

## **DAAPP Annual Notification**

West Virginia Wesleyan College seeks to create an environment that promotes individual and community health and well-being. The illegal or abusive use of alcohol and other drugs jeopardizes this effort. Therefore, the College is committed to defining standards of behavior, enacting and enforcing policies, and complying with local, state, and federal laws.

The Drug-Free Schools and Campuses Regulations require institutions of higher education to develop prevention programs that address the use and abuse of alcohol and other drugs. West Virginia Wesleyan College must provide an annual notification to students and employees that contains standards of conduct, legal sanctions for violation of federal, state, and local laws, health risks of alcohol and other drugs, drug and alcohol treatment programs, and disciplinary sanctions for violation of West Virginia Wesleyan policy in relation to alcohol or other drug use.

### **STANDARDS OF CONDUCT**

#### **Standards of Conduct: Students**

##### *Alcohol and Other Drugs*

The College prohibits the use of alcoholic beverages by individuals who are not of legal age and the abuse of alcohol by individual community members of any age. Violations of local, state, and federal laws pertaining to alcoholic beverages are prohibited. Furthermore, the College prohibits the illegal use of drugs on College property or property used by any recognized student or College group. State and federal laws state that it is unlawful for any person to manufacture, deliver, or possess with intent to manufacture or deliver a controlled substance. According to the federal Controlled Substance Act of 1970, this applies to drugs that have a high potential for abuse, may lead to chemical dependence, and are required by law to be prescribed or administered under the supervision of a physician.

Full compliance with the specific set of standards related to alcohol and other drug use is expected. Although Residence Life staff members play an important role in monitoring student conduct, any member of the Wesleyan community may refer a student alleged to have violated this, or any policy, to the Student Conduct Officer. This policy will be strictly enforced, and all cases of alleged violations will be resolved in accordance with the disciplinary procedures described in this handbook.

##### *Underage Use*

All individuals, College-affiliated organizations, and social groups are to comply with local, state and federal laws concerning the possession, consumption, and distribution of alcoholic beverages and be aware of the legal ramifications of noncompliance. Noncompliance with any state or federal law is a violation of College policy and is subject to disciplinary action.

Furnishing alcohol to a person under the age of 21 is prohibited. The possession and/or consumption of alcohol on College premises by persons under the age of 21 is prohibited.

Alcohol may not be consumed or present (even if unopened) in private rooms where any occupant (present or not) or a guest is under the age of 21. Individuals under the age of 21 who are discovered in a room where alcohol is being consumed or present may be found in violation of the underage use policy. Individuals who are of legal drinking age may also be found in violation of the College's alcohol policy for furnishing alcohol to a person under the age of 21.

#### *Public Use of Alcohol*

The purchase, sale, or distribution of alcoholic beverages on College premises by students is prohibited. Alcoholic beverages may not be used in any public facility or space on College premises, including public areas of residence halls or at College-sponsored activities. The legal exercise of personal freedom within the privacy of one's own room and in accordance with College policy may not infringe upon the rights of others by creating an atmosphere objectionable to others who reside in the same room. Only individual residence hall rooms are considered private; an open door causes an individual's room to be considered a public area. Possession of an open container of alcohol in any public area of the campus is prohibited. An open container includes, but is not limited to, open or unsealed cans and bottles, cups, bagged wine, and squeeze bottles.

#### *Impairment or Public Intoxication*

Public intoxication or the state of being drunk that leads to aggressive or disruptive behavior, the significant distortion of memory, the significant dulling of responses, reduction in the capacity to make reasonable judgments or the violation of the Code of Conduct is prohibited, regardless of age, and will be considered an aggravating factor. Students who violate College policy while under the influence of alcohol or drugs will still be held responsible any behavior that violates policy. If a student is perceived to be under the influence, they can be asked to leave a classroom, office, or other campus event. All members of the College community are fully responsible for the alcohol/drug-related conduct of their guests. Driving under the influence, either on or off campus, is considered an extreme example of irresponsible behavior.

