DRUG AND ALCOHOL POLICIES

Applicable to Cape Cod Community College

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 receiving federal funding certify its adoption and implementation of programs designed to prevent use of illegal drugs and abuse of alcohol by students and employees. Prior federal law applicable to the College regulated only criminal drug activity of federally grant-funded employees and recipients of federal aid.

Cape Cod Community College, in accordance with legal mandates and its philosophy of establishing and maintaining an environment of learning and a supportive environment 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 of a controlled substance is prohibited on the campus of Cape Cod Community College 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 handicap under federal and state law.

2. Cape Cod Community College shall cooperate in the enforcement of federal, state and local laws concerning illegal drugs and alcoholic beverages. Massachusetts statutes pertaining to illegal drugs and alcohol include:

   Massachusetts General Laws, Chapter 94C (Controlled Substances Act)
   Massachusetts General Laws, Chapter 272, Section 59 (Public Drinking)
   Massachusetts General Laws, Chapter 90, Section 24 (Operating Under the Influence, Open Containers)

Prescribed penalties under Chapter 94 range from mandatory probation for a first conviction for possession of a class E substance, e.g. marijuana, to a period of imprisonment of up to two years and a fine of two thousand dollars ($2,000) for each subsequent conviction related to sale or distribution. Prescribed penalties under Chapter 90, Section 24 range from a fine of one hundred dollars ($100) to imprisonment for not more than two years and a fine of one thousand dollars ($1,000). Federal judicial guidelines also exist which impose penalties for violation of federal criminal statutes related to drugs and alcohol. Other towns with the College's service area may have similar or additional penalties in place related to alcohol and drug use. A complete listing of State and Federal laws and sanctions for the unlawful possession and distribution of illicit drugs and alcohol is attached:

   Appendix A Federal Regulations
   Appendix B Massachusetts Regulations

3. Under-age drinking is prohibited at Cape Cod Community College functions and on any part of the campus.
(4) No College funds shall be used to purchase alcoholic beverages. Cape Cod Community College's policy additionally prohibits alcoholic beverages at any College event (on or off campus) that is intended for students or student participation. A "College event" is one that utilizes College facilities, College funds, or is represented as being a College function. Such events must be approved in writing by the President of the College or his/her designee. All purchase orders for student events will positively exclude payments for alcoholic beverages. Faculty and professional staff who serve as advisors or chaperons to groups holding such events should understand that they will be expected to monitor the implementation of the Student Alcohol Policy.

(5) 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 Director of Human Resources of Cape Cod 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 assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement or other appropriate agency.

(6) 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. Drug/Alcohol Abuse Education and Prevention Programs and Assistance are offered through the College Health Services Office. Confidential, individual counseling is available to any student or employee who seeks assistance. The Director of Health Services, Esther Landry, R.N., is available to provide support services and counseling. She can be reached at (508) 362-2131, extension 4331.

(7) The following medical risks are associated with drug and alcohol use.

(a) Overdose

An overdose can happen due to uncertain purity, strength or even type of drug one gets illegally. It can also happen due to increased tolerance, because one needs increased dosages to achieve the same effect. An overdose can cause psychosis, convulsions, coma or death. While the risks of drug overdose are more common and frequently, more severe, extreme quantities of alcohol can similarly result in psychosis, convulsions, coma or death.
(b) **Dependence**

Continued use of drugs or alcohol can lead to a psychological and/or physical need for them.

(c) **Ill Health**

Long-term drug or alcohol use can destroy a healthy body and mind. Generally, drug or alcohol abuse can lead to organic damage, mental illness, malnutrition, failure to get treatment for existing diseases or injuries, and even to death. Chronic drinking also has been associated with increased rates for heart disease, liver damage, ulcers and gastritis, and adrenal and pituitary gland damage. Injection of drugs presents special risks of getting AIDS, hepatitis and other infectious diseases.

Drug and alcohol use can also affect the health of a child in the womb and result in birth defects, fetal alcohol syndrome, drug dependency or death. Because the quantity of alcohol likely to injure a developing fetus is unknown, the United States Surgeon General has specifically counseled women not to drink any alcohol during pregnancy.

