



**DRUG FREE SCHOOLS  
AND COMMUNITIES ACT NOTICE**

SEPTEMBER 2022

In accordance with our mission and values, and in compliance with the Drug Free Schools and Campuses Act of 1989, The Community College of Vermont has developed a program of resources and policies to set and support the expectations, rights, and responsibilities of its students, faculty, and staff.

## HEALTH RISKS

CCV is committed to supporting the health and safety of our communities. The use of illicit drugs and alcohol carries health risks and hazards, including, but not limited to:

**Alcohol and Other Depressants (barbiturates, sedatives, and tranquilizers)** - Addiction, accidents because of impaired ability and judgment, alcohol overdose, overdose when used with other depressants, causes damage to a developing fetus, heart, and liver damage.

**Marijuana** - Impairs short-term memory, thinking, and physical coordination. Can also cause panic reaction and increase the risk of lung cancer and emphysema. Can interfere with judgment, attention span, concentration, and overall intellectual performance. Impairs driving ability. May cause psychological dependence and compromise the immune system.

**Cocaine** - Addiction, cardiovascular system damage including heart attack, brain damage, seizures, lung damage, severe depression, paranoia, psychosis. Similar risks are associated with other stimulants, such as speed and uppers.

**Nicotine** - Tobacco smoke contains thousands of chemical compounds, many of which are known to cause cancer. Nicotine, which is a central nervous system stimulant, produces an increase in heart and respiration rates, blood pressure, adrenaline production and metabolism. People can rapidly become physically and psychologically dependent on tobacco. Nicotine compromises the immune system.

**Inhalants** - Inhalants are a diverse group of chemicals that easily evaporate and can cause intoxication when their vapors are inhaled. Most inhalants are central nervous system depressants. Use of these drugs slow down many body functions. High doses can cause severe breathing problems.

**Prescription Drug Abuse** - Adverse reactions, dependency, withdrawal, and overdose.

## POLICIES AND SANCTIONS

The policies identified below describe the College's prohibition of the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities. The complete and most current versions of policies can always be found online at the CCV website: [www.ccv.edu/policy](http://www.ccv.edu/policy).

**Substance Use and Abuse Policy**

[https://docs.ccv.edu/CCVPolicyFiles/Substance\\_Use\\_and\\_Abuse\\_CCV\\_Policy.pdf](https://docs.ccv.edu/CCVPolicyFiles/Substance_Use_and_Abuse_CCV_Policy.pdf)

**VSCS Policy 314: Tobacco Use Reduction and Prevention Policy**

<https://www.vsc.edu/wp-content/uploads/2017/02/Policy-314-Tobacco-Use-Reduction-and-Prevention.pdf>

**Student Code of Conduct**

[https://docs.ccv.edu/CCVPolicyFiles/Student\\_Code%20of\\_Conduct\\_and\\_Procedures\\_CCV\\_Policy.pdf](https://docs.ccv.edu/CCVPolicyFiles/Student_Code%20of_Conduct_and_Procedures_CCV_Policy.pdf)

**Crime Awareness and College Security Policy**

[https://docs.ccv.edu/CCVPolicyFiles/Crime\\_Awareness\\_and\\_Campus\\_Security\\_Policy.pdf](https://docs.ccv.edu/CCVPolicyFiles/Crime_Awareness_and_Campus_Security_Policy.pdf)

Alcohol may not be served or consumed at CCV academic centers. Anyone in violation of the College's alcohol policy will be subject to an investigation under the "Responding to Imminent and/or Serious Incidents" provisions of the Student Code of Conduct Policy. The College may notify the appropriate authorities if anyone under 21 years of age is found to be procuring, possessing, or consuming alcohol illegally under the provisions of Title 2, Vermont State Statutes Annotated, Chapter 21.

The possession, use, or distribution of illicit drugs and prescription drug misuse are prohibited at the College or college-related events. The possession, use, sale, manufacture, and distribution of controlled/illicit drugs substances is illegal under local, state and/or federal laws and strictly prohibited by College policy. Cannabis is a Schedule 1 Controlled Substance under the Controlled Substances Act and is strictly prohibited under federal law. Both the furnishing of cannabis to and possession of cannabis by parties under 21 years of age is also illegal under Vermont state law.

