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1. **INTRODUCTION**

In accordance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989, Westminster College (College) has adopted this Drug and Alcohol Abuse Prevention Program (DAAPP or program) for students and employees. This program describes:

- Standards of conduct that clearly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.
- Legal sanctions under federal, state, and local law for the unlawful use, possession, or distribution of illicit drugs and alcohol.
- Health risks associated with the use of illicit drugs and the abuse of alcohol.
- Drug and alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students.
- Disciplinary sanctions and statement on referral for prosecution that the College will impose on students and employees for violations of the standards of conduct or law.
- How the College will provide notice to students and employees of the program.
- Oversight responsibility for the program.

2. **STANDARDS OF CONDUCT**

Westminster (College) is committed to providing a safe and healthy workplace and a safe learning environment with a workforce free of alcohol or drugs that may impair judgment and job performance, and result in injury to self, other employees, students, or visitors.

- Employees of the College are required to report to work in appropriate mental and physical condition. While on College property, and while conducting college-related activities off College premises or as part of College activities, the College prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a manner that does not endanger other individuals in the workplace. In accordance with the Drug-Free Workplace Act of 1988, all employees must notify their immediate supervisor and the executive director of human resources of their conviction for a criminal drug statute violation occurring in the workplace, no later than five (5) days after such conviction.

- While on College property, and while conducting college-related activities off College premises or as part of College activities, students attending the College are prohibited from the unlawful possession, use, or distribution of illicit drugs or alcohol.
3. LEGAL SANCTIONS UNDER FEDERAL, STATE, AND LOCAL LAW FOR THE UNLAWFUL USE OF ILLICIT DRUGS OR ALCOHOL

A. 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 intent to distribute or dispense a “counterfeit substance.”

Federal law also forbids simple possession without necessarily an intent to distribute, 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.

Specific drug crimes carry greater penalties, including:

- the distribution of narcotics to persons under 21,
- the distribution or manufacturing of narcotics near schools and colleges,
- the employment of juveniles under the age of 18 in drug trafficking operations, and
- the distribution of controlled substances to pregnant women.

The penalties for violating federal narcotic statutes vary considerably. The penalties may be harsher based on two principal factors:

- the type of drug involved (heroin, cocaine, marijuana, LSD, etc.), and
- the quantity of the drug involved.

With the exception of simple possession charges, which result in up to one-year imprisonment, maximum penalties for narcotic violations range from 20 years to life in prison. Certain violations carry mandatory minimum prison sentences of either five years or ten years. Courts may impose harsher penalties 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.

Anabolic steroids are controlled substances. Distribution or possession with intent to distribute carries a sentence of up to five years and a $250,000 fine.

Questions sometimes arise as to what amount of narcotics found in the possession of a person is considered to be for personal use, as opposed to the more serious offense of possession with intent to distribute. Federal law, as a rule, considers anything more than a dosage unit as indicating an intent to distribute. In other words, the greater quantity possessed by the individual, the more likely it is that an individual possessed such quantity with an intent to distribute.
B. UTAH DRUG LAWS

In Utah, it is unlawful to possess, produce, manufacture, distribute, and/or dispense a controlled substance such as cocaine, marijuana, LSD, heroin, steroids, and prescribed medications. Violation of this law may result in charges running from a Class A misdemeanor to a second-degree felony, depending on the type of controlled substance and the circumstances of the crime. Utah Code Ann. § 58-37-4.

It is unlawful in Utah to possess or use a controlled substance except pursuant to a valid prescription. Violation of this law may result in charges running from Class B misdemeanor to a second-degree felony, depending upon the quantity of drugs within the individual’s possession. Utah Code Ann. § 58-37-8(2).

It is a Class B misdemeanor in Utah to use or possess drug paraphernalia. Utah Code Ann. § 58-37a-5.

Penalties for drug violations in Utah may include incarceration for varying periods of time, and fines ranging from $750 to $10,000 depending upon the nature and circumstance of the offense. Utah law provides for enhanced penalties and charges if the drug violations occur on a college campus.

C. UTAH ALCOHOL LAWS

Driving Under the Influence: It is illegal to drive or be in physical control of a vehicle, even when parked, while under the influence of alcohol or other drugs. Utah’s Implied Consent Law requires submission to a blood alcohol content (BAC) test. Refusal will result in revocation of your license for one year. You are in violation if your BAC is .08 or greater, or the officer judges you to be impaired. It is a Class B misdemeanor for the first and second conviction of driving under the influence of alcohol or drugs, with sentencing of not less than 48 hours in jail and a fine of not less than $700. In addition, the court hearing the case shall suspend the operator's driving privileges.

Minors in Possession: It is illegal for minors (under 21) to buy, possess (even hold), or drink alcohol. Penalties: up to six months imprisonment and/or a $1,000 fine; Class B misdemeanor. When a minor who is at least 18 years old, but younger than 21 years old, is found in violation of this law, the court hearing the case shall suspend the minor's driving privileges.

