

Cottey College

Drug and Alcohol Abuse Prevention Program August 2023

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The following information is provided annually to every employee and student of Cottey College to promote healthy and safe lifestyles free of the abuse of alcohol, tobacco, and other legal and illegal drugs and in compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989 as articulated in the Education Department General Administrative Regulations Part 86. Policies in this notice are available at [Drug and Alcohol Abuse Prevention Program](#), and in hard copy at the Student Wellness Center and the Office of Human Resources, Main Hall, first floor.

COTTEY COLLEGE DRUG AND ALCOHOL PREVENTION PROGRAM

The mission of the Cottey College Drug and Alcohol Prevention Program is to promote healthy and safe lifestyles free of the abuse of alcohol, tobacco, and other legal and illegal drugs. The Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989 require an institution of higher education, as a condition of receiving funds or any other form of financial assistance under any federal program, to certify that it has adopted and implemented a program to prevent the unlawful possession, use, manufacture or distribution of illicit drugs and alcohol by students and employees. As part of its drug and alcohol prevention program for students and employees, every student and employee of Cottey College shall receive an e-mail copy of the program annually. Hard copies of the prevention program can be obtained from the Student Wellness Center or the Human Resources Office. Any questions regarding the prevention program should be directed to those offices as well. The College also prepares a Biennial Review of the Drug and Alcohol Program that reviews the effectiveness of prevention programs and the enforcement of campus policies related to drug and alcohol use. It is emailed to all members of the campus community, and is available at <http://www.cottey.edu/campus-community/student-life-center/counseling-services/reports/>

STANDARDS OF CONDUCT

The College has a policy of maintaining a drug-free campus/workplace environment. The unlawful manufacture, distribution, possession or use of illicit drugs and alcohol by **students or employees** is prohibited on College property (including cars on campus) and in conjunction with College activities except as provided for in the Use of Cottey College Facilities section found below.

Alcohol (Cottey College Student Handbook)

Possession, manufacture, distribution, or use of alcoholic beverages of any kind by students is prohibited on College property including cars and B.I.L. Hill and Lodge and in conjunction with College activities (with the exception of the international trip consistent with the laws of the country being visited and as set forth in the Use of Cottey College Facilities section, below). Students may not store alcohol in vehicles parked on College property. Students found in violation of this policy through the consumption, possession, or distribution of alcohol are subject to campus disciplinary action. The College administration may also involve local law enforcement or emergency agencies in situations involving alcohol whenever deemed appropriate. Examples of these types of situations include students or guests who fail to comply with orders or directives of College officials when asked to forfeit suspicious beverages, who become disruptive due to alcohol consumption, and who are obviously intoxicated to the point that they present a clear and present danger to themselves or others. Consistent with the Family Educational Rights and Privacy Act of 1974 (FERPA), the College may notify the parents of students under the age of 21 who are alleged to be in violation of this policy. The College may contact parents prior to any disciplinary hearing and is not required to inform students of the notification. The vice president for student life and enrollment will maintain a record of any parental disclosures that will be provided to the student involved, upon request.

The possession of empty alcohol containers (including passdown bottles) is prohibited, and students who possess empty alcohol containers will be subject to disciplinary action. Possession, consumption, or distribution of alcoholic beverages (or empty containers) on any part of the campus including student vehicles is a Major Violation, subject to the Major Violation Grievance Procedure.

Drugs (Cottey College Student Handbook)

The possession, use, or distribution of illegal and synthetic drugs is prohibited on campus or at College-sponsored events. These drugs include the following:

- Illegal drugs (also includes any form of substance containing THC**)
- Synthetic drugs (K2 and other synthetic cannabinoids, bath salts, or other legal or illegal products which, when consumed mimic the effects of cannabis or other illegal drugs)

- Prescription medications for which the student does not have a prescription or that the student uses counter to the directions of a valid prescription.** (see medical marijuana notation below)

**Although medical and recreational marijuana use may be legal in Missouri under certain restrictions, possession and use of marijuana remains illegal under federal law. Consistent with federal law, including the Controlled Substances Act and the Drug Free Schools and Campuses Regulations [EDGAR, 34 CFR Part 86], the use and/or possession of marijuana continues to be prohibited for all Cottey students on campus or at College-sponsored events. Additionally, possession of drug paraphernalia, including hookahs, is also prohibited. Anyone found guilty of violating this policy may be dismissed from campus. Those found responsible for a violation of Cottey College's Drug Policy will be subject to the institution's Major Violation Grievance Procedure and could face disciplinary sanctions including, but not limited to, expulsion from the institution.

As a matter of policy, the College may notify and involve local law enforcement authorities in all situations where a violation of Missouri or federal laws governing controlled substances appears to have occurred. Consistent with FERPA, the College may also notify the parents or guardians of students under the age of 21 who are alleged to be in violation of this policy. The College may contact parents or guardians prior to any disciplinary hearing and is not required to inform students of the notification. The vice president for student life and enrollment will maintain a record of any parental disclosures that will be provided to the student involved upon request.

Medical Amnesty and Good Samaritan Policy Relating to Alcohol and Drugs (Cottey College Student Handbook)

Because Cottey College considers student health and safety of the utmost importance,

- No student seeking emergency medical treatment for the abuse of alcohol or drugs or assisting another student in obtaining such treatment will be subject to College sanctions punitive in nature.
- Student(s) seeking medical amnesty will be required to attend a substance abuse education session or assessment.
- Students(s) acting as a Good Samaritan may be required to attend a substance abuse education session or assessment.
- Serious and/or repeated incidents will prompt a higher degree of concern and response and may include other sanctions at the discretion of the vice president for student life.