Violations of the College's drug policy or of State or Federal law will likely result in disciplinary action and/or criminal charges. Any student found to be in possession of any drug declared illegal under the provisions of Title 18, Vermont State Statutes Annotated, Chapter 84, or in possession of any associated paraphernalia may be subject to investigation under the CCV Student Code of Conduct Policy and procedures.

The Anti-Drug Abuse Act of 1988 requires that employees convicted of illicit drug use in the workplace report such convictions to their employer within five (5) days; the college must then report such convictions to the appropriate federal agency within ten days.

Under federal regulations, a student convicted of a drug related felony or misdemeanor that took place while the student was receiving Federal Student Aid, will become ineligible to receive further aid for a specified period of time upon conviction. Federal Student Aid includes

grants, loans, and work assistance otherwise provided to eligible college students under Title IV of the Higher Education Act.

Tobacco use is prohibited on all VSC property, both indoors and outdoors, as well as in vehicles owned by the VSC or its member institutions. “Tobacco” is defined as any manufactured product containing tobacco or nicotine, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, shisha, pipes, water pipes (hookah), dissolvable tobacco products, electronic cigarettes, other electronic or battery-powered vaping devices, and all forms of smokeless tobacco. Additionally, the possession and purchase of tobacco products, tobacco substitutes, and tobacco paraphernalia by persons under 21 years of age is strictly prohibited by Vermont state law.

## FEDERAL AND STATE LAWS

All students, faculty, staff, and visitors are subject to local, state, and federal laws, as well as Community College of Vermont drug and alcohol policy rules and regulations, while on CCV-owned or leased properties or while involved with off-campus CCV activities.

Federal, state, and local laws pertaining to the illegal manufacture, possession, distribution and use of drugs and alcohol are summarized below.

*This section is intended to be a summary of certain drug and alcohol laws only. Such laws may change from time to time; as such, you should access the statutes directly for the most up to date information.*

### A. Federal Law

#### Penalties for Simple Possession

First Offense	May be sentenced for up to 1 yr. in prison; shall be fined \$1,000, or both.
Second Offense	Prison sentence between 15 days and 2 yrs. and a minimum fine of \$2,500.
Additional Offenses	Prison sentence between 90 days and 3 yrs. and a minimum fine of \$5,000.
Convictions for Possession of Flunitrazepam	Prison sentence of not more than 3 yrs. and fines as provided generally in the statute for first or additional offenses, or both.
Ephedrine base, pseudoephedrine base, or phenylpropanolamine base	Unlawful purchase of more than 9 grams in a 30 day period. (Penalties for first and subsequent offenses as shown in this chart).

## 21 U.S.C §844

### Criminal Forfeitures (21 U.S.C. § 853)

Any person convicted of a federal drug crime punishable by imprisonment for more than 1 year shall forfeit to the United States, irrespective of any provision of State law—

(1) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation;

(2) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation; and

(3) in the case of a person convicted of engaging in a continuing criminal enterprise in violation of section 848 of this title, the person shall forfeit, in addition to any property described in paragraph (1) or (2), any of his interest in, claims against, and property or contractual rights affording a source of control over, the continuing criminal enterprise.

### Denial of Federal Benefits, Including Student Loans, Grants, Contracts, and Commercial and Professional Licenses (21 U.S.C. §862)

Convictions for federal or state offenses consisting of the distribution of controlled substances: Ineligible for any and all federal benefits for up to 5 years after a first conviction, up to 10 years after a second conviction, and permanent ineligibility for all federal benefits after a third or subsequent conviction.

Convictions for federal or state offenses related to possession of controlled substances: Ineligible for any and all federal benefits for up to 1 year, and/or drug treatment program and/or community service (first conviction); up to 5 years (second or subsequent conviction(s)), and or drug treatment program and/or community service.

### **Federal Trafficking Penalties**

Any person convicted of distributing, possessing with intent to distribute, or manufacturing a controlled substance in or on, or within one thousand feet of, the real property comprising a private college is subject to twice the maximum punishment (including imprisonment and fines) and at least twice any term of supervised release as the standard penalties for the same offense, with a mandatory term of imprisonment of not less than one year. These mandatory minimum sentencing provisions shall not apply to offenses involving 5 grams or less of marijuana. There are additional penalties for two or more offenses.

