MEMO

TO: Faculty and Staff

FROM: Kevin Evans, Director of HR

DATE: December 15, 2014

The Drug-Free Schools and Communities Act Amendment of 1989 requires each institution of higher education that receives any form of financial assistance (including direct loans to students), to adopt and implement a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. Wittenberg fully supports the objectives of these laws and their related regulations. The university recognizes both alcohol and drug abuse as potential health, safety, and security problems. The university expects its students, faculty and staff to cooperate in maintaining a university environment free from the effects of alcohol and other drugs and to comply with its substance abuse policy.

In accordance with The Drug-Free Schools and Communities Act Amendment of 1989, students and employees must receive materials annually that contain standards of conduct, a description of the various health risks of drug and alcohol abuse, information on how to find out about the counseling and treatment programs that are available, and a statement on the sanctions the university will impose for a violation of the standards of conduct.

SUBSTANCE ABUSE POLICY

Wittenberg University, as a church-related school in partnership with its supporting synods of the Evangelical Lutheran Church in America, respects and defends the Church's position that substance abuse is destructive to God's good gift of personhood.

The university recognizes drug/alcohol dependency as an illness and a major health problem. The university also recognizes drug abuse as a potential health, safety and security problem. Faculty and staff members needing help in dealing with such problems are encouraged to contact their supervisor, the Pastor to the University, the Director of Student Counseling, or the Director of Human Resources. The Office of Human Resources should be contacted for referral to various agencies through our informal employee assistance program and/or health plans, as appropriate. Conscientious efforts to seek such help will not jeopardize any employee's job and will not be noted in any personnel record.

It is Wittenberg University's policy that faculty and staff will remain free of illicit drugs or substances while employed and working in the workplace. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace. The abuse of alcohol or the use, misuse and abuse of drugs and any other illicit substances will not be tolerated. A faculty or staff member who engages in illicit drugs or substances on the job or comes to work on university property under the influence of such will be subject to the University Rules of Conduct and to disciplinary action, as outlined in university employment manuals.

Faculty and staff members must, as a condition of employment, abide by the terms of the above policy and report any conviction under a criminal drug statute for violations occurring on or off university premises while conducting university business. A report of a conviction must be made within five (5) days after the conviction to the Director of Human Resources. (This requirement is mandated by the Drug-Free Workplace Act of 1988.)

Additional Information as required by the Act

Health Risks
Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low-to-moderate doses of alcohol also increase the incidence of a variety of aggressive acts including spouse and child abuse.
Moderate-to-high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk of becoming alcoholics than are other youngsters.

Drug information resources are available on the U.S. Drug Enforcement Administration website at:
http://www.justice.gov/dea/concern/concern.htm

**Federal, State, and Local Penalties**

Ohio law prohibits illicit selling, cultivating, manufacturing, or otherwise trafficking in controlled substances, including cocaine, heroin, amphetamines, and marijuana, knowingly or recklessly furnishing them to a minor, and administering them to any person by force, threat, or deception with the intent to cause serious harm. These offenses are felonies. The law also prohibits knowingly obtaining, possessing, or using a controlled substance and permitting drug abuse on one's premises or in one's vehicle. These offenses may be either felonies or misdemeanors. The law further prohibits obtaining, possessing, or using hypodermics for unlawful administration of drugs and the sale to juveniles of paraphernalia for use with marijuana. These offenses are misdemeanors.

Ohio law provides for mandatory fines, which must be at least $500, and possible imprisonment of any person who sells or furnishes beer or intoxicating liquor to an underage person or who buys beer or liquor for an underage person in violation of the law. Persons found knowingly to allow underage persons to possess and/or consume alcoholic beverages on their premises are guilty of a misdemeanor.

A felony conviction may lead to imprisonment or both imprisonment and fine. The maximum prison term is 25 years. A misdemeanor conviction may lead to imprisonment for up to six months and/or a fine up to $1,000. With regard to beer and intoxicating liquor, Ohio law provides that a person under 21 years of age who orders, pays for, attempts to purchase, possesses, or consumes beer or liquor, or furnishes false information to effect a purchase, commits a misdemeanor. Ohio law prohibits the possession of beer or liquor which was not lawfully purchased, and a court may order that any place where beer or liquor is unlawfully sold not be occupied for one year, or that the owner or occupant of the premises be required to furnish a surety bond of $1,000 to $5,000. Ohio law requires the mandatory suspension of an individual's license from six months to five years for violation of the Controlled Substance Act.

Federal law forbids the illegal possession of and trafficking in controlled substances. A person convicted for the first time of possessing a controlled substance, other than crack cocaine, may be sentenced to up to one year in prison and fined between $1,000 and $100,000. A second conviction carries a prison term of up to two years and a fine of up to $250,000. Subsequent convictions carry prison terms of up to three years and fines of up to $250,000. Imprisonment for 5-20 years and fines of up to $250,000 apply to persons possessing more than five grams of crack cocaine on the first conviction, three grams on the second, and one gram on subsequent convictions. In addition to the above sanctions, a person convicted of possessing a controlled substance may be punished for forfeiture of property used to possess or facilitate possession, if the offense is punishable by more than one year in prison, forfeiture of any conveyance used to transport or conceal a controlled substance, denial of federal benefits, such as student loans, for up to five years, ineligibility to receive or purchase a firearm, and a civil penalty of up to $10,000.

A copy of the U.S. Drug Enforcement federal trafficking penalties can be found at: