

 **Drug and Alcohol Policy**
passed by the Student Senate, March 4, 1993
accepted by Faculty, March 8, 1993
amended October 23, 1995
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August 26, 1998

Preamble

Drug and alcohol use is a complex and controversial topic. Many would argue that public policy on drug and alcohol use has been counterproductive, discouraging rational analysis of substance use, abuse, and addiction. Whatever the views of its individual members, however, the Reed College Community must respond to empirical and legal realities.

The use, sale, or transfer of illicit drugs disturbs and offends many members of the Reed Community. Such actions are not only illegal (and often felonious) in themselves, they can also have consequences (including the attraction to campus of dangerous outsiders and the theft of personal property by community members) that create an atmosphere of fear and distrust at odds with the educational mission of the College. Drug use, especially drug abuse, frequently leads to a deterioration in academic performance, which can compromise the education of others as well as that of the user. The illegal use and the abuse of alcohol can also have deleterious effects upon individuals and the community. Moreover, the College has certain legal obligations to make reasonable efforts to prevent the use (which includes being under the influence) and transfer of illegal drugs and the illegal use or abuse of alcohol on campus or during Reed activities.

The College encourages all members of the Reed Community to become familiar with the health and legal aspects of drug and alcohol use and to make informed decisions regarding their own behavior. The college emphasizes that all members of the community are adults responsible for their own actions. Members of the community are expected to comply with this policy and to be aware of the consequences of violations thereof. The Community therefore expects and admonishes individuals to evaluate their own behavior, as well as that of their peers, in order to create and maintain a healthy and safe environment.

This Drug and Alcohol Policy is intended to define the expectations of the College with respect to drugs and alcohol, to clarify the consequences of failing to abide by these expectations, and to identify the resources available within the College Community to assist in dealing with drug and alcohol related problems.

I. Statement of Policy

A. Reed College believes that it has a serious extralegal responsibility to the health and safety of the members of this community. Therefore, it has a responsibility to help prevent substance abuse through the provision of appropriate assistance, including educational materials and counseling. When substance abuse occurs, we believe that the most effective response relies on early identification of the problem and the availability of effective, confidential assistance. The Community encourages individuals voluntarily to

seek assistance for substance abuse problems. Moreover, drug or alcohol use that results in instances of behavior that are dangerous to the health or safety of the user, other members of the community, or adversely affects the institution as a whole, should be treated with exceptional concern and gravity.

B. In keeping with local, state and federal laws, the illegal use, sale, transfer, dispensing, possession and manufacture of illicit drugs, or being under the influence of illegal drugs, or the illegal use, possession, or abusive use of alcohol on the Reed College campus or during official Reed activities is a violation of college policy and is prohibited. In particular,

1. Illegal drugs and drug paraphernalia are not permitted anywhere on the Reed College campus.

2. Without a brewers license, brewing beer or wine at the College is illegal, and a violation of this policy. Anyone brewing beer or wine on the Reed College campus must notify the Office of Residence Life and must comply with applicable laws (which treat personally brewed beer or wine like any other alcoholic beverage).

3. The manufacture of illegal drugs, the growing of marijuana and other illegal psychoactive plants, and the distillation of alcohol are felonies under applicable federal law and are not allowed on College property, except that alcohol may be distilled for academic research purposes under the supervision of a faculty member.

4. It is illegal and a violation of this policy for those under the age of twenty-one ("minors") to possess or consume alcoholic beverages, or for anyone to provide alcoholic beverages to minors.

II. Implementing Procedures

The following procedures have been developed with two goals in mind: 1) to promote increased understanding of the expectations embodied in this policy, and 2) to provide for its principled enforcement.

A. Certain terms used in this policy and the associated guidelines for events with alcohol are defined as follows. "Public" area means any space on the Reed College campus (which as a whole is private property) other than student rooms in residence halls. As used in this policy, "college social event" is defined as any social gathering that 1) requires the reservation of any college property or facilities (including the Student Union, faculty lounges, and public areas in residence halls), or 2) that if otherwise occurring on campus receives publicity (including postings on electronic bulletin boards or mass e-mailings), or 3) that involves the expenditure of college funds. Lectures, discussion groups, and other gatherings associated with normal academic activities are not considered 'college social events.' But if alcohol is served at a reception following such lectures and other events, the organizers of the event are responsible for complying with the pertinent provisions of this policy. (In accordance with federal workplace legislation, alcohol may not be served or consumed at any academic event or in any place where academic activities are occurring.) "College funds" is defined as any money (including student body funds and funds generated through student organizations) collected or disbursed by Reed College. "Financial consideration" is defined in accordance with OLCC regulations and includes the use of college funds to purchase alcohol, as well as the purchase of alcohol through membership fees, the collection of donations, the sale of tickets, or direct purchase by persons being served.

B. The College shall distribute to all Community members, at the beginning of each academic year, the federally mandated information concerning federal, state, and local drug and alcohol laws, a copy of this policy, and a copy of the Guidelines for Events with Alcohol. These materials shall include the relevant Oregon State laws regarding alcohol consumption and the OLCC licensing requirements for events at which alcohol is sold or distributed and federal penalties and sanctions for illegal possession and trafficking of controlled substances.

C. Reed College believes that students have certain rights to privacy in their residence hall rooms, as are specified in the housing contract and the associated Reed College Residential Rights and Responsibilities Guide. Students should nonetheless be aware that the right to privacy does not imply immunity from provisions of the law or of this policy, especially in the event of any violation coming to the explicit attention of a College official or legal authority.

D. All members of the Reed community and their guests possessing alcoholic beverages must show legal proof of age on request from any member of the College Community.

E. When alcohol is being consumed by, or is in the possession of people on the Reed campus who do not provide proof of legal age, when it is being distributed to those under legal age, or in violation of this policy and the associated guidelines for events with alcohol, or when, regardless of age, a person in possession of alcohol is acting unacceptably as defined by community standards or with hazardous disregard for themselves or those around them, said alcohol is subject to confiscation and is a violation of the policy. Illegal drugs and drug paraphernalia, if discovered or if known to be in the possession of any person on the Reed campus, are always subject to confiscation and are a policy violation.

F. Gatherings in any public facility or public area on campus may not be closed to any College officer or to any staff member charged with determining that the provisions of this policy are being complied with.

G. For all events where alcohol is distributed or reasonably expected to be present, event organizers must follow the Guidelines for Events with Alcohol which outlines provisions to ensure that this policy must be followed. These Guidelines are found in the Campus Events Guidelines. The Guidelines for Events with Alcohol must be approved by both the Senate and the CAC. In the event that the Senate and the CAC cannot agree on a set of guidelines or an alteration to the existing guidelines, the proposed changes shall be procedurally treated as community legislation.

III. Violations of Drug and Alcohol Policy

Alleged student violations of the Drug and Alcohol Policy should be 1) taken to the Honor Council, or 2) to the Student Judicial Board, or 3) to the Dean of Student Services (or designate), the latter particularly when a substance abuse problem may also be present. Actions may include medical leave, drug and alcohol assessment, treatment, informal or formal mediation, referral to the Student Judicial Board, referral for prosecution, or other sanctions as outlined in Section VI.

Alleged faculty violations of the Drug and Alcohol Policy should be referred to the Dean of the Faculty.

Alleged staff violations of the drug and alcohol policy should be handled as outlined in the Staff Policies and Procedures Manual.

Adjudicating bodies or offices and Community Safety shall forward summary information regarding the incidence and disposition of drug and alcohol related problems to the Drug and Alcohol counselor, who will compile a biennial summary report.

IV. Treatment of Substance Abuse Problems

A. Individuals with substance abuse problems are encouraged voluntarily to seek assistance and appropriate treatment options. The College provides certain counseling and treatment-related resources as well as referrals to sources of help off campus. The College employs counselors, who are available to talk with any student on a confidential basis and to advise faculty and staff on student-related drug or alcohol problems. Students may also seek help through the Office of Student Services, the Health Center, and the Counseling Center. Faculty are encouraged to seek advice from the Office of the Dean of the Faculty. Staff are encouraged to talk with their supervisor or with the Director of Human Resources. Confidential counseling is available to Faculty and Staff through the Employee Assistance Program and information about this program is available at the Human Resources Office.

B. The College may provide a medical or rehabilitation leave for an individual requiring in-patient treatment. The medical leave policy for students is described in the Faculty Code, Section III-G. The rehabilitation leave program for faculty is described in the "Drug Use Statement" passed by the faculty at its November 13, 1989, meeting. The voluntary alcohol/substance abuse rehabilitation leave for staff is described in the Staff Policies and Procedures Manual.