## **B. Vermont Law**

### **Alcohol**

#### **Minors Misrepresenting age, Procuring, Possessing, or Consuming Liquors (7. V.S.A. § 656 and 7 V.S.A. § 657a)**

It is illegal for a person under the age of 21 to procure, possess, or consume alcohol.

<b>First Offense</b>	<b>Second Offense</b>	<b>Third/Subsequent Offense</b>
Civil penalty of \$300 and a 30-day suspension of the person's driver's license (unless the person successfully completes a Court Diversion Program)	Civil penalty of not more than \$600 and a 90-day suspension of the person's driver's license ((unless the person successfully completes a Court Diversion Program)	Civil penalty of not more than \$600 and a 90-day suspension of the person's driver's license ((unless the person successfully completes a Court Diversion Program)

**Penalties for Person Under 16 Years of Age Misrepresenting Age or Procuring or Possessing Alcoholic Beverages: 7 V.S.A. § 657a**

**Sale or Furnishing Alcohol to Minors or Enabling the Consumption of Alcohol by Minors: (7 V.S.A. § 658)**

It is illegal to sell or furnish alcohol to, or knowingly enable the consumption of alcohol by, a person under the age of 21. Fines range from \$500-\$2,000 or a prison term of up to 2 years, or both. Additional penalties will be imposed if the minor gets in an automobile accident that causes death or serious bodily injury to him/herself or others (prison term of up to 5 years or a fine of up to \$10,000, or both). "Enable the consumption of" alcohol means creating a direct and immediate opportunity for a person to consume alcohol.

**Limited Immunity from Liability for Reporting a Drug or Alcohol Overdose: (18 V.S.A. § 4254)**

Vermont law provides limited immunity from citation or arrest of prosecution for a person who, in good faith and in a timely manner, seeks medical assistance for someone who is experiencing a drug or alcohol overdose or for themselves if they are experiencing a drug or alcohol overdose.

**Driving Under the Influence of Alcohol: (23 V.S.A. § 1201)**

A person shall not operate, attempt to operate, or be in actual physical control of any vehicle on a highway:

- (1) when the person's alcohol concentration is 0.08 or more, or 0.02 or more if the person is operating a school bus; or
- (2) when the person is under the influence of intoxicating liquor; or
- (3) when the person is under the influence of any other drug or under the combined influence of alcohol and any other drug; or
- (4) when the person's alcohol concentration is 0.04 or more if the person is operating a commercial motor vehicle.

"Under the influence of a drug" means that a person's ability to operate a motor vehicle safely is diminished or impaired in the slightest degree.

See the full text of the statute for additional laws relating to a law enforcement officer's reasonable request under the circumstances for an evidentiary test, additional penalties and restrictions for subsequent offenses, affirmative defenses and other related topics.

See also 23 V.S.A. § 1202 (Consent to Taking of Tests to Determine Blood Alcohol Content)

For penalties depending on the circumstances, see 23 V.S.A. §§ 1205, 1206, 1208, 1209a, 1210

Other penalties and conditions include alcohol screening, alcohol and driving education program, additional therapy (depending on the circumstances); additional penalties apply for refusal consent to blood alcohol testing.

### **Illegal Drugs**

**See the following for updated penalty details:**

- 18 V.S.A. §§4230 a, 4230b, 4230c, and 4230d (under 16).
- 18 V. S. A. §4231
- 18 V.S.A. §4232
- 18 V.S.A. §4233
- 18 V. S.A. §4234
- 18 V. S. A. §4234a
- Subsections b and c. 18 V. S.A. §4234b
- 18 V.S. A. §4235
- 18 V.S.A. §4235a
- 18 V.S.A. § 4228
- 18 V.S.A. § 4236
- 18 V.S.A. § 4237
- 18 V.S.A. § 4250
- 18 V.S.A. § 4252
- 18 V.S.A. § 4253
- 18 V.S.A. § 4238

See also the full text of Vermont's [Possession and Control of Regulated Drugs](#) statute.

