

Alcohol and Drugs

*What every student and employee of the
Maine Community College System should
know about the use of alcohol and illegal drugs.*



**Central Maine
Community College**
Auburn

**Eastern Maine
Community College**
Bangor

**Kennebec Valley
Community College**
Fairfield

**Northern Maine
Community College**
Presque Isle

**Southern Maine
Community College**
South Portland

**Washington County
Community College**
Calais

**York County
Community College**
Wells

To all members of the Maine Community College System:

We are all aware of the problems associated with substance abuse and the personal, social, and economic costs that have been incurred at colleges and worksites throughout the country because of these problems. Although this concern is not new, we in the college community want to do everything we can to ensure that our colleges are safe and drug free.

This pamphlet was developed in compliance with the Federal Drug Free Schools and Community Act and the Drug Free Workplace Act, which require us to establish specific policies regarding substance abuse prevention and to provide certain information on substance abuse to our students and employees. This pamphlet is intended to provide only general information regarding the nature and penalties of Maine law. For specific details about these laws, please refer to the Maine Revised Statutes and the United States Code.

I encourage you to take the time to read and understand the information contained in this pamphlet and to do your part in helping to maintain a safe and drug free environment throughout the Maine Community College System.

Dr. John Fitzsimmons

President

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What are the health risks associated with alcohol and drug abuse?

Alcohol abuse and drug use problems have become a national health concern. Some of the health risks associated with alcohol and drugs are listed below. You should contact the resources in the back of this pamphlet for additional information about health risks.

Alcohol

- Addiction or chemical dependency
- Birth defects and mental retardation in user's children
- Physical problems such as cirrhosis of the liver
- Slowing down of brain function, judgment, alertness, coordination and reflexes
- Attitude and/or behavioral changes, such as uncharacteristic hostility, or increased risk-taking such as driving recklessly
- Alcohol taken with other drugs can intensify the drug's effects, alter the desired effect of the drug, cause nausea, sweating, severe headaches and convulsions
- Memory blackouts
- Uncharacteristic family, school, work, legal problems

Cocaine

- Sudden death, cardiac arrhythmia, convulsions, seizures and suppression of respiration
- Birth defects and mental retardation in user's children
- Diseases of the lung, heart and blood vessels

- Destruction of nasal tissues
- Kidney damage
- Stroke
- Intense anger, restlessness, paranoia, fear
- Hearing and seeing imaginary things
- Malnutrition

LSD

- Death from suicide or accident
- Frightening hallucinations
- For a person who has a history of mental or emotional instability, LSD may trigger more serious problems
- Distortions of reality such as feeling that the unusual and sometimes frightening effects of the drug will somehow last forever
- Tolerance with repeated use means that increased amounts are needed to bring about the same effects
- Effects may recur as "flashbacks" days or weeks later, even without further use of LSD

Marijuana

- Dysfunctions related to thinking, learning and recall
- Possible addiction
- Chronic lung disease and lung cancer
- Elevated blood pressure, coughing, dryness of the mouth and throat, decrease in body temperature, sudden appetite, swollen red eyes
- Impaired ability to drive and do other things that require physical and intellectual capabilities
- Panic reaction, paranoia
- Distortions of time, reality and perception, often impairing short-term memory
- Irritation of lungs, aggravation of asthma, bronchitis, emphysema
- Listlessness, tiredness, inattention, carelessness about personal grooming, withdrawal and apathy

Heroin

- Death from overdose
- Infection, hepatitis or AIDS
- Addiction with severe withdrawal symptoms
- Loss of appetite
- Drowsiness, clouding of mental processes, apathy, slowing of reflexes and physical activity

Steroids

- Testicular atrophy
- Sexual dysfunctions, sterility (reversible), impotence
- Cancer
- Rage and uncontrolled anger
- Liver disease
- Growth problems
- Bone fusions
- Acne
- Psychological problems
- AIDS
- Breast reduction
- Failure of secondary sex characteristics
- Fetal damage

MCCS policy on substance abuse

MCCS policy recognizes that substance abuse is a complex problem that is not easily resolved solely by personal effort and may require professional assistance and treatment. Accordingly, each campus and the System Office have designated an individual to assist employees and students who seek referral for a substance abuse problem. Students, faculty and staff members with substance abuse problems are encouraged to take advantage of available diagnostic, referral, counseling and prevention services. However, employees and students availing themselves of these services will not be granted special privileges and exemptions from standard personnel practices applicable to job performance requirements and from standard academic and student conduct requirements. The MCCS will not excuse acts of misconduct committed by employees and students whose judgment is impaired due to substance abuse.

MCCS policy on alcohol and illegal drugs

Sale, Possession and Use of Alcoholic Beverages

The sale, possession and use of alcohol on campuses of the MCCS or as part of any MCCS activities must comply with the laws of the State of Maine and with local campus regulations and procedures. Violation of such laws, regulations and procedures may result in disciplinary action and, where applicable, criminal proceedings. Persons must assume responsibility for their own behavior while drinking and must understand that being under the influence of alcohol in no way lessens their accountability to the MCCS community.