#### *Mass Quantity, Distribution/ Possession*

Kegs, beer balls, or other forms of a common supply of alcoholic beverages are strictly prohibited on College premises, including residence hall rooms. A student of legal age who possesses more than a total of 192 ounces of alcoholic beverages or exceeds any one of the following, even in the privacy of his/her residence hall room, will be in violation of the mass quantity regulation: Twelve, 16-ounce containers of beer or equivalent; two liters of wine (2 half gallons); twelve, 12-ounce wine coolers; or one liter of distilled spirits (1 and ½ fifths). The maximum amount of allowed alcohol in a single room/apartment/off-campus house is determined by the number of residents and includes the number of guests.

#### *Alcohol Paraphernalia*

Alcohol paraphernalia, including but not limited to, empty alcohol containers, is strictly prohibited on College premises and in residence hall rooms. Alcohol paraphernalia that is discovered in a residence hall

room will be treated as evidence of alcohol consumption by all occupants (present or not) and guests in the room.

### *Drugs*

The possession, use, or distribution of illegal controlled substances is strictly prohibited on College premises. The manufacture, delivery or possession with the intent to manufacture or deliver a controlled substance as prohibited by the WV Code (Vol. 17, Chapter 60A) is also strictly prohibited by the College. This applies to drugs that have a high potential for abuse, may lead to chemical dependence, and are required by law to be prescribed or administered under supervision of a physician. The possession, use, or distribution of Delta 8 or THC products is prohibited on College premises. This includes, but is not limited to, gummies, vapes, pre-rolls, drink mixes, and sublingual films. Drug paraphernalia is strictly prohibited. Drug paraphernalia includes, but is not limited to, rolling papers, roach clips, water bong, pipes, etc. or anything fashioned for such use. Although we recognize that many students permanently live in states where recreational use is legal, it is not legal in West Virginia.

### **Standards of Conduct: Employees**

The illegal possession, use, or distribution of controlled substances is strictly prohibited on the campus of West Virginia Wesleyan College. Furthermore, the West Virginia Code (Chapter 60A) states that it is unlawful for any person to deliver a controlled substance. This applies to drugs that have a high potential for abuse, may lead to chemical dependency, or are required by law to be prescribed or administered under the supervision of a physician.

Violations of local, state, and federal laws involving the consumption, sale, or furnishing of alcoholic beverages are prohibited. Use of alcohol that interferes with job performance is also prohibited.

### **LEGAL SANCTIONS**

State and federal laws prohibit the manufacture, possession, sale and trafficking of marijuana and other drugs. State laws also control the sale, distribution, possession and consumption of alcoholic beverages except in a licensed establishment.

Per West Virginia State Code §11-16-19(a)(1), "Any person under the age of twenty-one years, who purchases, consumes, sells, possesses or serves nonintoxicating beer is guilty of a misdemeanor and, upon conviction thereof, shall be fined an amount not to exceed \$500 or shall be confined in jail, or, in the case of a juvenile, a detention facility, for a period not to exceed seventy-two hours, or both fined and confined or, in lieu of such fine and confinement, may, for the first offense, be placed on probation for a period not to exceed one year. Any person convicted under this section may be sentenced pursuant to the provisions of section one-a, article eleven-a, chapter sixty-two of this code." The complete West Virginia State Code §11-16-19 can be found at <https://code.wvlegislature.gov/11-16-19/>.

