provides information about community standards and consequences regarding alcohol-related citations in Norfolk, Nebraska and Wayne, Nebraska.

Northeast is also a member of the Nebraska Collegiate Consortium to Reduce High-Risk Drinking. The Consortium provides support for college campuses across Nebraska who are committed to reducing high-risk drinking.

Health Risks

1. Risk of Dependency - The risk of developing alcohol and drug dependency is related to the following factors: genetic factors inherited from parents, the level of addictive and risk potential of the drug used, family and peer-related childhood experiences, and current life situation and peer group.
2. Short-Term Effects - The disinhibiting effect of alcohol is one of the primary reasons it is utilized in social situations. Other effects include: slurred speech, dizziness, impaired judgment and coordination, vomiting/nausea, and likely, a hangover several hours later that could consist of a headache, thirst, nausea, dizziness, and fatigue.
3. Long-Term Effects - The long-term effects of consuming large quantities of alcohol, particularly when combined with poor nutrition, can lead to permanent damage of vital organs such as the liver and brain. Other long-term effects are cirrhosis, pancreatitis, certain types of cancer, obesity, heart disease, alcohol withdrawal syndrome, and gastrointestinal disorders. Extended substance abuse can cause coma, respiratory arrest, and convulsions. Injected drugs increase the risk of infectious diseases such as hepatitis and AIDS. The liver, lungs, and heart are also damaged. Mothers who drink alcohol during pregnancy may birth children with Fetal Alcohol Syndrome.
4. Effects of Overdose - The cause of an alcohol and drug overdose is either by accidental overuse or by intentional misuse. Symptoms of overdose may include: an increase, decrease, or absence of vital signs (temperature, pulse rate, respirator) rate, blood pressure); skin may be cold and sweaty or hot and dry; chest pain; breathing may become rapid, slow, deep, or shallow; and shortness of breath may also occur. Symptoms may also include: sleepiness, confusion, abdominal pain, nausea, and/or vomiting blood. Overdose of some drugs can cause transient damage to certain organ systems. Brain damage resulting from suppression of lung and heart function is generally permanent. If the mental health issues that led to an intentional overdose are not addressed, the person remains at risk for recurrent drug overdoses. Multiple overdoses can lead to injury, organ failure, and/or death.

Institutional Code of Conduct/ Disciplinary Sanctions

The Northeast Community College Code of Conduct clearly prohibits the unlawful possession, use, or distribution of illicit drugs and the possession, use, or sale of alcohol by students and employees on its property or as part of any of its officially recognized activities. The laws of the State of Nebraska pertaining to the possession and use of illicit drugs and alcoholic beverages on public property shall be followed. Specifically, this means that it is a violation of the alcohol and drug policy for students or *employees* (o purchase, distribute, manufacture, possess, consume, or sell such substances on College premises and at College-sponsored events.

Student and employee violations of the Code or Policies shall result in any one of a combination of the following disciplinary sanctions:

Warning/sanction

- Disciplinary probation
- Suspension/expulsion/termination
- Referral to an appropriate drug/alcohol treatment program
- Referral to law enforcement agencies
- Any other action considered necessary by College officials

Definitions and accompanying procedures of these sanctions pertaining students can be found in the Student Code of Conduct. Those pertaining employees are included in the College Policy and Procedure Manual and the Faculty Handbook. The Dean of Students should be notified of a violation by students. The Vice President of Human Resources should be notified of any violations by faculty/staff.

Students and employees accused of violating the drug/alcohol policy established shall have the right to:

- 1) A hearing before the Dean of Students and/or the Vice President Human Resources, and
 - 2) Access to appeals as defined within the College Policies a Procedures and Student Code of Conduct.
- *Northeast Community College Area Board of Governors Policy Codes 2074, 2076, and 5051.

Alcohol and Drug Centers

(Prevention, Intervention, Treatment, Rehabilitation, and Re-Entry)

There are numerous alcohol and drug counseling, treatment, a rehabilitation centers to serve Northeast Community College students. T following limited listing groups these centers into four categories information and referral offices, outpatient services, inpatient treatment facilities, and half-way house re-entry programs.