Illegal Drugs

The possession, use, manufacture or distribution of illegal drugs (heroin, cocaine, marijuana, LSD, steroids, etc.) is prohibited at all times on MCCS property or as part of any MCCS activity. "Illegal drugs" does not mean the use of drugs under a valid prescription. Employees and students known to use, possess, manufacture or distribute illegal drugs are subject to law enforcement actions and MCCS disciplinary actions.

Sanctions for violating MCCS policy

Employees and students who violate MCCS policy will be subject to disciplinary action. The severity of the imposed sanctions will be appropriate to the violation. Violations of MCCS policies concerning illicit drugs and alcohol will result in the imposition of one or more of the following sanctions:

- **Participation in a rehabilitation program**
- **Official censure or reprimand**
- **Probation**
- **Restitution**
- **Suspension**
- **Dismissal or termination**
- **Referral for prosecution**
- **Other actions the college deems appropriate**

How drug convictions can affect financial aid to students

A federal or state drug conviction for any offense involving the possession or sale of illegal drugs can disqualify a student for federal student aid funds if that offense occurred during a period of enrollment for which the student was receiving Title IV aid. For more information, contact the Financial Aid Office at your college.

What does Maine law say about alcohol?

Furnishing Liquor to a Minor or a Visibly Intoxicated Person

Maine law makes it a crime for any person to knowingly give liquor to a minor (under the age of 21) or a visibly intoxicated person or to allow any minor under that person's control or in any place under that person's control to consume liquor. Violation of this law can result in a significant fine and time in jail.

Illegal Sale of Liquor

It is a crime to sell liquor without having a liquor license issued by the Maine Bureau of Alcoholic Beverages. Violation of this law can result in significant fines and time in jail even for a first offense. Subsequent offenses are punished by greater fines and greater time in jail.

Illegal Possession with Intent to Sell

Any person who possesses liquor with the intent to sell without a license is subject to a significant fine and time in jail.

Seizure and Forfeiture of Vehicle

Any vehicle used to transfer liquor intended for illegal sale may be impounded at the time of the violation or seized following the violation.

Operating under the Influence

Maine law prohibits drinking while operating a motor vehicle. Any person who violates this law is subject to a significant fine. Maine motor vehicle law also makes it a crime for any person to operate a motor vehicle in Maine under the influence of alcohol or drugs or with an excessive blood-alcohol level. Penalties for operating under the influence depend on the blood alcohol level and whether you are a first or repeat offender. Significant fines, loss of license and jail time can all be imposed.

Penalties for second and subsequent convictions include greater fines and mandatory jail time. Refusal to be tested can also result in an automatic loss of license for a significant period of time.

Vehicle Seizure or Forfeiture

A person operating under the influence while under suspension for a previous OUI or refusal is subject to vehicle seizure and forfeiture.

Maine Liquor Liability Act

The Maine Liquor Liability Act serves to prevent alcohol related injuries, deaths and other harm among Maine's population. This law makes one liable civilly for the negligent or reckless service of alcohol to a minor or to a person who is visibly intoxicated. Substantial monetary damages may be awarded for the negligent or reckless serving of alcohol, which causes property damage, bodily injury or death. This Act can apply to any person or organization not licensed to serve alcohol.

Special liquor laws relating to minors

Illegal Possession of Liquor

Any minor who is found to be in possession or control of alcohol is subject to a significant fine that increases with each recurring offense.

Teen Drinking Laws

An individual under the age of 21 years shall have his/her license suspended for one year if he/she operates a motor vehicle with any alcohol in his/her blood. Refusal to submit to an alcohol test will result in an automatic suspension of a driver's license. Consumption of just one can of beer, one glass of wine or one ounce of distilled spirits can result in this penalty.

Illegal Transportation

No minor shall transport alcohol in a motor vehicle except in the scope of his/her employment or with the parent's knowledge or consent. The penalty is an automatic driver's license suspension; reinstatement fee will be charged to get a license reinstated; points will be assessed against the offender's license; and a significant fine may also be assessed.

What are Maine drug offenses?

Maine law prohibits the knowing, intentional and unauthorized possession, furnishing and trafficking of scheduled drugs.

Definitions

Scheduled Drugs apply to a wide variety of illegal substances. This includes, for example, cocaine, marijuana, lysergic acid diethylamide (LSD), heroin, and steroids.

Possession is exercising or maintaining control over an item. Possession of drugs can include merely allowing drugs to be kept in your room, car, or locker even though the drugs are owned by someone else.

Furnishing is giving, dispensing, administering or transferring drugs to another person regardless of profit. For example, if a group of students is sitting together on bleachers and Student A (at one end of the bleacher) sends drugs to Student Z (at the other end of the bleacher), everyone who passed the drugs between A and Z and who knows (or should have known) they were passing illegal drugs is legally guilty of "furnishing" that drug. Sharing a line of cocaine with friends (even if the friends do not pay for it) is "furnishing cocaine."

