

Simmons Drug And Alcohol Policy

Simmons University Standards of Conduct As They Pertain To The Drug-Free and Communities Act Amendments of 1989 and The Drug-Free Workplace Act of 1988

As an academic community, Simmons University attempts to provide a learning environment that enhances a student's intellectual, personal, and social development, preserves the rights of individuals and organized groups, and encourages individuality while affirming a commitment to the community dimensions of University life. All students, faculty, and staff are expected to conduct themselves in a manner compatible with the University's missions as an educational community. We also recognize that Simmons exists in a larger society and, therefore, we respect and uphold local, state, and national laws.

Drug abuse has the potential to cause dangers in the workplace by increasing the risk of workplace accidents, impairing the health and well-being of the user and diminishing productivity. Accordingly, it is the policy of Simmons University to maintain a drug-free workplace.

Simmons University prohibits, at a minimum, the unlawful possession, use, distribution, dispensation, or manufacture of illicit drugs and alcohol by students and employees anywhere on Simmons' premises or as part of its activities. For purposes of this policy, a controlled substance is any illegal or prescription drug that, if abused, may lead to physical or psychological dependence. Working while under the influence of a controlled substance is prohibited, unless use of the controlled substance is consistent with a physician's prescription and neither substantially impairs the employee's ability to work satisfactorily nor poses a risk to workplace safety. Students and employees should understand that the University, through its various disciplinary procedures, will act affirmatively in enforcing this policy.

The standard of conduct for all students is the Honor Code. Any infraction of the policy stated above is a violation of that Code and will be adjudicated in a manner consistent with the procedure outlined in publications appropriate to the student's status at the University. All students, by their enrollment at the University, are expected to read, understand, and uphold the standards of conduct outlined in these publications.

It is the policy of Simmons University to maintain a drug-free workplace. The supervisor, the appropriate senior officer, and/or the Director of Human Resources will determine disciplinary procedures related to employees of the University who are in violation of this policy. As a condition of employment, staff must abide by the policy delineated above. Furthermore, employees must notify the University in writing within five days if they are convicted of a violation of a federal or state criminal drug statute for an offense occurring on the premises of the University or any worksite or location at which they are performing duties for the University, or at any time when they are representing the University.

Violations of this policy may result in sanctions up to and including referral for treatment, exclusion from the University, termination of employment, and referral for prosecution. The

Board of Trustees retains ultimate authority over the granting of degrees, the disciplining of students, and the conditions of employment.

In the enforcement of these standards of conduct, the University disclaims any intention to assume a duty to police the personal lives of its students or employees on or off campus, to protect them from their own abuse of drugs or alcohol, or to protect third persons from the conduct of students or employees.

Questions regarding this policy or program should be addressed to **Human Resources**.

Summary of Legal Sanctions Covering Alcohol and Drug Abuse

Local, state and federal laws make illegal use of drugs and alcohol serious crimes. Conviction can lead to imprisonment, fines, and assigned community service. Courts do not lift prison sentences in order for convicted persons to attend University or continue their jobs. A felony conviction for such an offense can prevent an individual from entering many fields of employment or professions.

Cities and towns in Massachusetts, specifically Boston, prohibit public consumption of alcohol and impose fines for violation.

Massachusetts law prohibits sale or delivery of alcoholic beverages to persons under 21 with a fine of up to \$2,000 and six months imprisonment, or both for violation of the law.

Misrepresenting one's age or falsifying an identification to obtain alcoholic beverages is punishable by a fine of \$300. First conviction of driving under the influence of alcohol has a \$1,000 fine, one-year revocation of driver's license, up to two years in prison, and mandatory alcohol rehabilitation.

Massachusetts has **criminal penalties** for use of controlled substances, or drugs, with penalties varying with the type of drug. In general, narcotics and drugs with a high potential for abuse have heavier penalties.

Possession of drugs is illegal without valid authorization. While penalties for possession are generally not as great as for manufacture and distribution of drugs, possession of a relatively large quantity may be considered distribution. Under both state and federal laws, penalties for possession, manufacture and distribution are much greater for the second and subsequent convictions. Many laws dictate mandatory prison terms and the full minimum term must be served.

Massachusetts makes it illegal to be in a place where heroin is kept and to be "in the company" of a person known to possess **heroin**. Anyone in the presence of heroin at a private party, dormitory suite, or elsewhere risks a serious drug conviction. Sale and possession of "drug paraphernalia" are illegal in Massachusetts.

Boston ordinances prohibit drinking alcoholic beverages in public, procuring alcoholic beverages for underage individuals, and using false identification to purchase alcohol. The penalty for procuring alcohol for underage individuals is \$200 per offense. The penalty for using false identification to obtain alcohol is \$250 per offense. Boston ordinances also prohibit the possession or sale of synthetic cannabinoids and synthetic illicit drugs. The penalty is \$300 per offense.

Persons convicted of drug possession under state or federal law are ineligible for federal student grants and loans for up to one year after the first conviction and five years after the second; the penalty for distributing drugs is loss of benefits for five years after the first conviction, ten years after the second, and permanently after the third.

Under **federal law** distribution of drugs to persons under age 21 is punishable by twice the normal penalty, with a mandatory one-year in prison; a third conviction is punishable by mandatory life imprisonment. These penalties apply to distribution of drugs in or within 1,000 feet of a college or school. Federal law sets greatly heightened prison sentences for manufacture and distribution of drugs if death or serious injury results from use of the substance.

Health Risks Associated with Alcohol

Alcohol Consumption causes a number of marked changes in behavior. Even small quantities significantly impair raw judgement and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Small to moderate quantities of alcohol also increase the incidence of a variety of aggressive acts. Moderate to large quantities of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very large quantities cause respiratory depression and death. If combined with other depressants of the central nervous system, much smaller quantities of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Women who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. Their infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk of becoming alcoholics than other youngsters.

Resources for Drug/Alcohol Counseling, Treatment, Rehabilitation, or Re-entry

Simmons University students or employees who are concerned about substance abuse or dependency for themselves or for a friend or family member may make an appointment at the **Counseling Center** (617- 521-2455). Following a confidential discussion of the nature and severity of the problem and various treatment options, the counselor will recommend a referral to an appropriate community resource. All appointments with a counselor are confidential and cost-free.

Selected Community Resources*

Members of the Simmons community are encouraged to check with their medical plans for treatment alternatives. In some cases, counseling and related services may be provided. In other cases, reimbursement for some services related to drug rehabilitation may be available under an individual's medical insurance coverage. The insurer will make determinations regarding which services will be covered.

Fenway Health Center LGBTQIA Substance Abuse Treatment Services

Ansin Building, 1340 Boylston St.

Boston, MA.

(617) 927-6202

www.fenwayhealth.org

This program acknowledges the unique needs of the gay, lesbian, bisexual and transgender substance abuser and provides sensitive and comprehensive treatment to address those needs.

Alcoholics Anonymous

(617) 426-9444

www.aa.org

AA is a fellowship of men and women who share their experience, strength and hope with each other so that they may solve their common problem and help others to recover from alcoholism. Call for meeting times and locations.

Narcotics Anonymous

(617) 884-7709

www.na.org

NA is a nonprofit fellowship of recovering addicts who meet regularly to help each other stay clean. Call for meeting times and locations.

*Resource descriptions are quoted from respective program brochures.