Not-a-Drop Law: It is illegal for anyone under 21 years of age to operate a vehicle while there is any measurable alcohol (less than .08) in his or her body. Penalties: A first offense will result in loss of license for 90 days. A second offense within three years of a prior denial or suspension will result in suspension for one year.
Open Container: It is illegal to drink any alcoholic beverage while operating, or as a passenger in, a vehicle (parked or moving), or have an open container in a vehicle. Once a container is open, one can be arrested for possession. Violating an open container law is a Class B misdemeanor with a maximum penalty of six months imprisonment and/or $1,000 fine.

Minors: It is illegal to sell or supply alcohol to a minor under the age of 21. Penalties: up to one-year imprisonment and/or up to $2,500 fine; Class A misdemeanor.

Intoxication: It is illegal to drink in a public building, park, or stadium, or to be so intoxicated that you disturb others, or injure yourself or others. Maximum penalty is 90 days imprisonment and/or $750 fine; Class C misdemeanor. It is also illegal to sell or supply to intoxicated persons or to purchase alcohol if intoxicated. Maximum penalty is six months imprisonment and/or $1,000 fine; Class B misdemeanor.

Unlawful Transfer or Use of Identification Card: It is illegal to give or use another’s identification card to (1) procure alcoholic beverages, (2) gain admittance where alcohol is sold or consumed, and (3) obtain employment that requires employees to handle alcoholic products. Maximum penalty: six months imprisonment and/or $1,000 fine; Class B misdemeanor.

Dram Shop Liability: Liability may result to any person who provides alcoholic beverages illegally to underage persons or who provides alcohol to someone who is apparently intoxicated or, given the circumstances, may be under the influence of alcohol or other drugs. If the intoxicated person causes injury to persons or property while intoxicated, the person who furnished the alcohol is liable for injuries, property, or support to any third person or their spouse, child, or parent.

D. LOCAL LAWS

Salt Lake City and Salt Lake County adhere to the standards set forth by Utah state law and these are the minimum rules for the entire state. The College follows local, state, and federal compliance standards.

4. HEALTH RISKS ASSOCIATED WITH ALCOHOL AND DRUG ABUSE

Alcohol abuse and drug use problems have become a national health concern. Alcohol is a chemical. So are drugs. Any chemical is potentially harmful to someone. Some of the health risks associated with alcohol and drugs are listed below. You should contact the resources listed in the following section for additional information about health risks.
Alcohol
- 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 headache, and convulsions
- Addiction or chemical dependency
- Memory blackouts
- Uncharacteristic family, school, work, or legal problems
- Physical problems such as cirrhosis of the liver
- Birth defects and mental retardation in user’s children

Cocaine
- Destroy nasal tissues
- Kidney damage
- Stroke
- Diseases of the lung, heart, and blood vessels
- Cardiac arrhythmia, convulsions, seizures, suppression of respiration, sudden death
- Intense anger, restlessness, paranoia, fear
- Hear and see imaginary things
- Malnutrition

LSD
- Experience frightening hallucinations
- Trigger more serious problems for a person who has a history of mental or emotional instability
- 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 (“flashbacks”) days or weeks later, even without further use of LSD
- Death may result from suicide, accident

Marijuana
- Elevated blood pressure, coughing, dryness of the mouth and throat, decrease in body temperature, sudden appetite
- Swollen red eyes
- Panic reaction, paranoia
- Distortions of time, reality, and perception, often-impairing short-term memory
- Possible addiction
- Dysfunctions related to thinking, learning, and recall

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- Impaired ability to drive and do other things that require physical and intellectual capabilities
- Irritate lungs, aggravate asthma, bronchitis, emphysema
- Listlessness, tiredness, inattention, carelessness about personal grooming, withdrawal, and apathy
- Chronic lung disease and lung cancer

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

Steroids
- Liver disease
- Cancer
- Growth problems
- Testicular atrophy
- Bone fusions
- Acne
- Psychological problems
- Rage and uncontrolled anger
- AIDS
- Breast reduction
- Failure of secondary sex characteristics
- Sexual dysfunction, sterility, impotence

5. DRUG AND ALCOHOL EDUCATION, COUNSELING, AND OTHER SUPPORT SERVICES

A. EDUCATION

Westminster implements the Under the Influence Course for our students. All Westminster students are encouraged to complete this course, and those that violate our alcohol policy are required to complete this course. Marijuana 101 is a course that is required for all students who violate our drug policy. Both courses are also available to College employees upon request.

Westminster also encourages students to complete the Prime for Life® course through the State of Utah. Prime for Life® is an evidence-based, risk reduction drug and alcohol
education program; it is not substance abuse treatment. Prime for Life® simply presents straightforward, research-based information in a relaxed environment. It is a full-day course and can be required for students that violated the student code of conduct. It is offered in multiple locations in Salt Lake City, including on our own campus. This course is also available to College employees upon request.

B. COUNSELING

Westminster encourages students to utilize our counseling center. Counselors are dedicated to provide confidential resources to assist students who are directly or indirectly affected by alcohol and other drug abuse. They can provide education, referrals, assessment, and support to all campus community members.