Further, West Virginia State Code §60A-4-401 states "(a) Except as authorized by this act, it is unlawful for any person to manufacture, deliver, or possess with intent to manufacture or deliver a controlled

substance. Any person who violates this subsection with respect to: (i) A controlled substance classified in Schedule I or II, which is a narcotic drug or which is methamphetamine, is guilty of a felony and, upon conviction thereof, may be imprisoned in a state correctional facility for not less than one year nor more than 15 years, or fined not more than \$25,000, or both fined and imprisoned: *Provided*, That any person who violates this section knowing that the controlled substance classified in Schedule II is fentanyl, either alone or in combination with any other substance shall be fined not more than \$50,000, or be imprisoned in a state correctional facility for not less than 3 nor more than 15 years, or both fined and imprisoned; (ii) Any other controlled substance classified in Schedule I, II, or III is guilty of a felony and, upon conviction thereof, may be imprisoned in a state correctional facility for not less than one year nor more than five years, or fined not more than \$15,000, or both fined and imprisoned; (iii) A substance classified in Schedule IV is guilty of a felony and, upon conviction thereof, may be imprisoned in a state correctional facility for not less than one year nor more than three years, or fined not more than \$10,000, or both fined and imprisoned; (iv) A substance classified in Schedule V is guilty of a misdemeanor and, upon conviction thereof, may be confined in jail for not less than six months nor more than one year, or fined not more than \$5,000, or both fined and confined: *Provided*, That for offenses relating to any substance classified as Schedule V in §60A-10-1 *et seq.* of this code, the penalties established in said article apply.” The complete West Virginia State Code §60A-4-401 can be found at <https://code.wvlegislature.gov/60A-4-401/>.

**FEDERAL TRAFFICKING PENALTIES**

<b>DRUG/SCHEDULE</b>	<b>QUANTITY</b>	<b>PENALTIES</b>	<b>QUANTITY</b>	<b>PENALTIES</b>
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
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	

				Offenses: Not less than 25 years Fine of not more than \$20 million if an individual, \$75 million if not an individual.
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DRUG/SCHEDULE	QUANTITY	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.
Flunitrazepam (Schedule IV)	1 gram	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.
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	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.

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	Not less than 15 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not

		than life. Fine not more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	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 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 complete Federal Trafficking Penalties chart is also available at:

[https://www.campusdrugprevention.gov/sites/default/files/2022-07/Federal\\_Trafficking\\_Penalties\\_Chart\\_6-23-22.pdf](https://www.campusdrugprevention.gov/sites/default/files/2022-07/Federal_Trafficking_Penalties_Chart_6-23-22.pdf).

## HEALTH RISKS

Psychoactive drugs can be classified by the effects they have on the Central Nervous System. The most common classifications are: stimulants (uppers), depressants (downers), and hallucinogens (all-arounders). All psychoactive drugs (legal or illegal), including alcohol and prescription medications, have potential side effects. The risk for negative consequences increases with misuse, abuse, or dependence. Because of the College's commitment to employee health and well-being, the staff of the

Center for Counseling and Well-Being periodically provide education and prevention programs.

*Stimulants:* cocaine, amphetamines, Ritalin, caffeine, Redux, Herbal Ecstasy

- Effects and Side Effects of Stimulants: increased heart rate, body temperature, and blood pressure, increased energy, dilation of bronchial vessels, appetite suppression, mild to intense euphoria, irritability, anxiety, paranoia, mental confusion, poor judgment and hallucinations. Long term use can cause sleep deprivation, heart and blood vessel toxicity, and severe malnutrition. Overdose can result in convulsions, hypothermia, cardiovascular complications and even death. Tolerance develops and withdrawal can be extremely difficult. The amount of time it takes the brain chemistry and other body systems to rebalance and recover varies.

*Depressants:* Opiates and opioids (heroin, morphine, codeine, Darvon, Percodan), Sedative-hypnotics (Phenobarbital, Seconal, Valium, Xanax, Ativan), Alcohol, Inhalants (gasoline, glue, aerosols)