Drugs and Alcohol (Administrative Staff and Hourly Staff Manuals)

The unlawful possession, use, or distribution of illicit drugs and alcohol by employees is prohibited on College property (including cars on campus) and in conjunction with College activities, whether on or off campus.

Penalties for violation of local, state, federal, drug, and alcohol laws may include fines and imprisonment. Violators are also subject to disciplinary action, up to and including unpaid suspension and termination from employment. Violations will generally be reported to the appropriate law enforcement officials. Pursuant to the Drug-Free Workplace Act of 1988, employees must notify the director of human resources in writing of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

Except as provided herein, the serving of alcoholic beverages on College property with students present is strictly prohibited. Violation of this policy may result in disciplinary action up to and including unpaid suspension or termination. A College employee who is enrolled in classes on campus is not regarded as a

“student” in terms of this policy, so long as they are employed on at least a half-time basis and are of legal age to drink alcoholic beverages.

Employees coming to work apparently under the influence of alcohol or illegal drugs are subject to immediate drug and/or alcohol testing and/or dismissal.

DISCIPLINARY SANCTIONS

The College will impose disciplinary sanctions on students and employees who violate the above standards of conduct. Among the disciplinary sanctions which may be imposed on students are: reprimand, disciplinary probation, loss of privileges, financial penalties, creative sanctions (including community service and/or research paper), suspension, expulsion, and referral for prosecution. Among the disciplinary sanctions which may be imposed on employees are: oral warning, written reprimand, suspension, termination and referral for prosecution. The College may require students and employees to satisfactorily complete an appropriate rehabilitation or assistance program.

Furthermore, any violation of local, state and federal laws in conjunction with a College sponsored or student organization activity constitutes a violation of College policy. Violations of policy could result not only in disciplinary action against the individual(s) involved, but also in suspension or loss of College registration.

Employees must abide by the College's drug-free policy as a condition of employment and must notify the director of human resources in writing of any criminal drug statute conviction for a violation occurring in the workplace no later than five calendar days after such conviction.

USE OF COTTEY COLLEGE FACILITIES

Except as provided herein, the serving of alcoholic beverages on College property with students present is strictly prohibited. College employees who are enrolled in classes on campus are not regarded as "students" in terms of this policy, so long as they are employed on at least a half-time basis and are of legal age to drink alcoholic beverages.

With the exception of B.I.L. Hill Lodge and private residential houses owned by the College, the serving or consumption of alcoholic beverages on College owned property is prohibited under any circumstances. With respect to B.I.L. Hill Lodge, of age College employees, guests, and non-student College employees (as qualified above) may, with written permission of the administration of the College, serve and be served wine or beer while using that facility. When wine or beer is served or consumed, the event organizer assumes the responsibility for assuring compliance with local and state laws concerning the consumption of alcoholic beverages. Under no circumstances shall any alcohol be served to or consumed by minors or anyone showing evidence of intoxication.

Groups or individuals not members of the Cottey College community who rent facilities of Cottey College will assume complete legal responsibility for their activities with the understanding that in no case will any alcoholic beverage be served or consumed in any facility with the exception of B.I.L. Hill Lodge and any alcoholic beverages served there will be restricted to either wine or beer. Under no circumstances shall any alcohol be served to or consumed by minors or others showing evidence of intoxication.

DESCRIPTION OF LOCAL, STATE AND FEDERAL LEGAL SANCTIONS

In addition to the disciplinary sanctions described above for violation of the College's Standards of Conduct regarding drugs and alcohol, there are a variety of applicable local, state, and federal legal sanctions as well. Those sanctions are described below.

Municipal Sanctions

The Municipal Code of the City of Nevada prohibits the following acts:

1. *Purchase or Possession by Minors.* The purchase or attempt to purchase, or the possession of any intoxicating liquor (containing in excess of 3.2% of alcohol by weight) or non-intoxicating beer (having an alcoholic content of more than 1/2 of 1 percent by volume and not exceeding 3.2 percent by weight) by anyone under the age of 21. Section 3-39. Violation of this code is *punishable by a fine of up to \$500, or imprisonment for a period not exceeding three months or both fine and imprisonment.* Section 1-7.
2. *Drinking Intoxicating Liquors Prohibited in Certain Places.* No person shall drink intoxicating liquor in any of the following places in the City:
 - a. The halls, corridors, lobbies or public toilets of any public building.
 - b. The lobbies, waiting rooms or public toilets in any hotel or bus station.
 - c. The streets, alleys or other public thoroughfares, or in and upon publicly owned land in the city.
 - d. On any premises, public or private, on which the owner has caused to be posted notice advising that the consumption of such intoxicating liquor is forbidden, in a place reasonably conspicuous in terms legible and unequivocal.Section 23-37. Violation of this code is *punishable by a fine of up to \$500, or imprisonment for a period not exceeding three months or both fine and imprisonment.* Sections 1-7.
3. *Drunkenness.* No person within the municipality may enter any schoolhouse or church house in which there is an assemblage of people meeting for a lawful purpose or any courthouse in a drunken or intoxicated and disorderly condition, nor shall any person drink or offer to drink any intoxicating liquors in the presence of such assembly of people or in any courthouse within this state. Section 23-16. Violation of this code is *punishable by a fine of up to \$500, or imprisonment for a period not exceeding three months or both fine and imprisonment.* Section 1-7.
4. *Driving While Under the Influence of Alcohol or Other Drugs.* A person commits the offense of driving while intoxicated if he/she operates a motor vehicle while in an intoxicated or drugged condition, and commits the offense of driving with excessive blood alcohol content if he/she operates a motor vehicle with eight-hundredths of one percent (.08%) or more by weight of alcohol in his/her blood. Sections 19-47. Violation of Sections 19-47, driving while under the influence of alcohol or other drugs, carries the following penalty: driving while intoxicated - a fine *not less than \$100 nor more than \$500, confinement for not more than 90 days or both such fine and confinement.* Additionally, no person convicted of or pleading guilty to the offense of driving while intoxicated shall be *granted a suspended imposition of sentence on less than two years probation.* Any person convicted of driving with blood alcohol content shall be *fined not less than \$50 nor more than \$500, confined not more than 90 days, or both such fine and confinement.* Additionally, upon a plea of guilty or a finding of guilty for the offense of driving while intoxicated or driving with excessive blood alcohol content, the court may order the convicted person to participate in and successfully complete an alcohol or drug-related traffic offender education or a rehabilitation program as described by state law. Sections 19-47(g).
5. *Unlawful Possession of Narcotics.* No person in the City shall sell, give away, use or possess for any purposes whatever any narcotic drug; except that this section shall not apply to a licensed physician, dentist, veterinary surgeon or pharmacist in the practice of his/her profession. Sections 23-43. Violation of this code is *punishable by a fine of up to \$500, or imprisonment for a period not exceeding three months or both fine and imprisonment.* Sections 1-7.

