# STATEMENT ON DRUGS & ALCOHOL

2024-2025

# Policy

The general policies of Western New England Universit provide that the Universit campus and Universit activities are not a sanctuar from federal, state, and local laws. The policies of the Universit prohibit the unlawful use, possession, sale, distribution, or manufacture of controlled substances or alcohol on Universit propert or as part of Universit activities.

Western New England Universit recogni es that alcoholism, drug addiction, and substance abuse ma represent illnesses or conditions that require professional counseling, assistance, or treatment. Facult , students, and staff with problems related to or stemming from alcohol or substance abuse or dependenc are encouraged to utili e the services provided through the Universit or other sources of assistance. However, neither addiction nor abuse e cuses an member of the campus communit for violating the rights of others for neglecting or inadequatel performing academic or job-related responsibilities.

## Faculty and Sta

The Emplo ee Assistance Program (EAP) is available to provide con dential counseling, assistance, and referral:

**Employee Assistance Program**
Longview Associates
504 Cottage Street
Spring eld, MA 01104

## Student Disciplinary Sanctions

### Student Handbook: Chapter Three: Student Code of Conduct and Conduct Process

The following list of sanctions is not inclusive of all possible sanctions and is intended to serve as a reference for most Student Code of Conduct violations:

**1.**

## State and Federal Laws and Sanctions Concerning Drugs and Alcohol

In addition to disciplinar sanctions imposed b the Universit , all students, facult , and staff should be aware that federal and state laws mandate that distribution or manufacture of drugs or alcohol are serious crimes.

Conviction can lead to imprisonment, nes, and assigned communit service. Courts do not lift prison sentences in order to allow convicted persons to attend college or continue their jobs. Felon and certain other convictions can prevent individuals from entering man elds of emplo ment or professions and ma have to be listed on applications for emplo ment or admission to graduate or professional schools.

Man cities and towns in Massachusetts have local ordinances and regulations which prohibit public consumption of alcoholic beverages or consumption of alcoholic beverages on private propert without the owner's consent. The Spring eld Parks Commission prohibits public consumption of alcohol in its parks. Similar laws and regulations appl in most other states and in man localities.

Massachusetts law punishes sale or deliver of alcoholic beverages to persons under twent -one with a ne of up to $2,000 and one ear imprisonment. Misrepresenting one's age or falsif ing an identi cation to obtain alcoholic beverages is punishable b a ne of $300 and loss of driver's license for 180 da s. First conviction of driving under the in uence of alcohol, marijuana, narcotics, stimulants, depressants, and glue vapors has a ma imum penalt of a $5,000 ne, one- ear revocation of driver's license, up to two and a half ears in prison, and mandator alcohol rehabilitation. The severit of the penalt imposed increases based on prior offenses.

Individuals stopped for operating under the in uence who refuse to take a breathal er test; or if a breathal er test is taken and the blood alcohol percentage is .02 or above for persons under age 21, or is .08 for persons age 21 or older, will have their driver's license immediatel con scated b the police of cer and a temporar permit issued followed b the suspension of license within 15 da s of notice. Massachusetts has criminal penalties for use of controlled substances and drugs, with penalties var ing with the t pe of drug. In general, use of narcotic and addictive drugs, and drugs with high potential for misuse have heavier penalties.

Possession of drugs is illegal without valid authori ation. While penalties for possession are generall not as great as for manufacture and distribution of drugs, possession of a relativel large quantit ma be considered distribution. Under both state and federal laws, penalties for possession, manufacture, and distribution are much greater for second and subsequent convictions. Man laws dictate mandator 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 compan of a person known to possess heroin. An one in the presence of heroin at a private part or in a dormitor suite risks a serious drug conviction. Sale and possession of drug paraphernalia is illegal in Massachusetts. Under federal laws and some state laws, participation in drug-related criminal activit can result in sei ure or forfeiture of personal propert and other assets utili ed in conjunction with or stemming from the proceeds of the illegal activit . In addition, conviction of a drug-related offense ma entail civil nes and denial or revocation of certain licenses and bene ts.

Persons convicted of drug possession under state or federal law are ineligible for federal student grants and loans or for participation in federall sponsored research grants or contracts for up to one ear after the rst conviction,90 9.85 232 234.6459 TmÆat a10 0 9.8EM

## Using Fake Identification/Attempting to Purchase Alcohol/Transporting Alcohol

A person convicted in court of an of the previousl mentioned offenses will automaticall lose their driver's license for 180 da s. This is true even if the altered or fake identi cation is not their driver's license. The license suspension is in addition to the court imposed penalt .

