

Drug and Alcohol-Free Campus Policy for Students and Employees

DRUG AND ALCOHOL-FREE CAMPUS POLICY

Part 1. Scope of Policy

The Fond du Lac Tribal and Community College Drug–and Alcohol–Free Campus Policy is for Students and Employees of the College and includes all campus locations. The possession, use and sale of alcohol and enforcement of State underage drinking laws shall be enforced. The possession, use and sale of illegal drugs shall be enforced through Federal and State laws.

Part 2. Purpose

Fond du Lac Tribal and Community College, along with the entire Minnesota State system, is committed to ensuring an educational and employment environment where students and employees can work, learn and develop to their full potential. Because the use and abuse of alcohol and controlled substances negatively impacts the ability of students and employees to work, learn and develop to their full potential, and to comply with federal and state laws, Fond du Lac Tribal and Community College has adopted and will implement the following drug–and alcohol–free campus policy.

Part 3. Drugs, Alcohol Prohibited

The unlawful manufacture, growing, possession, use, dispensation, sale or distribution of controlled substances and the manufacture, use, sale, distribution or possession of alcoholic beverages by Fond du Lac Tribal and Community College students and Fond du Lac Tribal and Community College employees is strictly prohibited:

1. On Fond du Lac Tribal and Community College property;
2. While participating in a student activity, activities sponsored by officially recognized student organizations, or an event or activity sponsored or sanctioned by Fond du Lac Tribal and Community College or Minnesota State system, including off–site activities; and
3. While performing work, including overtime work and rest breaks.

Subpart A. Exceptions

The use of alcoholic beverages may be permitted only:

1. For Fond du Lac Tribal and Community College or Minnesota State system educational/awareness programs; or
2. For a specific event or circumstance authorized by Minnesota State system or Fond du Lac Tribal and Community College.

However, in no case may students or employees violate Liquor Laws.

Subpart B. Employees

No Fond du Lac Tribal and Community College employee may:

1. Report to work under the influence of alcohol, controlled substances or other drugs which affect her/his alertness, coordination, reaction, response, judgment, decision–making or safety; or
2. Operate, use or drive any Fond du Lac Tribal and Community College or Minnesota State system equipment, machinery or vehicle while under the influence of alcohol, controlled substances or mind–altering drugs.

An employee who is under the influence of alcohol, controlled substances or other mind-altering drugs, or who is taking medically authorized drugs or other substances which may affect job performance, has an affirmative duty to immediately notify the appropriate supervisor that the employee's mental or physical condition precludes her/his ability to operate, use or drive Fond du Lac Tribal and Community College or Minnesota State system equipment.

Employees are discouraged from consuming alcoholic beverages off-site during lunch or dinner meals when returning to perform work on behalf of Fond du Lac Tribal and Community College. In any situation subsequent to the intake of alcohol, an employee whose behavior or condition adversely affects her/his performance is subject to discipline. Since engaging in off-duty sale, purchase, transfer, use or possession of controlled substances may have a negative effect on an employee's ability to perform his/her work, a Fond du Lac Tribal and Community College employee involved in such circumstances is subject to discipline.

Employees working on federal grants or contracts who are convicted of a criminal drug statute violation occurring in the workplace are required to notify Fond du Lac Tribal and Community College or Minnesota State system within five (5) working days of such a conviction.

Local, State and Federal Legal Sanctions Governing Alcohol

The State of Minnesota sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated are available from local law enforcement. The rules/fines/violations are as follows:

Persons under age 21 found possessing alcohol may be given a maximum fine of \$100.

Any convicted of fraudulently using a driver's license to buy or attempt to buy alcohol may have his/her driver's license suspended for up to 90 days.

Persons convicted of buying alcohol through fraudulent means face a possible \$100 fine and or being required to do up to 10 hours of community service work.

Part 4. Penalties for Policy Violations

Fond du Lac Tribal and Community College employees and students who violate this policy are subject to Fond du Lac Tribal and Community College and Minnesota State system sanctions and may be subject to legal sanctions under local, state or federal law.