State Sanctions

Missouri statutes prohibit the following acts:

1. *Purchase or Possession by a Minor or Use of Fake ID.* Any person under 21 years of age who purchases, attempts to purchase, or possesses any intoxicating liquor, or who is visibly intoxicated, or has a detectable blood alcohol content of more than two-hundredths of one percent or more by weight of alcohol in such person's blood, is guilty of a misdemeanor. Section 311.325, RSMo. It is also unlawful to misrepresent your age to acquire alcohol, to alter an identification card or to have in your possession an altered or reproduced identification card indicating your age to be over 21. Sections 311.320, 311.328 and 311.329, RSMo.

These offenses are punishable by a fine of not less than \$50 or more than \$1,000, or by imprisonment in the county jail for up to one year, or by both jail sentence and fine. Section 311.880, RSMo.

Any person under 21 years of age who is convicted of any local or state offense involving the use or possession of alcohol will be *required to complete an approved alcohol-related education program.* Section 302.425, RSMo.

Any person under 21 years of age who pleads to or is found guilty of any offense involving the possession or use of alcohol committed while operating a motor vehicle or any alcohol-related traffic offense or upon a second conviction of any offense involving the possession or use of alcohol, *will lose his/her driving privileges for 90 days*, and any second or subsequent offense under this provision shall *result in the revocation of the driving privileges for one year.* Section 302.400, RSMo.

It is a misdemeanor to enter any schoolhouse or church house in which there is an assemblage of people, met for a lawful purpose, or any courthouse, in an intoxicated and disorderly condition, or drinks or offers to drink any intoxicating liquors in the presence of such assembly of people, or in any courthouse. Section 574.075, RSMo.

2. *DWI.* Driving while intoxicated is a Class B misdemeanor for the first offense, *punishable by a fine of up to \$1,000 and/or by imprisonment for a term not to exceed six months.* A second or subsequent conviction is a Class A misdemeanor, *punishable by a fine of up to \$2,000 and/or by imprisonment for a term not to exceed one year.* Sections 577.010, 558.011 558.002, RSMo. Refusing to submit to a chemical test when requested to do so by a law enforcement officer can result the evidence of refusal as admissible evidence in any proceeding related to the acts resulting in the detention, stop, or arrest. Section 577.041, RSMo.
3. *Driving with Excessive Blood Alcohol Content.* Operating a motor vehicle with eight-hundredths of one percent (.08%) or more by weight of alcohol is a Class B misdemeanor, *punishable by a fine of up to \$1,000 and/or imprisonment for a term not to exceed six months.* For persons under the age of 21, the threshold Blood Alcohol Content is .02. Sections 302.505, 577.012, 558.011 and 558.002, RSMo.
4. *Persistent and Prior Offenders.* Any person who is found guilty of driving while intoxicated or with excessive blood alcohol content, and is proved to be a "persistent offender," is guilty of a Class E felony, *punishable by fine of up to \$10,000 and/or imprisonment for a term not to exceed four years;* or if proved to be a "prior offender," is guilty of a Class A misdemeanor, *punishable by a fine of up to \$2,000 and/or by imprisonment for a term not to exceed one year.* Punishment must include a minimum of 10 days (30 days for a persistent offender) of imprisonment or 30 days (60 days for a persistent offender) of community service. Sections 577.012, 577.023, 558.011, and 558.002, RSMo.
5. *Drinking and Driving.* Consuming alcohol while operating a motor vehicle is an infraction, *punishable by a fine of up to \$400.* Sections 577.017 and 558.002, RSMo.

