

## **Appendix B: Alcohol/Drug/Tobacco Policy**

Southwestern Christian University recognizes its responsibility as an educational and private institution to promote a healthy and productive environment. This responsibility demands the implementation of programs and services facilitating that effort. The university is committed to a program that will prevent the abuse and illegal use of drugs and alcohol by its students and employees. This policy also includes the prevention of the use of tobacco and tobacco-related products, such as vapors, hookahs, and related paraphernalia. The university program includes this policy, which prohibits illegal use of drugs and alcohol in the workplace, on university property, as part of any university-sponsored activities, or outside use/association with outside of the university context while the individual is a student or employee at Southwestern Christian University.

Southwestern Christian University holds a “No Tolerance” stance concerning all illegal drugs and will dismiss students from Southwestern Christian University for the promotion, distribution, sale, association with, or possession (either on or off campus).

**Note: This policy may be adjusted concerning medical marijuana.**

In order to meet these responsibilities, university policy:

1. Requires all students and employees to abide by the terms of this policy as a condition of initial and continued enrollment/employment.
2. Recognizes that the illegal use of drugs and/or alcohol is in direct violation of local, state, and federal laws as well as university policies found in the Staff and Faculty Handbooks and the Student Handbook’s Lifestyle Covenant. University policy strictly prohibits the illegal use, possession, manufacture, dispensing, or distribution of alcohol, drugs, or controlled substances in the workplace, on its campus, or as a part of any university-sponsored activities. Southwestern Christian University prohibits the use of tobacco or tobacco related products on its campus and at any university-sponsored activities. In accordance with both the Faculty and Staff and Student Handbook’s Lifestyle Covenants, this policy is in effect both on and off Southwestern Christian University campus.
3. Considers a violation of this policy to be a major violation, which can result in a referral for criminal prosecution and/or immediate disciplinary action up to and including termination from employment and suspension or expulsion from the university. A criminal conviction is not required for sanctions to be imposed upon an employee or a student for violations of this policy. Southwestern Christian University holds a **no tolerance** policy concerning drugs.

4. Recognizes that violations of applicable local, state, and federal laws may subject a student or employee to a variety of legal sanctions, including but not limited to: fines, incarceration, imprisonment, and/or community service requirements. Convictions become a part of an individual's criminal record and may prohibit certain career and professional opportunities. A current listing of applicable local, state, and federal sanctions can be obtained through the Office of Student Life and Human Resources. (See Appendix A in the Southwestern Christian University Student Handbook)
5. Requires an employee to notify his/her supervisor in writing of a criminal conviction for drug or alcohol related offenses occurring in the workplace no later than five (5) calendar days following the conviction.
6. Provides for biannual distribution (Fall and Spring semesters) of this policy to all staff, faculty, and students.

**Health risks** generally associated with alcohol and drug abuse can result in but are not limited to: a lowered immune system, damage to critical nerve cells, physical dependency, lung damage, heart problems, liver disease, physical and mental depression, increased infection, irreversible memory loss, personality changes, and thought disorders. Health risks generally associated with tobacco are that it can harm nearly every organ in the body, can cause many diseases, can reduce health in general, and is linked to multiple forms of cancer. The university's Human Resources Department and/or Office of Student Life are responsible for informing students and employees about the dangers of drug, tobacco, and alcohol abuse.

The appropriate Vice President of Academic Affairs or executive officer is responsible for notifying federal funding agencies within ten (10) calendar days whenever an employee is convicted of a drug related crime that occurred in the workplace. This policy is based on the Drug Free Workplace Act of 1988 (P.L.100-690, Title V, Subtitle D) and the Drug Free Schools and Communities Act Amendments of 1989 (P.L.101-226).

All states regulate and control the possession of controlled dangerous substances (CDS), though each differs in its exact definition of CDS and the penalties for possession. Oklahoma classifies not only well known drugs like marijuana, heroin, and cocaine as CDS, but also the compounds used to manufacture them.