Fond du Lac Tribal and Community College students will be disciplined according to the Student Code of Conduct and Residential Life Policy. Disciplinary sanctions include, but are not limited to, warning, confiscation, restitution, dismissal, suspension, expulsion and referral for prosecution.

Fond du Lac Tribal and Community College employees covered by a Collective Bargaining Agreement will be disciplined according to the process delineated in the appropriate agreement. Other employees will be disciplined according to the Excluded Administrators Plan or the Commissioner's Plan. Discipline may include, but is not limited to, oral or written reprimand, suspension, termination, and referral for prosecution.

Part 5. Information

Fond du Lac Tribal and Community College provides voluntary educational programs designed to inform students and staff about the health risks associated with drug and alcohol use, community resources available to provide assistance to individuals dealing with drug and/or

alcohol abuse issues, the legal ramifications associated with illegal use of drugs and/or alcohol, and penalties for policy violations under Minnesota Law.

Legal Penalties Minnesota Law

Under Minnesota law, it is a crime for any person to drive, operate, or be in physical control of any motor vehicle when the person is under the influence of alcohol or a controlled substance.

A person who commits first-degree driving while impaired is guilty of a felony and may be sentenced to imprisonment for not more than seven years, or payment of a fine of not more than \$14,000, or both.

Other penalties for violating state laws prohibiting driving under the influence include:

- Driver's license suspension or revocation
- Impounding motor vehicles
- Further criminal prosecution

Under Minnesota law, it is also a crime for a person under the age of 21 years to consume, possess or purchase any alcoholic beverages.

- Underage consumption: \$100 fine.
- Possession by persons under 21: \$100 fine.
- Use of false identification for alcohol purchase: \$100 fine.
- Furnishing alcohol to persons under 21: \$3,000 fine and/or 1 year in jail

Guidelines for the sentencing of any person convicted of drug and alcohol-related criminal offenses are established by the Minnesota Sentencing Guidelines Commission. The actual length of a sentence depends upon the individual's criminal and driving history.

Possession or sale of controlled substances, including but not limited to, narcotics, depressants, stimulants, Hallucinogens, and cannabis, is prohibited by Minnesota law. Penalties for controlled substance crimes include:

- **First Degree**
 - Sale: 10+ grams of cocaine, 50+ grams of other narcotic drug, 200+ doses hallucinogen, 50 kilos marijuana, or 25+ kilos marijuana in a school zone, park zone, or public housing zone.
 - Possession: 25+ grams cocaine, 500+ grams of other narcotic drug, 500+ doses hallucinogen, 110+ kilos marijuana.
 - Penalty: 0 to 40 years, 4 year mandatory minimum if prior drug felony; up to \$1,000,000 fine. 0 to 40 years, 2nd offense.
- **Second Degree**
 - Sale: 3+ grams cocaine, 10+ grams of other narcotic drug, 50+ doses hallucinogen, 25+ kilos marijuana, or sale of a Schedule I or II narcotic drug of 5+ doses hallucinogen or methamphetamine either to a person under 18 or in a school zone, park zone, or public housing zone.
 - Possession: 6+ grams cocaine, 50+ grams of other narcotic drug, 100+ doses hallucinogen, 50+ kilos marijuana.
 - Penalty: 0 to 40 years, 3 year mandatory minimum if prior drug felony; up to \$500,000 fine.

- **Third Degree**
 - Sale: Narcotic drug, 10+ doses hallucinogen, 5+ kilos marijuana, or sale of any Schedule I, II, or III drug (except a Schedule I or II narcotic drug or marijuana) to a person under 18 or employment of person under 18 to sell the same.
 - Possession: 3+ grams cocaine, 10+ grams of other narcotic drug, 10+ kilos marijuana, and any amount of a Schedule I or II narcotic drug or LSD or methamphetamine or 5+ kilos marijuana in a school zone, park zone, or public housing zone.
 - Penalty: 0 to 30 years, 2 year mandatory minimum if prior drug felony; up to \$250,000 fine. Between 0 to 30 years, 2nd or subsequent offense.
- **Fourth Degree**
 - Sale: Any Schedule I, II or II drug (except marijuana), or sale of marijuana in a school zone, park zone, or public housing zone or any Schedule IV or V drug to a person under 18 or conspiracy for the same.
 - Possession: 10 doses hallucinogen, any amount of a Schedule I, II or III drug (except marijuana) with the intent to sell it.
 - Penalty: 0 to 30 years, 1 year mandatory minimum if prior drug felony; up to \$100,000 fine.
- **Fifth Degree**
 - Sale: Marijuana, or any Schedule IV drug.
 - Possession: All Schedule I, II, III, IV drugs except 42.5 grams or less of marijuana. Any prescription drugs obtained through false pretenses or forgery.
 - Penalty: 0 to 5 years, 6 month mandatory minimum if prior drug felony; up to \$10,000 fine.