6. *Possession of a Controlled Substance.* While Missouri now allows individuals over the age of 21 to purchase and possess up to three ounces of marijuana, Missouri law still reads as follows. It is unlawful for any person to possess or have control of a controlled substance. Section 579.015, RSMo.
- Any person who violates this section with respect to any controlled substance three ounces or less of marijuana is guilty of a Class D felony, *punishable by imprisonment for up to seven years, a fine of up to \$10,000, or double the amount of the offender's gain from the crime.* Sections 558.002 558.011, RSMo.
- Any person who violates this section except for 35 grams or less of marijuana or any synthetic cannabinoid is guilty of a Class A misdemeanor, *punishable by imprisonment for up to one year, or a fine of up to \$2,000 or both imprisonment and fine.* Sections 558.002 and 588.011, RSMo.
- Any person who violates this section except for 35 grams or less of marijuana or any synthetic cannabinoid is guilty of a Class D misdemeanor, *punishable by imprisonment for up to one year, of a fine up to \$500 or both imprisonment and fine.* Sections 558.002 and 588.011, RSMo.
- Any person under 21 years of age who is convicted of any offense involving the possession or use of a controlled substance *will have his/her driving privileges suspended for 90 days, and upon any second or subsequent conviction of any offense under this section, the driving privileges will be revoked for one year.* Section 302.400, RSMo.
- Any person 21 years of age or older who is convicted of any local or state law involving the possession or use of a controlled substance while operating a motor vehicle *will have his/her driving privileges revoked.* Section 302.405, RSMo.
7. *Distribution, Delivery, Manufacture or Production of a Controlled Substance.* It is illegal for any person to distribute, deliver, manufacture, produce or attempt to distribute, deliver, manufacture or produce, or doses with the intent to do any of the forgoing, a controlled substance. Section 579.055, RSMo. Violation of this section with respect to any controlled substance except with respect to five grams or less of marijuana is a Class C felony, *punishable by imprisonment for not less than three years and not more than ten years.* Violation of this section involving five grams or less of marijuana is a Class E felony, *punishable by imprisonment for a term not exceeding four years and/or a fine not exceeding \$10,000.* Section 558.011, RSMo.
8. *Unlawful Distribution to a Minor.* It is illegal to distribute or deliver any controlled substance to a person under 17 years of age, who is also two years younger than the person so delivering. Violation of this section is a Class B felony, *punishable by imprisonment for not less than five years or more than 15 years.* Section 558.011, RSMo.
9. *Unlawful Purchase or Transport with a Minor.* It is illegal to knowingly permit a person under the age of 17 to purchase or transport illegally obtained controlled substances. Section 579.020, RSMo. Violation of this section is a Class B felony, *punishable by a term of imprisonment of five to 15 years.* Section 558.011, RSMo.
10. *Distribution of a Controlled Substance Near Schools or Public or Governmental Assisted Housing.* It is illegal to distribute or deliver any controlled substance to a person in or on, or within 2,000 feet of, property comprising a public or private elementary or secondary school, public vocational school, a public or private junior college, or college or university. Section 579.030 RSMo.
- Distribution of controlled substance near schools is a Class A felony, *punishable by imprisonment for a term of not less than ten years and not exceeding 30 years or life imprisonment.* Section 558.011, RSMo.
11. *Trafficking Drugs.* A person commits the crime of trafficking drugs in the first degree if he/she knowingly distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce:

1. More than 30 grams but less than ninety grams of a substance containing heroin;
2. More than 150 grams but less than 450 grams of a substance containing coca leaves;
3. More than 8 grams but less than 24 grams of a substance which contains a cocaine base;
4. More than 500 milligrams but less than one gram of a substance containing LSD;
5. More than 30 grams but less than ninety grams of a substance containing PCP;
6. More than 30 kilograms but less than one hundred kilograms of a substance containing marijuana;
7. More than 4 grams but less than twelve grams of phencyclidine.
8. More than 30 grams but less than ninety grams of any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, methamphetamine, phenmetrazine, or the salts, optical isomers and salts of the optical isomers of any of the foregoing.
9. More than 30 grams of any material, compound, mixture or preparation which contains any quantity three, four-methylenedioxymethamphetamine. Section 579.065, RSMo.

Violation of this law is a Class B felony, *punishable by a term of imprisonment for not less than five years and not to exceed fifteen years*. Sections 579.065 and 588.011, RSMo. Violations involving larger amounts of the controlled substances may be a Class A felony.

A person commits the crime of trafficking drugs in the second degree if he/she possesses or has under his control, purchases or attempts to purchase or brings into this state:

1. More than 30 grams but less than 90 grams of a substance containing heroin;
2. More than 150 grams but less than 450 of a substance containing coca leaves; cocaine salts and their optical and geometric isomers, and salts of isomers, ecgonine, its derivatives, their salts, isomers and salts of isomers, or any compound, mixture or preparation which contains any quantity of the foregoing substances.
3. More than 8 grams but less than 24 grams of certain described substances which contains a cocaine base;
4. More than 500 milligrams but less than 1 gram of a substance containing LSD;
5. More than 30 grams but less than 90 grams of a substance containing PCP;
6. More than 30 kilograms but less than 100 kilograms of a substance containing marijuana or 500 marijuana plants;
7. More than 4 grams but less than 12 grams of phencyclidine.
8. More than 30 grams but less than 90 grams of any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, methamphetamine and phenmetrazine, or any of their salts, optical isomers and salts of their optical isomers.
9. More than 30 grams but less than 90 grams of any material, compound, mixture or preparation which contains any quantity of three, four- methylenedioxymethamphetamine. Section 579.068, RSMo.

Violation of this law is a Class C felony, *punishable by a term of imprisonment of not less than three years or more than ten years*. Violation with larger amounts of these controlled substances may be a Class B felony. Sections 579.068 and 558.011, RSMo.

Any money found in close proximity to any controlled substance, or anything of value exchanged for a controlled substance, may be forfeited to the state. Section 195.140, RSMo.

Any room, structure or inhabitable structure which is used for the illegal use of a controlled substance is considered a "public nuisance" and maintaining a public nuisance is a Class E felony, *punishable upon conviction with a term of imprisonment of up to four years and/or a \$10,000 fine*. The structure is also subject to forfeiture. Sections 579.105, 558.011 and 558.002, RSMo.