### **How Oklahoma Classifies CDS**

Oklahoma divides CDS into five "Schedules." Schedule I lists the most dangerous drugs which have a high probability of abuse and addiction and no recognized medical value. Schedules II, III, IV, and V are less dangerous, have a lower probability of abuse, and have an increased number of recognized medical uses.

If you've been arrested for illegal CDS possession, you'll need to consult the Oklahoma Code that lists precisely which drugs fit into each group. Go to the statute ([63 Okl. Stat. Ann. §§ 2-204 to](#)

212) and find the substance you're charged with possessing -- it will be listed under one of the five classes.

### **Penalties for Possessing CDS**

It is illegal in Oklahoma to possess CDS without a valid medical prescription. Penalties vary according to the type of CDS involved in the violation (63 Okl. Stat. Ann. § 2-402(A)(1).).

### **Schedule I or II CDS**

Penalties for a first offense include a fine of up to \$5,000, a minimum of two (up to five) years in prison, or both. Second and subsequent offenses incur a fine of up to \$10,000, at least four (up to 20) years in prison, or both (63 Okl. Stat. Ann. § 2-402(B)(1).).

Marijuana possession, sale, and manufacture are regulated by both state and federal laws. In Oklahoma, marijuana is classified as a Schedule I substance, which means that it has a high potential for abuse (63 Ok. Stat. Ann. § 2-204.). All marijuana offenses in the state of Oklahoma are misdemeanors. Additionally, it is a crime to drive under the influence of marijuana in Oklahoma.

### **Schedule III, IV, or V CDS**

Penalties for a first offense include a fine of up to \$1,000, up to one year in jail, or both. Second and subsequent offenses incur a fine of up to \$5,000, a minimum of two (up to ten) years in prison, or both (63 Okl. Stat. Ann. § 2-402(B)(2).).

For more information on drug possession in Oklahoma, visit:

<http://www.criminaldefenselawyer.com/resources/criminal-defense/drug-charges/oklahoma-drug-possession-laws>.

### **Marijuana Possession**

It is a crime to knowingly or intentionally possess marijuana (including small amounts for personal use) in the State of Oklahoma. In addition to a possible fine, the judge will sentence a defendant to up to a year in jail for a first offense and between two and ten years in prison for a second or subsequent offense (63 Ok. Stat. Ann. § 2-401.).

### **Manufacture and Sales**

Manufacturing or selling marijuana (or possessing marijuana with the intent to do so) in the State of Oklahoma is illegal. Penalties vary according to the amount possessed, manufactured, and/or sold. Penalties may double for sales to a minor and for violations that take place within 2,000 feet of a school, park, or public housing unit (63 Ok. Stat. Ann. § 2-401.). Additional violations and their penalties include the following:

- **Cultivating up to 1,000 plants, or selling up to 25 pounds:** Penalties include a fine of up to \$20,000, between two years and life imprisonment, or both.
- **Cultivating 1,000 or more plants:** Penalties include a fine of up to \$50,000, between 20 years and life imprisonment, or both.
- **Selling between 25 and 1,000 pounds:** Penalties include a fine of between \$25,000 and \$100,000, between four years and life imprisonment, or both.
- **Selling 1,000 pounds or more:** Penalties include a fine of between \$100,000 and \$500,000, between four years and life imprisonment, or both.

### **Drug Paraphernalia**

It is illegal in Oklahoma to manufacture or sell drug paraphernalia (or possess paraphernalia with the intent to do so). Paraphernalia includes items used in growing, harvesting, processing, selling, storing, or using marijuana. A conviction may be punished with up to a year in jail and a fine of up to \$1,000 for a first offense, up to \$5,000 for a second offense, and up to \$10,000 for a third or subsequent offense (63 Ok. Stat. Ann. § 2-101.1.).

For more information about the laws and penalties concerning marijuana possession, visit: <https://www.criminaldefenselawyer.com/crime-penalties/federal/Marijuana-Possession.htm>.