Federal Law

- **Schedule I Drugs (Penalty for possession)**
 - First Offense: 10 years to life, 10 year mandatory minimum; if death or serious injury, 20 year minimum; up to \$4 million fine individual, \$10 million other than individual.
 - Second Offense: 20 years to life, 20 year mandatory minimum; if death or serious injury, not less than life; up to \$8 million fine individual, \$20 million other than individual.
- **Schedule II Drugs (Penalty for possession)**
 - First Offense: 5 to 40 years, 5 year mandatory minimum; if death or serious injury, 20 year minimum; up to \$2 million fine individual, \$5 million other than individual.
 - Second Offense: 10 years to life, 10 year mandatory minimum; if death or serious injury, not less than life; up to \$4 million fine individual, \$10 million other than individual.
- **Schedule I or Schedule II Controlled Drugs (Penalty for possession)**
 - First Offense: 0 to 20 years, if death or serious injury, 20 year minimum, not more than life; up to \$1 million fine individual, \$5 million other than individual.

- Second Offense: 0 to 30 years, if death or serious injury, not less than life; up to \$2 million fine individual, \$10 million other than individual.
- **Schedule III Drugs (Penalty for possession)**
 - First Offense: 0 to 5 years, up to \$250,000 fine individual, \$1 million other than individual.
 - Second Offense: 0 to 10 years; up to \$500,000 fine individual, \$2 million other than individual.
- **Schedule IV Drugs (Penalty for possession)**
 - First Offense: 0 to 3 years, up to \$250,000 fine individual, \$1 million other than individual.
 - Second Offense: 0 to 6 years, up to \$500,000 fine individual, \$2 million other than individual.
- **Schedule V Drugs (Penalty for possession)**
 - First Offense: 0 to 1 year, up to \$100,000 fine individual, \$250,000 other than individual.
 - Second Offense: 0 to 2 years, up to \$200,000 fine individual, \$500,000 other than individual.

Health Risks

Fond du Lac Tribal and Community College provides voluntary educational programs designed to inform students and staff about the health risks associated with drug and alcohol use, community resources available to provide assistance to individuals dealing with drug and/or alcohol abuse issues, the legal ramifications associated with illegal use of drugs and/or alcohol, and penalties for policy violations under Minnesota Law

- Associated with the use/abuse of alcohol:
 - malnutrition; lowered resistance to disease; irreversible brain or nervous system damage; gastrointestinal irritation; damage to liver; heart and pancreas; addiction/alcoholism; coma; death from overdose, injury or accident; fetal alcohol syndrome.
- Associated with the use/abuse of controlled substances:
 - damage to heart, lungs, brain and nerve cells; lung cancer; memory disorders; interference with psychological maturation; temporary loss of fertility in both men and women; psychological dependence; bronchitis, infections, colds and other viruses; stroke, liver problems, seizures; heart and respiratory failure; psychosis, convulsions; sexual dysfunction. For users who share/use unsterile needles: tetanus; hepatitis; tuberculosis; HIV/AIDS. For pregnant women: miscarriage; stillbirths; premature labor or delivery; hemorrhaging. For cocaine babies: irritability; unresponsiveness; stroke; malformed kidneys and genitals; seizures; SIDS.

A description of procedures, if any, will be available that encourages pastoral counselors and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

Drug and Alcohol Abuse Education Programs

Fond du Lac Tribal and Community College has developed programs to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse including dissemination of informational materials, educational programs during new student or housing orientations, counseling services, referrals, and college disciplinary actions.