12. *Fraudulently Attempting to Obtain Controlled Substance*. It is a Class E felony to obtain or attempt to obtain a controlled substance through fraud or false statements, *punishable upon conviction by a term*

of imprisonment for up to four years and/or a \$10,000 fine. Sections 579.045, 558.011 and 558.002, RSMo.

13. *Unlawful Use of Drug Paraphernalia.* It is unlawful to use or possess with the intent to use drug paraphernalia for prohibited purposes. Section 579.074 RSMo. Violation of this section is a Class D misdemeanor *punishable with \$500 fine.* Section 558.002 RSMo.
14. *Unlawful Manufacture of Drug Paraphernalia.* It is unlawful to manufactures with the intent to deliver drug paraphernalia for prohibited purposes. Section 579.076, RSMo. Violation of this section is a Class A misdemeanor, unless done for commercial purposes, *punishable with imprisonment not to exceed a year and/or a \$2,000 fine.* Where done for commercial purposes, violation is a Class E felony, *imprisonment for a term not to exceed four years and/or a \$10,000 fine.* Sections 558.011 and 558.002, RSMo.
15. *Possession of Imitation Controlled Substance.* It is unlawful to possess an imitation controlled substance. Section 579.078 RSMo. A violation of this section is a Class A misdemeanor, *punishable with one year in prison and/or a \$2,000 fine.* Sections 558.011 and 558.002 RSMo.
16. *Delivery or Manufacture of an Imitation Controlled Substance.* It is unlawful to deliver, possess with the intent to deliver or manufacture an imitation controlled substance. Section 579.080, RSMo. A violation of this section is a Class E felony, *punishable with up to four years in prison and/or a \$10,000 fine.* Sections 558.011 and 558.002, RSMo.
17. *Advertisement to Promote Sale of Drug Paraphernalia or Imitation Controlled Substance.* It is unlawful to advertise the sale and/or distribution of any drug paraphernalia or imitation controlled substance. Section 195.244, RSMo. A violation of this section is a Class B misdemeanor, *punishable with up to six months in prison and/or a \$1,000 fine.* Sections 558.011 and 558.002, RSMo.
18. *Possession or marketing of Ephedrine.* It is unlawful to market, sell, distribute or advertise ephedrine in a manner not approved by the FDA. Section 579.082, RSMo. Violations are a Class E felony, *punishable with up to four years in prison and/or a \$10,000 fine.* Sections 558.011 and 558.002, RSMo..
19. *Prior Persistent Drug Offenders.* A “prior” or “persistent drug offender” is subject to *enhanced terms of imprisonment and/or fines.* For purposes of these sections, a “prior drug offender” is one who has previously been found guilty of any felony related to controlled substances. A “persistent drug offender” is anyone who has been found guilty of two or more felonies related to controlled substances. Section 579.170, RSMo.

Federal Sanctions

The United States Code prohibits the following acts:

1. *Manufacture or Distribute.* The knowing or intentional illegal manufacture/creation, distribution, or dispense of a controlled substance or a counterfeit controlled substance, or the possession of a controlled substance or counterfeit substance with the intent to do any of the foregoing carries a penalty, upon conviction. 21 U.S.C. Section 841.
2. *Simple Possession.* It is illegal for any person to knowingly or intentionally possess an unprescribed controlled substance. Violations are punishable *by imprisonment of up to one year and a fine of at least \$1000 or both.* 21 U.S.C. Section 844.
3. *Drug paraphernalia.* It is unlawful for any person to sell or offer for sale any drug paraphernalia, to use the mails or any other facility of interstate commerce to transport drug paraphernalia, or to

import or export drug paraphernalia. The violation of this law carries a penalty of *up to three years in prison and/or a fine*. Any drug paraphernalia involved is subject to seizure and forfeiture. 21 U.S.C. Section 863.

* If a violator has a history of prior drug related offenses, the punishment imposed can be substantially enhanced.

4. *Civil penalties up to \$10,000 per violation* may be assessed against any individual who knowingly possesses a controlled substance as listed in Section 401 (b) (1) (A) of the Controlled Substances Act, where the amount in possession is determined to be a personal use amount. 21 U.S.C. Section 844a.

Where a person at least 21 years of age knowingly and intentionally employs, hires, uses, persuades, induces, entices, or coerces a person under 18 years of age to distribute or manufacture controlled substances or assist in avoiding detection or apprehension of any similar offense, the *punishment shall be a term of imprisonment, a fine, or both, up to triple those usually authorized*. Where a person possesses with intent to distribute, distributes or manufactures a controlled substance in or on, or within 1000 feet of a public or private elementary, secondary, vocational or public or private college, junior college or university, the *punishment shall be a term of imprisonment of twice the amount of time and a fine of twice the amount otherwise provided*. 21 U.S.C. Sections 860. If a violator has a history of prior drug related offenses, the punishment, the *punishment is thrice the amount of time and a fine three times the amount otherwise provided*.

5. Any person who attempts to commit any drug offense shall be subject to the same penalties as those prescribed for the offense. 21 U.S.C. Section 846.
6. Any person convicted of a drug offense under these federal laws shall *forfeit to the government any property constituting or derived from or obtained directly or indirectly as a result of the violation, or any property used to commit or facilitate the violation*. 21 U.S.C. Section 853. Even if there is no criminal charge or conviction, a person's property is subject to civil forfeiture if the property is used to manufacture, process, store or deliver a controlled substance in violation of federal law. 21 U.S.C. Section 881.
7. Any person who is convicted of any federal or state offense consisting of the distribution of controlled substances *may be ineligible for any and all federal benefits for a minimum of five years for the first conviction; ten years upon a second conviction; and permanently ineligible for a third or subsequent conviction*. 21 U.S.C. Section 862. "Federal benefit" includes any grant, contract, or loan provided by an agency of the U.S. or by appropriated funds of the U.S. 21 U.S.C. 862.