**Other Penalties:** Massachusetts law calls for the following penalties upon conviction of a rst offense for the following:

Providing alcohol to a minor: ne of not more than $2,000;

Purchasing or attempting to purchase: ne of $300;

An person who transfers, alters, or defaces an identi cation card or license; makes, uses, carries, sells, or distributes false identi cation: ne of not more than $200 or imprisonment of not more than three months;

An minor found transporting alcohol: ne of $50.

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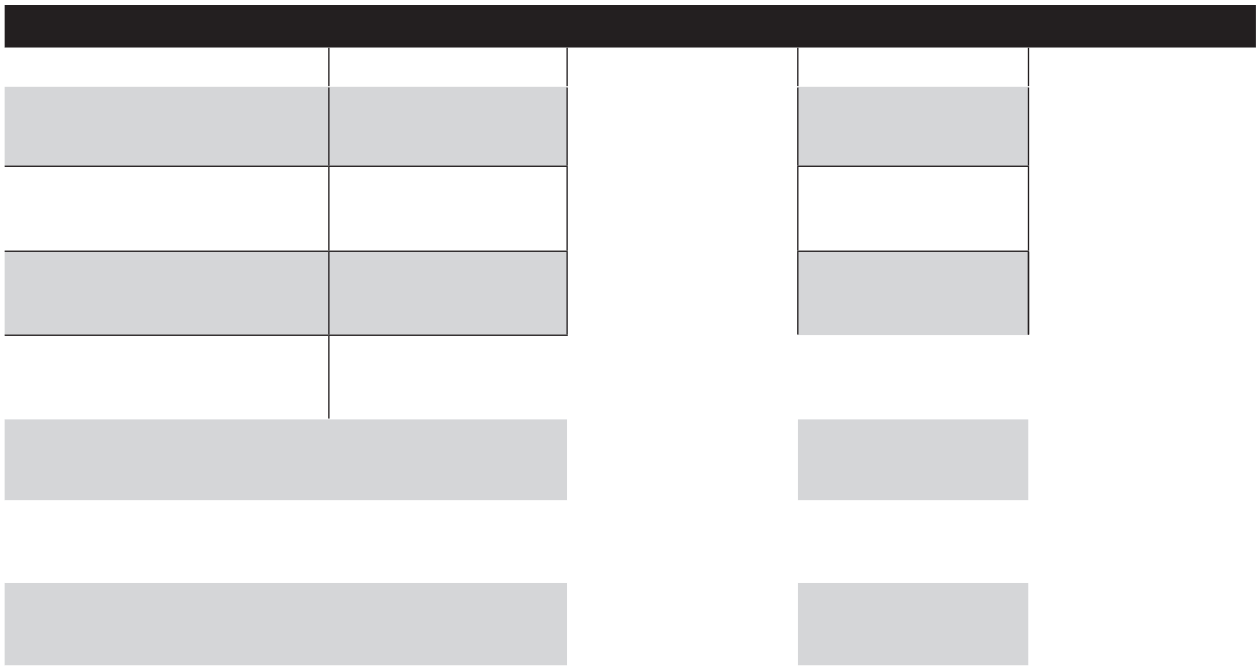

| FEDERAL TRAFFICKING PENALTIES - MARIJUANA | | | |
|---|---|---|---|
| DRUGS | QUANTITY | FIRST OFFENSE | SECOND OFFENSE |
| | 1,000<br>1,000 | | |
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## STATE DRUG PENALTIES

### UNLAWFUL MANUFACTURE, DISTRIBUTION, POSSESSION OF DRUG WITH INTENT TO DISTRIBUTE OR MANUFACTURE

| | FIRST OFFENSE | SUBSEQUENT OFFENSES |
|---|---|---|
| C A A | f 10 $1,000 f $10,000 f | f 3.5 $2,500 $25,000 |
| C A B | f 10 $1,000 f $10,000 f | f 2 $2,500 $25,000 |
| C A C | f 5 $500 f $5,000 f | f 2.5 $1,000 $10,000 |
| C A D | f 2 $500 f $5,000 f | f 1 $1,000 $10,000 |
| C A E | f 9 $250 f $2,500 f | f 1.5 $500 f $5,000 |

### DISTRIBUTION OF DRUGS TO MINORS

| | |
|---|---|
| C A A | f 5 $1,000 $25,000 |
| C A B | f 3 $1,000 $25,000 |
| C A C | f 2.5 $1,000 $25,000 |

### SALE, POSSESSION, OR MANUFACTURE OF DRUG PARAPHERNALIA WITH INTENT TO SELL

| | |
|---|---|
| P O 18 | f 1 $500 $5,000 |
| P 18 | f 3 $1,000 $5,000 |

### POSSESSION

| | | |
|---|---|---|
| H | F – 2 $2,000<br>– f 2.5 f $5,000 | |
| C E | F – 6 $500<br>C – ( ) . F f $100<br>– 2 f $2,000 | |
| C B | F – 5 | |
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