Areas of FDLTCC that provide Drug Education include:

- Alcohol and Drug Education: College Student Services, Employee Assistance Program for college staff and students
- Counseling Services: Student Services Counselor, Licensed Social Worker/LADC College Nursing Program Faculty, and connect with local organizations/resources
- Referral Services: College Counselor, College Nursing Program Faculty, Licensed Social Worker/LADC, Employee Assistance Program and connect with local organizations/resources (see community resource list below)
- College Disciplinary Actions: Faculty/Student Judicial Review Committee, Dean of Student Services

Campus Resources

Marisa Haggy, Human Resources Director, W110, 218-879-0879

Kari Stroik, MSW/LADC, Room 139, 218-879-0740

Ashley Tegels, Social Worker, Room W118, 218-879-0898

Counselor, Vacant, Room 135, 218-879-0819

Community Resources

Carlton County Public Health and Human Services

14 N. 11th St.

Cloquet, MN 55720

218-879-4583

Contact to set up a Rule-25

Fond du Lac Human Services

Tagwii

61 Marigold Lane

Cloquet, MN 55720

218-878-3858

Inpatient recovery centers

Mash-Ka-Wisen Treatment Center

1150 Mission RD

Sawyer, MN 55780

Inpatient recovery center for American Indians

Pioneer Recovery Center

241 HWY 33

Cloquet, MN 55720

Dual diagnosis programming for women

Outpatient recovery center

The Haven in Cloquet

1003 Cloquet Ave.

Suite 117

Cloquet, MN 55720

218-879-5545

Adult day and evening treatment programs

Tagwii Recovery Center

61 Marigold Lane

Cloquet, MN 55720

Must be eligible for services at Fond du lac Human Services

Support groups

Cloquet Alano Club

103 10th St.

Cloquet, MN 55720

218-879-9884

12 Step Recovery Meetings every day of the week

Cloquet Community Memorial Hospital

512 Skyline BLVD

Cloquet, MN 55720

AA Support Group every Wednesday in the Birch Room from 7-8:30 pm

Holy Angels Catholic Church

60 Hartman Drive

Moose Lake, MN 55767

AA Open Speaker Meeting every Friday at 7 pm

Our Savior Lutheran Church

615 12th St.

Cloquet, MN 55720

NA Meeting every Monday at 7 pm

Solway Town Hall

4029 Munger Shaw RD

Cloquet, MN 55720

218-729-5134

AA Meeting every Sunday at 7 pm

Thompson Town Hall

25 E Harney RD

Esko, MN 55733

218-879-9719

AA Meeting every Sunday at 6:30 pm

St. Matthews Lutheran Church

4 Elizabeth Ave.

Esko, MN 55733

Jon Eng: 218-310-1385

Experience Recovery Potluck & Meeting every Thursday at 5:30 pm

Zion Lutheran Church

1000 Washington Ave.

Cloquet, MN 55720

218-879-4647

AA Meeting every Tuesday at 7 pm

Cloquet Community Center

1720 Big Lake RD

Cloquet, MN 55720

218-878-3868

Last Wednesday of the month from 5:30-8:00 pm

Potluck, speaker, sobriety pining, and traditional drum.

Additional local, state, and national resources:

- Equal Access - health services (218) 879-3900, 1304 Cloquet Ave Suite D Cloquet MN, 55720
- Community Memorial Hospital 512 Skyline Blvd, Cloquet, MN 55720 (218) 879-4641
- Safe Haven Shelter for Battered Women of Duluth, (218) 728-6481/ (877) 880-3094 (crisis line) or (218) 623-1000 (resource center)
- WINDOW Victims' Services of Pine, Kanabec, and Pine Counties (320) 384-7113/(800) 644-0003 (crisis line) or (320) 384-7996 (resource center)
- Minnesota Domestic Violence Crisis Line (866) 223-1111
- National Domestic Violence Hotline, (800) 799-SAFE (7233)
- United Way 24-hour Referral Line, 211
- Sexual Assault Resources: <https://www.rainn.org/about-national-sexual-assault-telephone-hotline>
- Sexual Harassment Resources: <https://www.rainn.org/ThatsHarassment>
- Find Help in Minnesota: <http://rapehelpmn.org>