Federal Trafficking Penalties

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	First Offense: Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual. Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	5 kgs or more mixture	First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. Second Offense: Not less than 15 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. 2 or More Prior Offenses: Not less than 25 years Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		100 gm or more pure or 1 kg or more mixture	

PENALTIES		
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual. 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)	1 gram	
Other Schedule III drugs	Any amount	First Offense: Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.
All other Schedule IV drugs	Any amount	First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.
Flunitrazepam (Schedule IV)	Other than 1 gram or more	
		Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.

All Schedule V drugs	Any amount	<p>First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p>Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>
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Federal Trafficking Penalties—Marijuana

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	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.	Not less than 15yrs. 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.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	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.	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.
Marijuana (Schedule I)	More than 10 kg hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not less 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.	Not less than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kg marijuana (except 50 or more marijuana plants regardless of weight); 1 to 49 marijuana plants	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual
Hashish (Schedule I)	10 kg or less	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual
Hashish Oil (Schedule I)	1 kg or less	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual

*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a not less than 25 years imprisonment and a fine up to \$20 million if an individual and \$75 million if other than an individual.

<https://www.campusdrugprevention.gov/content/drug-scheduling-and-penalties>

https://www.campusdrugprevention.gov/sites/default/files/2022-07/Federal_Trafficking_Penalties_Chart_6-23-22.pdf

DESCRIPTION OF SERVICES

ALCOHOL/DRUG ABUSE TREATMENT PROGRAM

Counseling Office, Student Wellness Center, ext. 2157

The purpose of the Alcohol/Drug Abuse Treatment Program is to promote early identification and intervention and provide a constructive and supportive means of assistance to students who are dependent upon or chronically abusing alcohol or other drugs. It is part of the "Student Assistance Program" which is administered through the Counseling Office. Through the Student Assistance Program, students are provided with an initial assessment with a qualified mental health professional, which will include recommendations for further intervention, if needed.

EMPLOYEE ASSISTANCE PROGRAM

Human Resources Office, Main Hall, Ext. 2103

The Office of Human Resources administers the Employee Assistance Program. To help employees balance home and work, Cottey provides an Employee Assistance Program to assist with workplace conflicts, interpersonal difficulties, marriage and family concerns, stress management, financial matters, and alcohol and drug problems. Participation is optional and confidential. Under certain circumstances participation may be required as a condition of continued employment.

DESCRIPTION OF HEALTH RISKS

Below are web sites regarding the health risks generally associated with drug and alcohol use and abuse. This is meant to provide an overview, and any additional questions regarding this information should be directed to health services or the counseling office at Cottey College.

Information courtesy of:

U.S. Department of Justice Drug Enforcement Administration

Web site: <https://www.dea diversion.usdoj.gov/>

The Missouri Department of Mental Health: Alcohol and Drug Abuse

Web site <https://dmh.mo.gov/behavioral-health>

National Institute on Drug Abuse

Web site: www.nida.nih.gov

National Institute on Alcohol Abuse and Alcoholism

Web site: <https://www.niaaa.nih.gov/>

U.S. Food and Drug Administration

Web site: <https://www.fda.gov/Drugs/ResourcesForYou/default.htm>

The following charts summarize the health risks for each prohibited class of substances: narcotics, depressants, stimulants, hallucinogens, cannabis, alcohol, and tobacco. The Controlled Substance Act (CSA) is the federal US drug policy under which the manufacture, importation, possession, use and distribution of certain substances is regulated. This federal legislation created five Schedules (classifications). A substance is given a classification based on the following criteria, potential for abuse, current accepted medical use in the United States, and international treaties.

Schedule I substances are those that have the following findings:

- A. The drug or other substance has a high potential for abuse.
- B. The drug or other substance has no currently accepted medical use in treatment in the United States.
- C. There is a lack of accepted safety for use of the drug or other substance under medical supervision.

Schedule II substances are those that have the following findings:

- A. The drug or other substances have a high potential for abuse
- B. The drug or other substances have currently accepted medical use in treatment in the United States, or currently accepted medical use with severe restrictions
- C. Abuse of the drug or other substances may lead to severe psychological or physical dependence.

Schedule III substances are those that have the following findings:

- A. The drug or other substance has a potential for abuse less than the drugs or other substances in schedules I and II.
- B. The drug or other substance has a currently accepted medical use in treatment in the United States.
- C. Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence.

Schedule IV substances are those that have the following findings:

- A. The drug or other substance has a low potential for abuse relative to the drugs or other substances in schedule III
- B. The drug or other substance has a currently accepted medical use in treatment in the United States

- C. Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in schedule III.

Schedule V substances are those that have the following findings:

- A. The drug or other substance has a low potential for abuse relative to the drugs or other substances in schedule IV
- B. The drug or other substance has a currently accepted medical use in treatment in the United States
- C. Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in schedule IV.

Narcotics: Variety of substances that dull the senses and relieve pain. Narcotics are opioids, meaning their derivatives are opium and their semi-synthetic substitutes. The poppy *papaver soniferum* is the source for all natural opioids. Examples include heroin, Vicodin®, OxyContin®, codeine, morphine, and methadone. The category of narcotics also includes hydromorphone, opium, and oxycodone. Narcotics/opioids are controlled substances vary from Schedule I to Schedule V depending on their medical usefulness, abuse potential, safety, and drug dependence profile. Heroin has no medical use in the US and is illegal to distribute, purchase, or use outside of medical research.