C. The College should strive to preserve confidentiality for individuals voluntarily seeking assistance for a substance abuse problem.

D. The College encourages students, faculty, and staff to share concern for and to help those involved in substance abuse. Individuals who know of a substance abuse problem or who are trying to help someone with such a problem may themselves require considerable support. The College will endeavor to provide confidential assistance to such individuals, through the resources described in the first paragraph of this section.

E. Appropriate procedures for dealing with substance abuse problems in the case of faculty members are governed by the Rules of Procedure of the Faculty Constitution (Sections C-6 and F, G, and H), the Faculty Resolution on Drug Use of November 13, 1989; and in the case of staff members by the Staff Policies and Procedures Manual. Appropriate procedures for dealing with substance abuse problems in the case of students are governed by this policy.

V. Behavioral Problems Related to Drugs and Alcohol

A. Although the College hopes that individuals with substance abuse problems will voluntarily seek assistance, there are occasions when continuing abuse leads to harm or the danger of harm to the abuser or others or to an unacceptable detriment in academic or job-related performance. When suspected possession or use of drugs or alcohol results in behavioral or performance problems that come to the attention of the College, the response may include an informal inquiry into the possibility of a substance abuse problem.

Members of the community should direct suggestions for such an inquiry to the Dean of Student Services, the Dean of the Faculty, or the Director of Human Resources, as appropriate.

B. If it is determined by the informal inquiry that an abuse problem may be present but is being denied by the abuser, sanctions or intervention aimed at addressing the abuse problem may be imposed:

1. for students, by the Dean of Student Services, under procedures described in section D below for disciplinary sanctions and in the Faculty Code Chapter III, Section A, 2 for therapeutic interventions.
2. for faculty, by the procedures set forth in the Rules of Procedure of the Faculty Constitution (Sections C-6 and F, G, and H).
3. for staff, by the procedures set forth in the Staff Policies and Procedures Manual, under Involuntary alcohol/substance abuse rehabilitation leave.

VI. Sanctions and Interventions

Violations of the Drug and Alcohol policy and associated guidelines will normally be handled through the Community's grievance and judicial procedures, including informal resolution or mediation. Moreover, the presence of a substance abuse problem does not prevent disciplinary action for related breaches of the standards of conduct expected of members of the Reed College Community. These various infractions may result in sanctions or interventions including but not limited to warnings, fines, community service, required educational programs, required substance abuse assessment, enrollment in a treatment program, involuntary medical or rehabilitation leave of absence, probation, suspension, expulsion, termination of employment, and referral for prosecution.

Any manufacture or distribution of drugs or the illegal or prohibited manufacture or distribution of alcohol, especially that which endangers the health or safety of the user, other members of the community, or the institution as a whole will generally be viewed as a serious violation of College policy leading to serious sanctions such as suspension, expulsion, termination of employment, or referral for prosecution. The College reserves the right, however, to judge each case individually.

Noncompliance with therapeutic sanctions or repeated episodes of substance abuse may lead to serious sanctions including suspension, expulsion, or termination of employment.

A. In all cases, the College should strive to maintain confidentiality consistent with involuntary medical/rehabilitative leave. Return from such a medical/rehabilitation leave may involve commitment on the part of the individual to follow aftercare recommendations imposed by the treatment program and to allow the College to monitor aftercare progress via a release of information with the treatment program.

B. Should the Dean of Student Services take immediate disciplinary action against a student the complaint must be forwarded to the Student Judicial Board within eleven working days as prescribed in the Judicial Board code (section 3B). In such a case, the student shall be notified of the right to make an immediate appeal to the President of the

College. Involuntary medical leave of absence (or other therapeutic intervention) may be appealed to the President of the College.

C. In the case of faculty, a decision to impose sanctions or therapeutic intervention is subject to appeal by procedures outlined in the Rules of Procedure of the Faculty Constitution (Sections C-6 and F, G, and H), the Faculty Resolution on Drug Use of November 13, 1989.

D. In the case of staff, a decision to impose sanctions or therapeutic intervention is subject to appeal by procedures outlined in the Staff Policies and Procedures Manual.