Trafficking is to sell, barter, trade, exchange or furnish an illegal drug. Aggravated trafficking is trafficking committed while within specified distance of an elementary or secondary school, regardless of whether the transaction took place in a private home or whether the school was in session; while on a school bus; or if the act involves a minor or a firearm. Aggravated trafficking is more serious than trafficking and consequently carries longer terms of imprisonment and greater fines.

Penalties

The many specific penalties for possession, furnishing and trafficking in violation of Maine law are available from the Maine Revised Statutes. Sentences for serious violations commonly include substantial fines and significant jail time.

What are federal drug offenses?

The criminal offenses most commonly charged under the Federal Controlled Substances Act are the knowing, intentional and unauthorized manufacture, distribution, or dispensing of any controlled substance or the possession of any controlled substance with the intent to manufacture, distribute or dispense. Federal law also prohibits the knowing, intentional and unauthorized creation, distribution, dispensing, or possession with the intent to distribute or dispense a counterfeit form of such a substance.

Possession without intent to distribute is also forbidden by federal law and carries a penalty of imprisonment. Furthermore, “attempts” and/or conspiracies to distribute or possess with intent to distribute controlled substances are crimes under federal law. Anabolic steroids are controlled substances, and distribution or possession with intent to distribute is subject to a substantial fine and significant jail time.

Federal law, as a general rule, considers anything more than a dosage unit with regard to any particular drug as being sufficient from which to infer intent to distribute. In addition, the greater the quantity possessed by the individual, the more likely it is that an individual possessed such quantity with intent to distribute. Federal law prohibits certain specific drug crimes which carry greater penalties, including distribution of narcotics to juveniles; distribution or manufacturing of narcotics near schools and colleges; employment of juveniles in drug trafficking operations; and distribution of controlled substances to pregnant women.

The penalties for violating federal narcotic statutes vary considerably. The penalties will be harsher based on the type and quantity of drugs involved and the nature of the act. Sentences for serious violations commonly include substantial fines and significant jail time.

Certain violations carry mandatory minimum prison sentences of either five years or ten years. Harsher penalties will be imposed if a firearm is used in the commission of a drug offense. If a drug offense results in death or serious bodily injury to an individual who uses the drug involved, the penalties are also harsher.

Rules that apply to employees and students under the Drug Free Workplace Act

In November of 1988, the United States Congress enacted the Anti-Drug Abuse Act which contains a section called the “Drug Free Workplace Act of 1988.” The law requires employers who receive federal funds to notify employees that drug abuse is prohibited in the workplace; establish a drug free awareness program; require each employee to notify the college of any criminal conviction for violations occurring in the workplace; and impose sanctions or remedial actions for convicted employees.

In addition, a court may suspend or terminate an individual’s eligibility for federal benefits, including student financial assistance, if that individual is convicted of certain drug offenses.

The Act also requires all MCCS employees to notify their supervisor if the employee is convicted of any workplace-related criminal drug violation. The employee must notify the supervisor within five calendar days after the conviction. Failure to report a conviction may be grounds for dismissal. Grantees, whether colleges or individuals, must report in writing to the contracting or granting agency within 10 calendar days of receiving notice of the conviction.

Where can I go for help?

Each college of the Maine Community College System has designated individuals to help students and employees deal with substance abuse problems. Students should contact their Dean of Students and employees should contact their Human Resources Officer for assistance. In addition to the designated

individuals, you may discuss problems with residence hall staff, counselors or your supervisor. Those individuals can help you get assistance from a trained professional.

In addition to campus resources you may find local social service agencies that can help. "Community Service Numbers" are listed in the front of the telephone directory. Also see listings in the Yellow Pages for Alcohol Abuse and Addiction Information and Referral, Alcohol Abuse and Addiction Treatment, Drug Abuse and Addiction Information and Referral Service, and Drug Abuse and Addiction Intervention and Treatment.

The following resources may also be helpful:

Maine Statewide Crisis Hotline

1-888-568-1112

Maine Office of Substance Abuse

Information about substance abuse and listings of treatment agencies and support group meetings in Maine.

<http://maine.gov/dhhs/osa/index.htm>

1-800-499-0027 (Maine only)

1-800-COCAINE (262-2463)

Information, crisis intervention, and referrals to local rehab centers for all types of drug dependency.

Maine Bureau of Drug Enforcement Drug Tip Hotline

You may confidentially and anonymously report information about the illegal trafficking of drugs

1-800-452-6457

The Maine Community College System is an equal opportunity/affirmative action institution and employer. For more information, please call the MCCS Human Resources Director at (207) 629-4000. The complete Notice of Non-Discrimination is available at <http://www.mccs.me.edu/nondiscrimination.html>.