- Effects and Side Effects of Opiates: pain control, cough suppressant, anti-diarrheal, euphoria, mental confusion, drowsiness, dizziness, nausea, low blood pressure, decreased heart rate, low body temperature, muscle constriction, cyanosis (lack of oxygen in blood), and respiratory depression. Prolonged use results in impaired vision, menstrual irregularity, higher risk of pulmonary complications, nightmares, hallucinations, and mood swings. Tolerance develops with regular use and severe withdrawal is a risk. Overdose is life-threatening.
- Effects and Side Effects of Sedative Hypnotics: induce relaxation and sleep, lower inhibitions, reduce intensity of physical sensations and muscular coordination, depress respiratory process. Prolonged use results in tolerance and withdrawal which can be severe. Symptoms include anxiety, sweating, cramps, vomiting, increased heart rate, and tremulousness. The risk of overdose is high and includes such symptoms as cold, clammy skin, shallow breathing, low blood pressure, weak and rapid pulse, and even coma or death.
- Effects and Side Effects of Alcohol: induces relaxation, reduces inhibitions and sensitivity to pain, impairs vision, judgment, attention, and memory. Prolonged use can lead to cancer of the tongue, mouth, colon and other organs. Other serious symptoms include gastritis, alcohol hepatitis, liver damage, ulcers, pancreatitis, hypertension, increased susceptibility to infectious diseases, and accelerate the progression of those susceptible to Alzheimer's disease. Regular use results in increased tolerance. Individuals with a family history of alcoholism are at increased risk of developing addiction. However, anyone can become addicted given a certain quantity and frequency of use. Withdrawal from alcohol can be mild to life-threatening. Given consumption levels of many college students the risk of overdose is high.
- Effects and Side effects of Inhalants: inhalants include solvents, aerosols, gasses, and volatile nitrites. Of course, many of the ingredients in inhalants are highly toxic. Most are depressants

and often users may appear to be intoxicated without the smell of alcohol. The effects and side effects include disorientation, euphoria, lightheadedness, excitation sensory and perceptual distortions, delusions, and depression. Loss of memory after use is not uncommon. Tolerance and dependence develop and the risk of death is very high given the toxicity of the substances and the method of administration. Long term effects for regular users, or large amount of single use, can include damage to the lungs, kidneys, liver, chromosomes and brain. The risk of overdose is very high and can result in death.

*Hallucinogens:* LSD, psilocybin(mushrooms), MDMA (Ecstasy), marijuana

- **Effects and Side Effects Hallucinogens:** Hallucinogens are known as “all-arounders” because they can have stimulatory and depressant properties. In addition, perceptual distortions can be an effect. Hallucinogens can also have strong effects on emotions. More than the other categories of drugs the short term effects of hallucinogens are influenced by the setting, personality, emotional state, expectations, and previous experiences of use. The risk of adulteration with hallucinogens is great because of the lack of regulation. Specific reactions include: increased heart rate, blood pressure, body temperature, illusions, hallucinations, delusions, numbness, depersonalization, memory loss, and a lack of coordination. In a small percent of individuals hallucinogens may precipitate psychotic episodes. Frequent users of hallucinogens, particularly LSD, may experience “flashbacks” long after the time they stopped using the drug. Tolerance develops, however, withdrawal is not likely. The greater risk of harm results from the distorted perceptions and impaired judgment that can lead to high risk behavior.
- **Marijuana,** the most frequently used illegal drug in America, warrants special comment. Low to moderate doses of marijuana can produce relaxation or mild euphoria. Like other hallucinogens perceptions become distorted. Short term memory, reaction time and coordination are impaired. Damage to the respiratory system is highly likely for regular users. Marijuana use is particularly risky for individuals with epilepsy, respiratory problems and a family history of depression, anxiety, bipolar disorder, or schizophrenia. Tolerance does develop with regular use. Psychological dependence and withdrawal symptoms are a reality for some regular, heavy users. Overdose is not a concern, but serious injury and death have resulted from impaired judgment and distorted perceptions particularly while driving under the influence. Although we recognize that many students permanently live in states where recreational use is legal, it is not legal in West Virginia.

## **EDUCATION AND TREATMENT RESOURCES**

The Counseling Center staff provides educational, assessment, counseling, consultation, and support services for individuals and groups interested in the prevention and treatment of various addictions. Specific educational and assessment services for students are offered on both a voluntary and mandatory basis.