Common Street Names	Smack, Horse, Mud, Brown Sugar, Junk, Black Tat, Oxy, Oxycotton, Sippin Syrup, Purple Drank
Possible Abuse Reasons and Effects	Produce a general sense of well-being by reducing tension, anxiety, & aggression. Can treat pain, suppress cough, cure diarrhea, and put people to sleep
Physical Dependence	Yes, a consequence of chronic opioid use
Psychological Dependence	Yes, after physical need is gone, person may continue to think and talk about drug and use to cope with daily activities
How Used	Swallowed, smoked, sniffed, or injected
Overdose Effects	Constricted (pinpoint) pupils, cold clammy skin, confusion, convulsions, slowed breathing, death
Withdrawal Symptoms	Early withdrawal symptoms include: watery eyes, runny nose, yawning, sweating then worsen to include: irritability, nausea, tremors, vomiting, restlessness, increased heart rate & blood pressure

Stimulants: Drugs that speed up the body's systems. Stimulants are referred to as uppers and reverse the effects of fatigue on both mental and physical tasks. Prescription drugs in the stimulant category are amphetamines (Adderall®), methylphenidate (Concerta® and Ritalin®) and diet aids including Didrex®, Fastin®, and Adipex P®. Illicit drugs produced are methamphetamines, cocaine, methacathinone. Stimulants do have medically useful in treatment of obesity, narcolepsy, and attention deficit and hyperactivity disorder. Stimulants with no medical use in the United States are considered Schedule I, while other stimulants fall into Schedules II to IV.

Common Street Names	Bennies, Black Beauties, Cat, Coke, Crank, Crystal, Flake, Ice, Pellets, Vitamin R, Skippy, Speed
Possible Abuse Reasons and Effects	Produce a sense of exhilaration, enhance self-esteem, improve mental & physical performance, increase activity, reduce appetite, extend wakefulness for prolonged periods
Physical Dependence	Yes, tolerance in which more & more drug is needed to produce the usual effects develops rapidly
Psychological Dependence	Yes, especially with amphetamine, methylphenidate, methamphetamine, cocaine, & methcathinone
How Used	Pills, smoked, snorted, or injected
Overdose Effects	High fever, convulsions, cardiovascular collapse, & death

Withdrawal Symptoms	Watery eyes, runny nose, yawning, sweating, irritability, nausea, tremors, vomiting,
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Depressants: Depressants will put you to sleep, relieve anxiety, and muscle spasms, and prevent seizures. Examples include barbiturates, Valium®, Xanax®, Halcion®, Ativan®, Klonopin®, Rohypnol®

Common Street Names	Barbs, Benzos, Downers, Roofies, Yellows, Nerve pills, GHB, Reds, R2, Liquid X
Possible Abuse Reasons and Effects	Depressant abusers experience euphoria. Can be used to add to another drugs' high, GHB & Rohypnol are misused to facilitate sexual assault, Rohypnol is not manufactured or marketed in the US
Physical Dependence	Yes, with prolonged use
Psychological Dependence	Yes, with prolonged use
How Used	Pills, syrups, or injected
Overdose Effects	Slows heart rate and breathing enough to cause death
Withdrawal Symptoms	Withdrawal from depressants can be life threatening

Hallucinogens: Substances found in plants and fungi or are synthetically produced for their ability to alter human perception and mood. MDMA or ecstasy tablets are sold in many colors with various logos to attract young people.

LSD is sold in the form of impregnated paper (blotter acid) and imprinted with colorful graphic designs.

Many hallucinogens are Schedule I category as they have high potential for abuse and currently no medical use in treatment in the United States.

Common Street Names	Acid, Cubes, Doses, Fry, Mind Candy, Mushrooms, Shrooms, Special K, X, XTC, LSD
Possible Abuse Reasons and Effects	Hallucinogens cause sensory effects including perceptual distortions, distortions of thought associated with time and space, loss of contact with reality. Flashbacks-feelings that replay the effects of using the drugs may occur weeks or years after taking them.
Physical Dependence	Possible, although does not occur as rapidly as other drugs
Psychological Dependence	Possible, although does not occur as rapidly as other drugs
How Used	Orally or smoked
Overdose Effects	Respiratory depression, coma, convulsions, seizures, and death due to respiratory arrest
Withdrawal Symptoms	Flashbacks, psychosis, long-term psychosis, zombie-like state, high blood pressure, aggressive/hostile behavior, rapid heart rate

Marijuana/Cannabis: A mind-altering drug produced by the Cannabis sativa plant. THC is the main ingredient that produces the psychoactive effect. Marijuana is a Schedule I substance but Marinol, a synthetic version of THC, is prescribed for the control nausea and vomiting caused by chemotherapeutic treatment of cancer and to stimulate appetite in AIDS patients is a Schedule III substance.

Common Street Names	Aunt Mary, Grass, Hash, Joint, Mary Jane, Pot, Reefer, Smoke, Weed, Yerba, Skunk, Ganja, Dope
Possible Abuse Reasons and Effects	THC produces a relaxed state and may heighten senses. Effects of marijuana on perception & coordination are responsible for serious impairments in learning, associative processes & driving abilities
Physical Dependence	Yes, with long-term regular use
Psychological Dependence	Yes, with long-term regular use
How Used	Smoked or can be mixed with food or brewed as a tea
Overdose Effects	No death from overdose of marijuana has been reported.