Information and Referral Offices

Alcohol-Drug Treatment Referrals National 24-Hour Help and

Referral Network ~ 800-996-3784 Alcoholics Anonymous, Norfolk ~ 402-371-9859, Alanon and Alatecn, Norfolk ~ 402-371-0906, Beemer ~ 402-528-3431 Girls and Boys Town Suicide and Crisis Line ~ 800-448-3000 Narcotics Anonymous ~ 888-347-4446 or Norfolk - 402-371-9619, Columbus ~ 402-563-3853, Lincoln - 402-474-0405, McCook ~ 308-345-5839 The Higher Education Center for Alcohol and

Other Drug

Prevention - <http://www.higheredcentcr.org> Outpatient Services

Baker Counseling Services LLC, West Point - 402-372-9122 Behavioral Health Specialists, Norfolk ~ 402-370-3140 Counseling & Enrichment Center, O'Neill -402-336-4841 Good Life Counseling, Norfolk -402-371-3044 I Heartland Counseling Services, South Sioux City -

402-494-3337, also Wayne, O'Neill, and Ainsworth Kind Counseling Services, West Point - 402-372-4991 Macy Alcohol Center, Macy - 402-837-4067 Oasis Counseling International, Norfolk - 402-379-2030,

O'Neill - 402-336-3009 Inpatient Treatment Facilities Sunrise Place. Norfolk - 402-379-0040 Valley I lope, Lincoln - 402-464-0033 Valley Hope, Omaha - 402-991-8824 Valley I lope, O'Neill - 402-336-3747 or 800-544-5101 or

www.valleyhope.com Half-Way House Re-Entry Programs American Indian Human Resource Center, Inc., Winnebago -

402-878-2480 The Link, Inc., Norfolk - 402-371-5310 The Well, Norfolk - 402-379-3622

Any of these resources can also provide information and assessment relating to alcohol and drug abuse. In addition, they can furnish schedules for local and area meetings of Alcoholics Anonymous, Narco Anonymous, Alanon, Adult Children of Alcoholics, Alateen, and Alatot. Both inpatient and outpatient centers offer help for the entire family of the alcoholic or drug user.

For "out-of-area" off-campus students, information for assistance may be obtained by contacting local health agencies, family doctors, churches, law enforcement agencies, or other community action centers and service organizations.

Legal Sanctions - Local, State, and Federal - Controlled Substances Prohibited Acts; Violations; Penalties. (§28-416)

1. Unlawful Distribution and Manufacture - Except as authorized by the Uniform Controlled Substances Act, it shall be unlawful for any person knowingly or intentionally: (a) To manufacture, distribute, deliver, dispense, or possess with intent to manufacture, distribute, deliver, or dispense a controlled substance; or (b) To create, distribute, or possess with intent to distribute a counterfeit controlled substance.

2. Violation Penalties - Except as provided in subsections (4), (5), (7), (8), (9), and (10) of this section, any person who violates subsection (1) of this section with respect to: (a) A controlled substance classified in Schedule I, II, or III of §28-405 which is an exceptionally hazardous drug shall be guilty of a Class II Felony; (b) Any other controlled substance classified in Schedule I, II, or III of §28-405 shall be guilty of a Class III Felony; or (c) A controlled substance classified in Schedule IV or V of §28-405 shall be guilty of a Class 1HA Felony.

3. Possession of Controlled Substance - A person knowingly or intentionally possessing a controlled substance, except marijuana, unless such substance was obtained directly or pursuant to a medical order issued by a practitioner authorized to prescribe while acting in the course of his or her professional practice, or except as otherwise authorized by the act, shall be guilty of a Class IV Felony.

4. Manufactures, Distributes, Delivers, Dispenses, or Possesses a Controlled Substance with the Intent Thereof- Except as authorized by the Uniform Controlled Substances Act, any person eighteen years of age or older who knowingly or intentionally manufactures, distributes, delivers, dispenses, or possesses with intent to manufacture, distribute, deliver, or dispense a controlled substance or a counterfeit controlled substance (i) to a

person under the age of eighteen years, (ii) in, on, or within one thousand feet of the real property comprising a public or private elementary, vocational, or secondary school, a community college, a public or private college, junior college, or university, or a playground, or (iii) within one hundred feet of a public or private youth center, public swimming pool, or video arcade facility shall be punished by the next higher penalty classification than the penalty prescribed in subsection (2), (7), (8), (9), or (10) of this section, depending upon the controlled substance involved, for the first violation and for a second or subsequent violation shall be punished by the next higher penalty classification than that prescribed for a first violation of this subsection, but in no event shall such person be punished by a penalty be greater than a Class IB Felony.