VII. Drug and Alcohol Committee

Each academic year, the President of the College shall appoint a Drug and Alcohol Committee, consisting of at least two faculty members (one a member of CAC), at least two students (one a member of Senate), the Associate Dean of Student Services, and the Director of Health & Counseling. The committee shall be charged with these duties:

1. To conduct surveys of incoming and enrolled students to determine the drug and alcohol use patterns of Reed students.
2. To promote education regarding the cognitive and social effects of drug and alcohol use and abuse, including research projects, research literature reviews, and informative public presentations.
3. To work with Student Services, Residence Life, Health Services, CAC and the Student Senate to find better ways for the community to take positive actions to reduce drug and alcohol abuse.
4. To implement studies on the effects of Reed's Drug and Alcohol policies on student use and abuse, to review the biennial reports of the Drug and Alcohol Counselor and to make recommendations to the CAC and the Student Senate based on their findings.
5. The subcommittee will meet with the CAC at the beginning of each academic year in order to formulate an agenda for that year. It will report back to the CAC at least once each semester.
6. At least annually the Drug and Alcohol Committee will host a community-wide discussion on issues pertaining to drug and alcohol use.

Where To Go For Help

Reed College believes that the most effective responses to instances of substance abuse rely on appropriate identification of the problem and the availability of effective, confidential assistance. Individuals with substance abuse problems are encouraged to seek such assistance and appropriate treatment options. The College also encourages members

of the community to care about each other and to express concern for and to offer help to those engaged in substance abuse.

On-Campus Counseling

The College provides counseling and treatment-related resources as well as referrals to sources of help off campus. Mike Brody, Director of Health & Counseling is a therapist highly trained in the assessment and treatment of drug and alcohol problems, is available to talk with any student on a confidential basis and to advise faculty and staff on student-related drug and alcohol problems. He can help to assess whether a problem exists, provide direct counseling, and/or referral to other services. He can be reached at Health Services, extension 7636. Barre Stoll extension 7829 and Kathryn Smith extension 7462, also members of the counseling staff, are also available for confidential counseling of students. Members of the Student Services and Residence Life staffs, the Director of Human Resources, and the Dean of Faculty can provide individuals with advice about College policies and procedures, on-campus resources, and the appropriate off-campus services. Faculty and staff are advised to consult the resources available through their health care plan, including the EAP program (503-228-3223 or 800-654-9778). Alcoholics Anonymous-Gryphon Group meets Tuesdays and Thursdays at 7 p.m. and Sundays at 4:30 p.m. in Eliot 314.

Medical and Rehabilitation Leaves

Generally the College provides a medical leave to students or a rehabilitation leave to faculty and staff seeking treatment for drug or alcohol abuse. The College will make reasonable efforts to keep the bases of medical and rehabilitation leaves confidential.

Students seeking a medical leave should speak with a member of the counseling staff, and the VP Dean of Student Services. A physician or mental health professional must provide a written recommendation for the medical leave. Re-admission for students on medical leave is contingent on a physician's or mental health professional's written recommendation. A medical leave can be taken at any point in the semester.

Faculty members seeking a rehabilitation leave should speak with the Dean of Faculty. Any faculty member who acknowledges a problem with drugs, and who decides voluntarily to enroll in a rehabilitation program, will be given up to 30 working days of paid leave to participate in such a program. The costs of participation will be paid by the faculty member or the faculty member's health insurance provider.

Off-Campus Resources

The following resources may be helpful to individuals with substance abuse problems:

Alcoholics Anonymous	(503) 223-8569
Alanon	(503) 292-1333
Cocaine Anonymous	(503) 256-1666
Narcotics Anonymous	(503) 727-3733

The following resources may be helpful to people who are in a relationship with an individual with a substance abuse problem or who grew up in a drug or alcohol affected, or other types of dysfunctional homes.

Adult Children of Alcoholics	(503) 245-8181
Co-Dependents Anonymous	(503) 285-8891
Alanon	(503) 292-1333

Legal Sanctions

Federal Laws

The following summary of Federal penalties and sanctions for illegal *possession* of a controlled substance is taken from *The Federal Register*, 55 (159), page 33589.

21 U.S.C. 844(a)

First conviction: Up to one year imprisonment and a fine of at least \$1,000 but not more than \$100,000, or both.

After one prior drug conviction: At least 15 days in prison, not to exceed two years, and a fine of at least \$2,500, but not more than \$250,000, or both.

After two or more prior drug convictions: At least 90 days in prison, not to exceed three years, and a fine of at least \$5,000 but not more than \$250,000, or both.