In addition, West Virginia Wesleyan College participates in SafeColleges, an online educational program required of all first-year students through the First Year Experience course. Programs on alcohol and other drugs are also offered throughout the year in our residential living areas.

#### Off-campus resources

- Appalachian Community Health Center: (304) 472-2022
- WVU Medicine/United Summit Center: (304) 623-5666
- HELP4WV: (844) HELP4WV (call, chat, or text)
- Alcoholics Anonymous meetings: <https://aa.org/>
- Gamblers Anonymous: <https://www.gamblersanonymous.org/ga/>
- Narcotics Anonymous meetings: <https://www.na.org/meetingsearch/>

## **DISCIPLINARY SANCTIONS**

In all instances of violations of policy regarding alcohol and other drug use, sanctions will be imposed.

### **Student Sanctions**

- **Disciplinary Dismissal:** the permanent separation of the student from the College. Notification will appear on the student's transcripts. The student will also be barred from College premises. A copy of the notice is sent to the parent or guardian of all dependent students and to appropriate College personnel.
- **Suspension:** the separation of the student from the College for a specified number of semesters, after which the student may apply for readmission to the College. Permanent notification may appear on the student's transcript at the discretion of the Student Conduct Board. During the term of the suspension, the student shall not participate in any College-sponsored activities and shall be barred from College premises. A copy of the notice of suspension is sent to the parent or guardian of dependent students and to appropriate College personnel.
- **Interim Suspension:** The Dean of Students or designee may suspend a student for an interim period pending disciplinary proceedings or medical evaluation. Such interim suspension is to become immediately effective without prior notice whenever there is evidence that the continued presence of the student on the College campus poses a substantial threat to self or others, or to the stability and continuance of normal College functions, or to the basic ideals and standards, the College seeks to maintain. A student suspended on an interim basis shall be given an opportunity to return to campus at a given time for a hearing before the College Student Conduct Board within three (3) class days, if possible, from the effective date of the interim suspension. The hearing shall then be held on the following issues:
  - The reliability of the information concerning the student's conduct, including the matter of the student's identity.
  - Whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on the College campus poses a substantial threat to the student or others or to the stability and continuance of normal College functions, or to the basic ideals and standards the College seeks to maintain.

- If a continued separation from the college is not warranted, what sanctions, if any, are most appropriate.
- **Disciplinary Probation:** A student is provided written notice that they have been found in violation of a standard contained in College regulations that warrants significant corrective action. Further violation will subject the student to more severe Student Conduct action. Probation shall be for a specified time, and may involve conditions or restrictions, identified at the time the probation is assigned. Depending on the violation, disciplinary probation might include ineligibility to publicly represent the College in co-curricular activities, including (but not limited to) athletics, chorale, and theater; loss of student employment; restrictions from participation in clubs, organizations, and activities including (but not limited to) Student Senate, Greek life, intramurals, athletics, and social events. Disciplinary probation might also include the removal from residential facilities and restrictions from entering non-academic buildings. An individual currently on academic or Student Conduct probation may not pledge a Greek organization.
- **Written Reprimand:** The student is given written warning that any further misconduct may result in more severe disciplinary action. The Chief Student Conduct Officer or designee may initiate letters of reprimand.
- **Restitution:** The student is required to make payment to the College or to other persons, groups, or organizations for damages incurred because of a violation of College regulations. Restitution charges are reimbursements to the College persons and should not be confused with fines.
- **Active Sanctions:** Policy violations may result in referral to the Center for Counseling and Well-Being for assessment and follow-up. These assessments can be mental, physical, behavioral, or developmental in nature. Students may also be required to complete other active sanctions, including but not limited to, attending life skills workshops, participating in community service projects, and completing educational and reflective projects.
- **Fines:** Fines will not be issued as initial sanctions except for violations of fire safety and check-in/out procedures. Fines may be issued for failure to complete an active sanction. Fines will range from \$5-\$500 depending on the nature of the violation and/or the severity.