Withdrawal Symptoms	Headache, shakiness, sweating, nausea, irritability, restlessness, sleep difficulties, decreased appetite
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Alcohol: Ethyl alcohol or ethanol is the intoxicating ingredient found in beer, wine, and liquor. It is a central nervous system depressant rapidly absorbed by the stomach and small intestines into the bloodstream. Intoxication can impair brain function and motor skills. Alcohol abuse is a disease that is characterized by the sufferer having a pattern of drinking excessively despite the negative effects of alcohol on the individual's work, medical, legal, educational, and/or social life.

Common Street Names	Booze, brew, sauce, cold one, vino, hard stuff
Possible Abuse Reasons and Effects	Drinking alcohol can result in feeling of euphoria. New drinkers may use alcohol to cope with stress or problems. Alcohol use is widely promoted and advertised making is socially normal and accepted.
Physical Dependence	Yes, over time. Alcoholism is when you have signs of physical addiction to alcohol and continue to drink, despite problems with physical health, mental health, and social, family, or job responsibilities. Alcohol may control your life and relationships. Alcohol damages every organ in the body with its presence over time.
Psychological Dependence	Yes, alcohol causes us to become convinced that we cannot survive without it.
How Used	Drinking
Overdose Effects	Also called alcohol poisoning, alcohol overdose is critical and sometimes fatal as there is too much ethyl alcohol for the body to metabolize. Even a person that drinks once a year can suffer from alcohol poisoning.
Withdrawal Symptoms	Anxiety, shakiness, seizures, delirium tremens (DTs), confusion irregular heartbeat

Tobacco: Tobacco is often not considered a drug because it is legal and widely advertised, but the nicotine is the drug that makes it addictive and habit forming. Cigarettes, cigars, snuff, and pipe tobacco, all contain nicotine. Nicotine is a poison that is harmful to the body. Tobacco use is the leading preventable cause of disease, disability, and death in the United States.

Common Street Names	Smokes, fag, chew, dip, stix, ciggs, butts
Possible Abuse Reasons and Effects	Nicotine increases the activity of dopamine, a chemical in the brain that elicits pleasurable sensations. Most smokers try their first cigarette by age 18.
Physical Dependence	Yes, most smokers are addicted to nicotine. Long-term brain changes caused by continued exposure to nicotine result in addiction.
Psychological Dependence	
How Used	Smoked and inhaled, chewed, through nicotine patches
Overdose Effects	Nicotine overdose occurs when any form of nicotine is used to excess. Anxiety, dizziness, palpitations, high pulse rate, increased blood pressure, chest pain, seizures, muscle twitches, nausea, or vomiting
Withdrawal Symptoms	Headache, nausea, irritability, anxiety, depression, increased hunger, increased desire for sweets, tobacco cravings, difficulty concentrating

EMERGENCY TELEPHONE NUMBERS

Nevada Police	911... or ...417-448-2710
Nevada Ambulance	911... or ... 417-667-5079
Nevada Fire Department	911... or ... 417-448-2720

Director of Health and Counseling (weekdays 8 a.m.–5 p.m.)ext. 2157
After 5 p.m. and weekends contact an RA, Peer Listener, or Hall Director
for assistance in contacting the on-call counselor
Or call after hours.....911
Hospital emergency417-667-3355, ask for ER

Campus Security.... (weekdays 8 a.m.-5 p.m.).....ext. 2155 or 417-448-1455
After hours.....ext. 2222 or 417-448-4139

AREA TWELVE-STEP MEETINGS

Alcoholics Anonymous

301 South Pine (Alano building)

Sunday	1 p.m.	Discussion	(C)
Monday	Noon	12x12	(C)
Tuesday	Noon	Discussion	(O)
	7 p.m.	Discussion	(O)
Wednesday	Noon	Big Book	(O)
	7 p.m.	Discussion	(C)
Thursday	Noon	Discussion	(O)
Friday	Noon	Discussion	(O)
Saturday	Noon	Discussion	(O)
	7 p.m.	Discussion	(O)

(C) Closed meetings are for alcoholics or anyone with a desire to stop drinking

(O) Open meetings

All meetings are non-smoking

For more information call 417- 448-5889 during meeting times. Other numbers to call include
417-448-4266, 417-684-3524, 479-530-9654, or 620-224-8274.

Al-Anon

301 South Pine

For over 55 years, Al-Anon has been offering strength and hope for friends and families of problem drinkers. No matter what relationship you have with an alcoholic, whether they are still drinking or not, all who have been affected by someone else's drinking can find solutions that lead to serenity in the Al-Anon fellowship.

Tuesday 6 p.m.

MENTAL HEALTH PROVIDERS

Full Wellness Systems
Jenny Wright, LCSW
100 S. Prewitt St.
Nevada, MO 64772
417-283-2072

Community Mental Health Consultants
815 South Ash
Nevada, MO 64772
417-667-8352

Compass Healthcare
320 Mac Boulevard
Nevada, MO 64772
417-667-2262

The Wellness Company, Inc.
300 W. Cherry
Nevada, MO 64772
417-667-4230

Cathy Bofetta, Psy.D
1819 W. Austin, Suite C
Nevada, MO
417-283-6151 leave a voice mail message

Wecare Counseling
Holly Chatain, Psy.D.
320 N. 14th Street
Rich Hill, MO 64779
417-395-2727

Compass Counseling Services
Jessica Allison, LCPC
120 S. National, Suite 203B
Ft. Scott, KS 66701
620-223-1555

Valerie Barnhart, LPC
101 N. Commercial
Nevada, MO 64772
417-667-1768