Special sentencing provisions for possession of crack cocaine: Mandatory sentence of at least five years in prison, not to exceed 20 years, and a fine of up to \$250,000, or both, if:

- (a) the first conviction and the amount of crack possessed exceeds five grams.
- (b) the second crack conviction and the amount of crack possessed exceeds three grams.
- (c) the third or subsequent crack conviction and the amount of crack possessed exceeds one gram.

21 U.S.C. 853(a)(2) and 881(a)(7)

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one year imprisonment. (See special sentencing provisions re: crack.)

21 U.S.C. 881(a)(4)

Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21 U.S.C. 944a

Civil fine of up to \$10,000 (pending adoption of final regulations)

21 U.S.C. 853a

Denial of Federal benefits, i.e., student loans, grants, contracts, and professional and commercial licenses, up to one year for first offense, up to five years for second and subsequent offenses.

18 U.S.C. 922(g)

Ineligibility to receive or purchase a firearm.

Miscellaneous

Revocation of certain Federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies.

The following table regarding legal sanctions under Federal law for unlawful *distribution of controlled substances* is taken from a Department of Justice Publication entitled *Drugs of Abuse* (1989 edition).

State Laws

The following information regarding legal sanctions under Oregon state laws for the unlawful *possession, use or distribution* of controlled substances and alcohol is taken from the *Criminal Code of Oregon* and from the *Peace Officer's Guide to the Oregon Criminal Code*.

1. Possession of liquor by a person under the age of 21, except in a private residence accompanied by a parent or guardian and with the parent or guardian's consent, is a misdemeanor.
2. Purchase or attempt to purchase liquor by a person under the age of 21 constitutes a misdemeanor.
3. Providing (giving, selling, or otherwise making available) liquor to a person known to be under 21 years of age is a class A misdemeanor.
4. Providing liquor to any person who is visibly intoxicated is a class A misdemeanor.
5. Driving under the influence of intoxicants (liquor and /or a controlled substance) is a class A misdemeanor. Blood alcohol levels of .08% or more as shown by chemical analysis of the breath or blood meet the standard of driving under the influence.
6. Possession of marijuana: possession of less than one ounce is punishable by a fine.
7. Marijuana sales: Delivering marijuana for consideration carries a typical sentence of 10 years. Delivering less than one ounce carries a typical sentence of one year and/or \$2,500. Delivering less than five grams invokes a fine of \$500.
8. Selling any substance, article, apparatus, or device, with knowledge that the substance, article, apparatus, or device will be used to manufacture, compound, convert, process, or prepare a controlled substance for unlawful sale or distribution is considered a class A misdemeanor.
9. Any person who keeps, maintains, frequents, or remains at a place while knowingly permitting persons to use controlled substances in such a place or to keep or sell them in violation of Oregon law is subject to a sentence of one year/\$2,500.

The following table summarizes penalties in the state of Oregon for *possession* of a sampling of drugs classified as controlled substances. The drugs are categorized by their placement in the Federal Drug Schedules.

Schedule	Max. prison time	Max. Fine
Schedule I: Class B Felony	10 years	\$100,000
Heroin, LSD, other hallucinogens, marijuana, others		
Schedule II: Class C Felony	5 years	\$100,000
Methadone, morphine, amphetamine, cocaine, PCP		
Schedule III: Class A Misdemeanor	1 year	\$2,500
Non-amphetamine stimulants, some depressants		
Schedule IV: Class C Misdemeanor	30 days	\$500
Valium-type tranquilizers, some less potent depressants		
Schedule V: Violation	none	\$1,000
Dilute mixtures, compounds with small amounts of controlled drugs		

Criminal convictions may have serious effects on an individual's future career, in addition to carrying the penalties cited above. When drug arrests occur, an attorney should be consulted. Resources for obtaining an attorney include the Oregon Attorney Referral Service, (503) 241-0736, or Oregon Legal Aid Service, (503) 224-4086.

Drug Effects

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 will produce the effects just described.

Repeated use of alcohol can lead to dependence. After dependence develops, sudden cessation of alcohol intake without medical supervision 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 than other youngsters of being hyperactive, developing anti-social behavior, and of becoming alcoholics themselves.

For detailed information on Federal Trafficking Penalties go to:

<http://www.usdoj.gov/dea/agency/penalties.htm>