5. Employ, Hire, Use, Cause, Persuade, Coax, Induce, Entice, Seduce, Coerce - (a) Except as authorized by the Uniform Controlled Substances Act, it shall be unlawful for any person eighteen years of age or older to knowingly and intentionally employ, hire, use, cause, persuade, coax, induce, entice, seduce, or coerce any person under the age of eighteen years to manufacture, transport, distribute, carry, deliver, dispense, prepare for delivery, offer for delivery, or possess with intent to do the same a controlled substance or a counterfeit controlled substance, (b) Except as authorized by the Uniform Controlled Substances Act, it shall be unlawful for any person eighteen years of age or older to knowingly and intentionally employ, hire, use, cause, persuade, coax, induce, entice, seduce, or coerce any person under the age of eighteen years to aid and abet any person in the manufacture, transportation, distribution, carrying, delivery, dispensing, preparation for delivery, offering for delivery, or possession with intent to do the same of a controlled substance or a counterfeit controlled substance, (c) Any person who violates subdivision (a) or (b) of this subsection shall be punished by the next higher penalty classification than the penalty prescribed in subsection (2), (7), (8), (9), or (10) of this section, depending upon the controlled substance involved, for the first violation and for a second or subsequent violation shall be punished by the next higher penalty classification than that prescribed for a first violation of this subsection, but in no event shall the person be punished by a penalty greater than a Class IB Felony.

6. Age Defense - It shall not be a defense to prosecution for violation of subsection (4) or (5) of this section that the defendant did not know the age of the person through whom the defendant violated such subsection.

7. Possession of Cocaine - Any person who violates subsection (l) of this section with respect to cocaine or any mixture or substance containing a detectable amount of cocaine in a quantity of: (a) One hundred forty grams or more shall be guilty of a Class IB Felony; (b) At least twenty-eight grams but less than one hundred forty grams shall be guilty of a Class IC Felony; or (c) At least ten grams but less than twenty-eight grams shall be guilty of a Class ID Felony.

8. Possession of Cocaine (Crack) - Any person who violates subsection (1) of this section with respect to base cocaine (crack) or any mixture or substance containing a detectable amount of base cocaine in a quantity of:

(a) One hundred forty grams or more shall be guilty of a Class IB Felony;

(b) At least twenty-eight grams but less than one hundred forty grams shall be guilty of a Class IC Felony; or (c) At least ten grams but less than twenty-eight grams shall be guilty of a Class ID Felony.

9. Possession of Heroin - Any person who violates subsection (1) of this section with respect to heroin or any mixture or substance containing a detectable amount of heroin in a quantity of: (a) One hundred forty grams or more shall be guilty of a Class IB Felony; (b) At least twenty-eight grams but less than one hundred forty grams shall be guilty of a Class IC Felony; or (c) At least ten grams but less than twenty-eight grams shall be guilty of a Class ID Felony.

10. Possession of Amphetamines/Methamphetamines - Any person who violates subsection (1) of this section with respect to amphetamine, its salts, optical isomers, and salts of its isomers, or with respect to methamphetamine, its salts, optical isomers, and salts of its isomers, in a quantity of: (a) One hundred forty grams or more shall be guilty of a Class IB Felony; (b) At least twenty-eight grams but less than one hundred forty grams shall be guilty of a Class IC Felony; or (c) At least ten grams but less than twenty-eight grams shall be guilty of a Class ID Felony.

11. Possession of Marijuana - More than one ounce but not more than one pound - Any person knowingly or intentionally possessing marijuana weighing more than one ounce but not more than one pound shall be guilty of a Class III Misdemeanor.

12. Possession of Marijuana - More than one pound - Any person knowingly or intentionally possessing marijuana weighing more than one pound shall be guilty of a Class IV Felony.

13. Possession of Marijuana - One ounce or less - Any person knowingly or intentionally possessing marijuana weighing one ounce or less shall (a) For the first offense, be guilty of an infraction, receive a citation, be fined three hundred dollars, and be assigned to attend a course as prescribed in §29-433 if the judge determines that attending such course is in the best interest of the individual defendant; (b) For the second offense, be guilty of a Class IV Misdemeanor, receive a citation, and be fined four hundred dollars and may be imprisoned not to exceed five days; and (c) For the third and all subsequent offenses, be guilty of a Class IIIA Misdemeanor, receive a citation, be fined five hundred dollars, and be imprisoned not to exceed seven days.

14. Probation - Any person convicted of violating this section, if placed on probation, shall, as a condition of probation, satisfactorily attend and complete appropriate treatment and counseling on drug abuse provided by a program authorized under the Nebraska Behavioral Health Services Act or other licensed drug treatment facility.

15. Department of Correctional Services - Any person convicted of violating this section, if sentenced to the Department of Correctional Services, shall attend appropriate treatment and counseling on drug abuse.