The student counseling center gives support to friends and family who are affected by someone else’s alcohol/drug use; and supports other Westminster offices, faculty, and staff with issues relating to alcohol/drug use. Community resources, including local treatment and recovery programs options are also available. More information about alcohol and other drug abuse prevention and education can obtained from the counselors in the Shaw Center at 801-832-2465.

C. ON CAMPUS SUPPORT SERVICES

Alcohol Free Activities: All programs on and off campus that are sponsored by ASW Events, the Associated Students of Westminster, the Residence Hall Association, the Office of Residence Life Office, and FWRD/Outdoor Recreation are alcohol free.

Alcohol Awareness Tables: Under the direction of the dean of students’ office, alcohol education tables are staffed either by trained student leaders or counselors from the student counseling center, often during the days leading up to a college dance.

National Alcohol Screening Day: Every spring semester, the student counseling center advertises and manages the National Alcohol Screening Day for our students, faculty, and staff.

Orientation Discussion/Programs: Our counselors in the student counseling center present to first-year students during orientation.

Binge Drinking Education: Under the direction of the dean of students’ office, trained student leaders, a paid educational trainer/consultant, or counselors from the student counseling center present this information to first-year students during orientation.
**Conduct Process:** At every conduct meeting, a professional staff member has an educational discussion regarding alcohol abuse with students who allegedly violated the student code of conduct regarding alcohol.

**Letter to Parents:** The student counseling center distributes a letter to families of new students in June before arriving to campus, encouraging families to discuss alcohol/drugs with their student in advance of attending Westminster. The letter provides talking points and suggests they contact the student counseling center or the dean of students’ office if they have questions or would like more advice.

**Alcoholics Anonymous:** Westminster holds an open meeting each Thursday. The time and location are announced at the start of each semester via campus wide advertisements.

### D. COMMUNITY SUPPORT SERVICES

<table>
<thead>
<tr>
<th>Community Partner</th>
<th>Address</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>University of Utah Neuropsychiatric Institute</td>
<td>501 Chipeta Way, Salt Lake City, UT 84108</td>
<td>801-583-2500</td>
</tr>
<tr>
<td>Salt Lake Behavioral Health</td>
<td>3802 S. 700 E., Salt Lake City, UT 84106</td>
<td>801-264-6000</td>
</tr>
<tr>
<td>Valley Behavioral Health – Adult Services</td>
<td>1020 Main St Suite 100, Salt Lake City, UT 84101</td>
<td>801-70-6550</td>
</tr>
<tr>
<td>Highland Springs Specialty Clinic</td>
<td>4460 S Highland Drive, Suite 100, Salt Lake City, UT 84124</td>
<td>801-273-6335</td>
</tr>
</tbody>
</table>

### E. EMPLOYEE RESOURCES

Westminster offers a number of services for both faculty and staff. This information is located in the staff and faculty handbooks. For information on any of these resources, please contact the human resources office.

- The College’s health care provider, Cigna, offers full-time employees a range of free services through the employee assistance program. Available services include face-to-visits with a network provider for behavioral issues, telephonic support for work/life concerns, and crisis support.

- Full-time faculty and staff may qualify for paid leave under the Family and Medical Leave Act.
• Full-time employees can request accommodation for a disability that limits one or more major life activity. The College will reasonably accommodate qualified individuals with a disability, unless doing so causes a direct threat in the workplace to these individuals or others, or if the accommodation creates an undue hardship to the College.

6. DISCIPLINARY SANCTIONS

Employees and students who violate the College’s policy will be subject to disciplinary action by the College up to and including immediate termination of employment, expulsion from the College, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences. The severity of the imposed sanctions will be appropriate to the violation. Possible sanctions include suspension, probation, dismissal, restitution, official censure or reprimand, mandatory participation in a rehabilitation program, unpaid suspension from employment, loss of the privilege of operating a college vehicle, and/or termination of employment and referral for prosecution, and other actions the College deems appropriate.

7. NOTIFICATION OF THE DRUG AND ALCOHOL ABUSE PREVENTION PROGRAM

• The director of campus security is responsible to incorporate the DAAPP into the Annual Security Report (ASR) and distribute the ASR annually.
• The dean of students includes the DAAPP in emails sent to all students and employees at the start of the fall, spring, and summer semesters, on the first day after the Add/Drop Deadline (approximately 10 days after the start of classes).
• The dean of students includes the DAAPP as a section of the student handbook.
• The executive director of human resources is responsible to email the DAAPP to all new employees as part of the new hire process.
• The policy administrator is responsible to post the DAAPP on the College’s main policy page.

8. OVERSIGHT RESPONSIBILITY

The dean of students has oversight responsibility for administration of the DAAPP including updates, coordination of information required in the DAAPP, coordination of the annual notification to employees and students, and the biennial review. The dean of students coordinates with the director of campus security, the executive director of human resources, and other administrators as necessary.