### **EDUCATION, PREVENTION, AND REFERRAL**

CCV offers a series of resources to educate our community regarding the dangers and harms of alcohol, tobacco, and illicit substance use and abuse, as well as a system for referrals to community resources.

Resources for students can be found on [CCV's General Resources for Students webpage](#), including

[United Way Working Bridges Resource Coordinator](#) - First contacts for all resources outside of CCV.

[Alcohol eCHECKUP TO GO](#) - A free, online, confidential program to help students assess their alcohol use and other health factors.

[TalkCampus](#) - A global, online, peer-to-peer mental health support network for college students.

Division of Alcohol and Drug Abuse Programs (ADAP) - VT Helplink – Call 802-565-LINK or visit [www.vthelplink.org](http://www.vthelplink.org).

CCV also provides ongoing access to [CampusWell](#), an online wellness magazine which provides extensive information on health and wellness across several domains, including substance use and abuse. Sample articles addressing substance use and wellness include

[Worried about your drinking? How to tell if you might have a problem](#)

[What happens when you mix alcohol with common medications?](#)

[What is alcohol myopia? And what does it mean for sexual consent?](#)

[Ask the doc: Can drinking alcohol impair my ability to learn?](#)

[When is marijuana use a problem? And why that's hard to answer](#)

[Opioid epidemic: What it looks like, what it means, & what to do](#)

[5 ways vaping can mess with your teeth and gums](#)

[Sober support: What works for students in recovery?](#)

### **CCV's College Intervention Team (CIT)**

CIT is a team dedicated to assisting students, faculty, and staff who may be in distress or experiencing difficult life circumstances. The CIT also provides consultation and intervention when students exhibit aggressive, concerning, or disruptive behaviors. The primary focus of the team is to take a proactive approach to identifying students who are struggling and provide early intervention, resources, and community referrals.

### **CCV's Mental Health and Wellness Scope of Care**

Recognizing that many factors play into academic success, CCV's goal is to support our students' persistence as they encounter challenges that are both academic and personal in nature. For academic/career supports, students may access tutoring, study skills, and career



consultation through the Learning and Career Centers and online. Coordinators of student advising provide academic advising, while financial aid counselors assist with aid resources and personal budgeting tools. For impediments outside of academics, such as childcare, transportation, personal health and wellness issues, CCV works with the United Way’s 211 Resource Coordinator to provide referrals to local agencies and resources that can help. Sometimes academic success is hindered by sexual misconduct in the form of dating or domestic violence, stalking, or sexual assault. CCV provides trained Title IX contacts to determine if there are accommodations the College can make to keep victims of such abuse safely enrolled while they pursue redress through law enforcement or social service agencies. Veterans who are attending CCV and find their progress hindered by outside factors such as housing, transportation, or health and wellbeing issues can access assistance through a Veteran Student Resource Advisor on staff. For students who face serious mental health concerns and appear at risk of harming self or others, the College Intervention Team acts to assess the level of risk and respond in supportive ways to safeguard the student at risk as well as the larger CCV community. Referrals for CIT help can come to us from faculty, staff, or students.

Any person with a concern about a member of the CCV community is encouraged to file a [Health and Wellbeing Report](#) on CCV’s [Report a Concern webpage](#).

## BIENNIAL REVIEW

In accordance with the Higher Education Act of 1965 and the Drug-Free Schools and Communities Act, the College conducts a biennial review of its alcohol and other drug comprehensive prevention program to determine its effectiveness and implement changes to its alcohol and other drug prevention program and policies, if they are needed; and to ensure that its disciplinary sanctions are consistently enforced.

### Violations of the Substance Use and Abuse Policy

Reports, findings, sanctions, 2018 - 2022

Year	Reports	Findings	Sanctions
21-22	1	No finding - 1	
20-21	0		
19-20	1	No finding - 1	
18-19	5	No finding – 2 Not responsible – 1 Responsible – 2	Educational Sanctions - 2 Written Reprimands - 2 Warning of suspension - 1

For more information about the Biennial Review, contact the Dean of Students’ office at [ccvdeanofstudents@ccv.edu](mailto:ccvdeanofstudents@ccv.edu).