16. Firearm - Any person knowingly or intentionally possessing a firearm while in violation of subsection (1) of this

section shall be punished by the next higher penalty classification than the penalty prescribed in subsection (2), (7), (8), (9), or (10) of this section, but in no event shall such person be punished by a penalty greater than a Class IB Felony.

17. Money - A person knowingly or intentionally in possession of money used or intended to be used to facilitate a violation of subsection (1) of this section shall be guilty of a Class IV Felony.

18. Motor Vehicle Operator's License - In addition to the penalties provided in this section: (a) If the person convicted or adjudicated of violating this section is eighteen years of age or younger and has one or more licenses or permits issued under the Motor Vehicle Operator's License Act: (i) For the first offense, the court may, as a part of the judgment of conviction or adjudication, (A) impound any such licenses or permits for thirty days and (B) require such person to attend a drug education class; (ii) For a second offense, the court may, as a part of the judgment of conviction or adjudication, (A) impound any such licenses or permits for ninety days and (B) require such person to complete no fewer than twenty and no more than forty hours of community service and to attend a drug education class; and (iii) For a third or subsequent offense, the court may, as a part of the judgment of conviction or adjudication,

(A) impound any such licenses or permits for twelve months and

(B) require such person to complete no fewer than sixty hours of community service, to attend a drug education class, and to submit to a drug assessment by a licensed alcohol and drug counselor; and (b) If the person convicted or adjudicated of violating this section is eighteen years of age or younger and does not have a permit or license issued under the Motor Vehicle Operator's License Act: (i) For the first offense, the court may, as part of the judgment of conviction or adjudication, (A) prohibit such person from obtaining any permit or any license pursuant to the act for which such person would otherwise be eligible until thirty days after the date of such order and (B) require such person to attend a drug education class; (ii) For a second offense, the court may, as part of the judgment of conviction or adjudication, (A) prohibit such person from obtaining any permit or any license pursuant to the act for which such person would otherwise be eligible until ninety days after the date of such order and (B) require such person to complete no fewer than twenty hours and no more than forty hours of community service and to attend a drug education class; and (iii) For a third or subsequent offense, the court may, as part of the judgment of conviction or adjudication, (A) prohibit such person from obtaining any permit or any license pursuant to the act for which such person would otherwise be eligible until twelve months after the date of such order and (B) require such person to complete no fewer than sixty hours of community service, to attend a drug education class, and to submit to a drug assessment by a licensed alcohol and drug counselor.

A copy of an abstract of the court's conviction or adjudication shall be transmitted to the Director of Motor Vehicles pursuant to §60-497.01 to 60-497.04.

Imitation Controlled Substance; Prohibited Acts; Determination; Penalties; Seizure. (§28-445)

(1) Any person who knowingly and intentionally manufactures, distributes, delivers, or possesses with intent to distribute or deliver an imitation controlled substance shall (a) For the first offense, be guilty of a Class III Misdemeanor; and (b) For the second and all subsequent offenses, be guilty of a Class II Misdemeanor. (2) In determining whether a substance is an imitation controlled substance the court or other authority concerned shall consider all relevant factors, including but not limited to the following: (a) Whether the substance is represented as having an effect similar to or the same as an illicit controlled substance; (b) Whether the substance is represented by way of terminology which is deceptively similar to or the same as that describing a particular controlled substance; (c) Whether the dosage unit price substantially exceeds the reasonable price of a similar dosage unit of like chemical composition sold over the counter with packaging and labeling approved by the Federal Food and Drug Administration; (d) Whether the substance is packaged in a manner and quantity similar to or the same as that commonly used for illicit controlled substances; (e) Whether the dosage unit appearance of the substance is deceptively similar to that of a particular controlled substance; and (f) Whether the substance is distributed to persons who represent it as a controlled substance, under circumstances which indicate the distributor knows, intends, or should know that his or her distributes is making or will make such representations. (3) Any substance possessed, distributed, or delivered in violation of this section shall be subject to seizure and forfeiture as provided in §28-431.

Registration Required; Exceptions. (§28-407)

Except as otherwise provided in this section, every person who manufactures, prescribes, distributes, administers, or dispenses any controlled substance within this state or who proposes to engage in the manufacturing, prescribing, administering, distribution, or dispensing of any controlled substance within this state shall obtain a registration issued by the department, except that on and after January 1, 2000, health care providers credentialed by the department and facilities licensed by the department shall not be required to obtain a separate Nebraska controlled substances registration upon providing proof of a Federal Controlled Substances Registration to the department. Federal Controlled Substances Registration numbers obtained under this section shall not be public information but may be shared by the department for investigative and regulatory purposes if necessary and only under appropriate circumstances to ensure against any unauthorized access to such information.