Other sanctions may be imposed instead of, or in addition to, those specified above. Students may be subject to dismissal from College housing for violations that occur in the residence halls or elsewhere. In cases where this sanction is imposed, the student will receive a refund of board charges prorated to the date of removal from College housing. Room charges will not be refunded.

Termination of student employment, restrictions on participation in fraternity/sorority pledging/membership activities, restricted access to College facilities or equipment, and/or loss of College recognition or institutional means of support (for student organizations) are examples of sanctions which may be imposed.

### *Structured Mediation Procedure*

The Student Conduct Officer may refer to structured mediation those cases involving interpersonal conflicts if the misconduct does not warrant suspension or dismissal, and if the conflicting parties agree to voluntary participation in all sessions outlined by the mediator. Educational sanctions, intended to foster individual or community development, may be imposed by the Student Conduct Officer. These sanctions become an addendum to the final agreement.

Non-compliance with the terms of the agreement or addendum will result in immediate referral to the College Student Conduct Board. The charge of non-compliance will be added to the existing charges.

### *Drug or Alcohol Amnesty Consideration*

Any student or student organization who, in good faith and in a timely manner, seeks emergency medical assistance for a person who reasonably appears to be experiencing an overdose from alcohol or drugs may not be held responsible for a violation of prohibited alcohol or drug related conduct only, as defined in this Code, if the student or student organization does all the following:

- Remains with the person who reasonably appears to need emergency medical assistance due to an overdose until such assistance is provided;
- Identifies self, if requested by emergency medical assistance personnel, law-enforcement officers, or College officials;
- Cooperates with and provides any relevant information requested by emergency medical assistance personnel, law enforcement officers, or College officials needed to treat the person reasonably believed to be experiencing an overdose; and
- Completes any additional conditions imposed on the student or student organization by the Student Code Administrator. If the person who reasonably appears to be experiencing an overdose from alcohol or drugs is also a student, they will not be held responsible for a violation of prohibited alcohol or drug related conduct, as defined in this Code, but may be required to complete additional conditions imposed by the Student Code Administrator to receive amnesty. This provision only applies to violations of this Code. As it relates to any criminal prosecution, students should see the West Virginia Alcohol and Drug Overdose Prevention and Clemency Act, W. Va. Code §§ 16-47-1 to -6, which can be found here:

<http://www.legis.state.wv.us/wvcode/Code.cfm?chap=16&art=47#47>

### **Employee Sanctions**

Employees violating College policy and state or federal law will be subject to disciplinary action, up to and including termination of employment. Because of the institution's standards of conduct, disciplinary action can result regardless of whether there is criminal prosecution for such violations in the courts. Specific information concerning employee rights and responsibilities is described in the employee discipline section of this handbook.

As a condition of employment, any individual being prosecuted for a criminal drug violation occurring in the workplace must notify his or her direct supervisor or a college administrator within five (5) days after

the commencement of charges being filed. In accordance with the regulation of the Drug Free Workplace Act of 1988, the College must notify the appropriate government agency within ten (10) days after receiving notice of any employee conviction.

The institution will take personnel action against such employee within thirty (30) days of notice of employee conviction. This action can result in termination or satisfactory participation in an approved drug abuse program arranged through the Center for Counseling and Well-Being or other appropriate agency. Drug education programs and additional resource information will be made available to employees periodically. These programs will be administered through the Human Resources Office and coordinated by the Center for Counseling and Well-Being staff. In addition, any employee can utilize the counseling, consultative or referral services of the Center for Counseling Well-Being.

West Virginia Wesleyan College will make on-going, good faith efforts at maintaining a drug free workplace through policy enforcement and drug prevention program efforts.

#### **BIENNIAL REVIEW**

As required by Drug-Free Schools and Campuses Regulations, West Virginia Wesleyan College conducts a Biennial Review of its drug and alcohol abuse program. This review is conducted in even-numbered calendar years.