(d) **Accidents**

When drugs or alcohol affect an individual's perception and/or reaction time, accidents become more likely.

(8) For any member of the Cape Cod Community College community, who is experiencing substance abuse problems, the College stands ready to offer confidential supportive services and referral for treatment, as appropriate and available. Information concerning substance abuse and rehabilitation counseling programs and the applicability of employee and student insurance is available through the following College office(s): Michael Dallaire, R.N., Director of Health Services.

Additionally, the State Department of Public Health, Division of Substance Abuse provides an information and referral hotline (800-327-5050) (TDD 617-547-2111) to provide confidential assistance. Locally, the Cape Cod Council on Alcoholism (508-771-0132) is available to provide confidential assistance and support services.

(9) **TREATMENT COVERED BY REQUIRED STUDENT MEDICAL INSURANCE**

Massachusetts General Laws, Chapter 15A, '7B (St. 1988, Chapter 23, '22) and 117 Code of Massachusetts Regulations Section 3.04 require that students certify their participation in a qualifying student health insurance program, or in a health benefits' program with comparable coverage. Students who do not possess adequate medical insurance must purchase the Massachusetts Regional Community Colleges' Student Accident and Sickness Insurance Plan. This plan provides the following benefits related to drug and alcohol abuse:
Hospital Confinement Benefits

Drug Abuse Benefit - When a covered person is confined in a legally operated and duly accredited public or private facility for the care and treatment of drug abuse, the Company will pay the same benefits provided for other illnesses, not to exceed 30 days for the treatment of drug abuse, subject to the policy aggregate maximum benefit of $25,000.00.

Non-Hospital Confinement Benefits

Mental Illness, Alcohol and Drug Abuse Benefit - The Company will pay for treatment by a fully licensed psychiatrist, psychologist, psychiatric nurse, or independent clinical social worker, not to exceed fifty ($50) per visit, for an aggregate benefit of five hundred dollars ($500), during the policy period for treatment of a mental or nervous condition or disorder, or for alcoholism or drug abuse.

Note: The State Health Insurance Program(s) provide employee coverage for alcohol and drug abuse benefits. Contact your benefit plan or the Department of Human Resources for information and assistance.

(10) The College shall conduct a biennial review of these policies and programs and implement changes as necessary.

Adopted by Board of Trustees
September 11, 1990
POLICY ON ALCOHOLIC BEVERAGES  
(Voted by BHE October 14, 1997)

It is the policy of the Board of Higher Education that no persons shall give, sell, deliver, or have in their possession any alcoholic beverage in any building, including residence halls, owned or operated by an institution within the system of public higher education, or on any premises used for higher education purposes and under the control of a board of trustees of a public higher education institution. The board of trustees of a public higher education institution may authorize persons to use specifically designated buildings, portions thereof, or premises in restricted locations, and/or under supervised conditions, to give, sell, deliver, or possess alcoholic beverages therein, provided such persons adhere to all federal, state, and local laws, and institutional policies governing the use and possession of alcoholic beverages. Violators of the above policy shall be subject to dismissal from the institution.

The Board of Higher Education calls on all campuses to provide effective alcohol education programs for all students, especially first year students, and to take the following steps to eliminate underage consumption of alcoholic beverages and curb binge drinking:

- Reevaluate and strengthen current campus alcohol policy.
- Ensure uniform and consistent enforcement of campus alcohol policy.
- Rigorously enforce laws against hazing and membership initiation rites involving alcoholic beverage consumption.
- Require that all campus social events involving alcohol, including those sponsored by fraternities and sororities, be registered with a designated campus office. Those sponsoring all such events must implement practices that control excessive consumption and enforce underage drinking laws.
- Work with neighboring cities and towns to enforce underage drinking laws, prohibit delivery of alcoholic beverages to campuses, eliminate the use of fraudulent identification cards, and hold establishments accountable that dispense alcohol to underage students.

The Board of Higher Education thereby incorporates this policy into the guidelines for campus safety and security and campus codes of conduct adopted in May 1997 and calls on the board of trustees of each public institution of higher education to adopt by formal vote this policy as part of its campus code of conduct. The results of these votes should be reported to the Board of Higher Education by December 15, 1997.

Approved by Board of Trustees
November 20, 1997