Unlawful Acts; Violations; Penalty. (§28-417)

(1) It shall be unlawful for any person: (a) To omit, remove, alter, or obliterate a symbol required by the Federal Controlled Substances Act, 21 U.S.C. 801 et. seq., as the act existed on September 1, 2001, or required by the laws of this state; (b) To alter, deface, or remove any label affixed to a package of narcotic drugs; (c) To refuse or fail to make, keep, or furnish any record, notification, order form, statement, invoice, or information required under the Uniform Controlled Substances Act; (d) To refuse any entry into any premises for inspection authorized by the act; (e) To keep or maintain any store, shop, warehouse, dwelling house, building, vehicle, boat, aircraft, or place whatever which such person knows or should know is resorted to by persons using controlled substances in violation of the Uniform Controlled Substances Act for the purpose of using such substances or which is used for the keeping or selling of the same in violation of the act; (f) To whom or for whose use any controlled substance has been prescribed, sold, or dispensed by a practitioner or the owner of any animal for which any such substance has been prescribed, sold, or dispensed by a veterinarian to possess it in a container other than which it was delivered to him or her by the practitioner; or (g) To be under the influence of any controlled substance for a purpose other than the treatment of a sickness or injury as prescribed or administered by a practitioner. In a prosecution under this subdivision, it shall not be necessary for the state to prove that the accused was under the influence of any specific controlled substance, but it shall be sufficient for a conviction under this subdivision for the state to prove that the accused was under the influence of some controlled substance by proving that the accused did manifest physical and physiological symptoms or reactions caused by the use of any controlled substance. (2) Any person who violates this section shall be guilty of a Class III Misdemeanor.

Controlled Substances - Intentional Violations; Penalty. (§28-418) (1) It shall be unlawful for any person knowingly or intentionally: (a) To distribute a controlled substance classified in Schedule I or II of §28-405 in the course of his or her legitimate business except pursuant to an order form as required by §28-413; (b) To use in the course of the manufacture or distribution of a controlled substance a registration number which is fictitious, revoked, suspended, or issued to another person; (c) To acquire or obtain or attempt to acquire or obtain possession of a controlled substance by theft, misrepresentation, fraud, forgery, deception, or subterfuge; (d) To furnish false or fraudulent material information in or omit any material information from any application, report, or other document required to be kept or filed under the Uniform Controlled Substances Act or any record required to be kept by the act; (e) To make, distribute, or possess any punch, die, plate, stone, or other thing designed to print, imprint, or reproduce the trademark, trade name, or other identifying mark, imprint, or device of another or any likeness of any of the foregoing upon any drug or container or labeling thereof so as to render such drug a counterfeit controlled substance; (f) Who is subject to §28-406 to 28-414 to distribute or dispense a controlled substance in violation of §28-414; (g) To manufacture a controlled substance not authorized by his or her registration or to distribute or dispense a controlled substance not authorized by his or her registration to another registrant or authorized son; (h) To possess a false or forged medical order for a controlled substance issued by a practitioner authorized to prescribe, except that this division shall not apply to law enforcement officials, practitioners, or attorneys in the performance of their official lawful duties; or (i) To communicate information to a practitioner in an effort to unlawfully secure a controlled substance, the administration of a controlled substance, or a medical order for a controlled substance issued by a practitioner authorized to prescribe. (2) Any person who violates this section shall be guilty of a Class IV Felony.

Inhaling or Drinking Certain Intoxicating Substances; Unlawful. L8-419)

No person shall breathe, inhale, or drink any compound, liquid, or chemical containing acetate, acetone, benzene, butyl alcohol, cyclohexanone, ethyl acetate, ethyl alcohol, ethylene dichloride, ethylene chloride, hexane, isopropanol, isopropyl alcohol, methyl alcohol, methyl cellosolve acetate, methyl ethyl ketone, methyl isobutyl ketone, pentachlorophenol, petroleum ether, toluene, toluol, trichloroethane, trichloroethylene, or any other substance for the purpose of inducing a condition of intoxication, stupefaction, depression, giddiness, paralysis, inebriation, excitement, or irrational behavior, or in any manner changing or disturbing the auditory, visual, mental, or nervous processes.

Selling or Offering for Sale Certain Compounds; (§28-420)

person shall knowingly sell or offer for sale, deliver, or give to any person any compound, liquid, or chemical or any other substance which it induce an intoxicated condition as defined in §28-419, when the seller, offers, or deliverer knows or has reason to know that such compound is intended for use to induce such condition.

for more information, visit www.nebraska.gov.

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