

# **Drug and Alcohol Prevention Program and the Drug-Free Workplace and Campus Program**

**Revised: September 1, 2020**

## **Standards of Conduct**

The use of illegal drugs and the abuse of alcohol on the campus of The Art Institute of Virginia Beach or in facilities controlled by The Art Institute of Virginia Beach are prohibited by college regulations and are incompatible with the The Art Institute of Virginia Beach's goal of providing a healthy educational environment for students, faculty, staff and guests. The following information is provided in compliance with the Drug-Free Schools and Communities Act Amendments of 1989.

## **Effects of Drugs and Alcohol**

Although individuals often use drugs and alcohol to achieve a variety of effects on mind and body that are found to be temporarily useful or pleasurable, drugs can be highly addictive and injurious. A person can pay a price in terms of his or her physical, emotional, and social health.

This price can be paid in a number of ways. The risk of contracting sexually transmitted diseases, including AIDS, is increased through unwanted or unprotected sex when one is under the influence of drugs or alcohol. Drugs can be the trigger for violent crime. Economic and legal problems usually follow directly when one tries to support a drug habit by resorting to crime. The dependence, illness, loss of job, and loss of family or friends that can result from drug or alcohol use and abuse can be tragic.

In keeping with the mission of The Art Institute of Virginia Beach and the requirements of state and federal law, The Art Institute of Virginia Beach has adopted this program to ensure a drug-free campus and workplace and to prevent the use of controlled substances and the abuse of alcohol.

## **Health Risks Associated with the Use of Alcohol**

### **Short Term Risks:**

- Increased risks of accidents and injuries
- Alcohol-related traffic accidents (the leading cause of death for teens)
- Alcohol slows reaction time, decreases muscle coordination, and impairs vision
- Fatal overdose
- Unconsciousness or blackout
- Death by aspiration of vomit
- Nausea
- Gastritis

### **Long-Term Risks:**

- Increased blood pressure
- Increased risk of heart attack
- Brain damage resulting in permanent psychosis
- Cancer of the mouth, esophagus or stomach
- Liver damage (cirrhosis, alcohol hepatitis, cancer)
- Ulcers and Gastritis
- Pancreatitis
- Birth defects
- In males--testicular atrophy and breast enlargement
- In females--increased risk of breast cancer
- Prolonged, excessive drinking can shorten life span by ten to twelve years.

## **Health Risks Associated with the Use of Drugs**

### **Amphetamines (Speed, Uppers):**

- Malnutrition
- Hallucinations
- Dependence, psychological and sometimes physical

### **Deliriums (Aerosols, Lighter Fluid, Paint Thinner):**

- Permanent damage to lungs, brain, liver, bone marrow
- Loss of coordination, confusion, hallucinations
- Overdose causing convulsions, death

### **Depressants (Barbiturates, Tranquilizers, Methaqualone):**

- Confusion, depression, loss of coordination
- Dependence, physical and psychological
- Coma, death (caused by overdose)
- Can be lethal when combined with alcohol

### **Hallucinogens (LSD, PCP, DMT, STP, Mescaline):**

- Hallucinations, panic, irrational behaviors (which can lead to increased risk of accidents, injuries)
- Tolerance overdose leading to convulsions, coma, death
- Possible birth defects in children of LSD users

### **Intravenous Drug Use:**

- Places one at risk for HIV infection (the virus causing AIDS) when needles are shared

### **Marijuana and Hashish:**

- Chronic bronchitis
- Decreased vital capacity
- Increased risk of lung cancer
- In men lower levels of testosterone and increase in abnormal sperm count

### **Stimulants (Cocaine):**

- Painful nosebleeds and nasal erosion
- Intense "downs" that result in physical and/or emotional discomfort
- Tolerance and physical dependence can develop

### **Narcotics (Heroin, Morphine, Codeine, Opium):**

- Malnutrition
- Hepatitis
- Loss of judgment and self-control leading to increased risk of accidents, injuries
- Dependence
- Overdose leading to convulsions, coma, death

## **Sanctions** The Art Institute of Virginia Beach

### **School Sanctions**

The Art Institute of Virginia Beach, in all of its actions, seeks to uphold local, state and federal laws. Insofar as permitted by these laws, the The Art Institute of Virginia Beach will apply sanctions that could lead to a student being suspended or expelled or an employee being disciplined, suspended or dismissed for violation of the The Art Institute of Virginia Beach standards of conduct. Students and employees may also be referred for prosecution. Disciplinary sanctions may include the completion of an appropriate rehabilitation program, at the student's or employee's expense, if necessary.

## State Sanctions Commonwealth of Virginia

| CLASS        | EXAMPLES  | PENALTY  |
|--------------|---|--|
| Schedule I   | Heroin, Ecstasy (MDMA), LSD, GHB  | Up to 10 years in prison; fines of up to \$2,500 |
| Schedule II  | Cocaine, Methamphetamine (crystal meth) and other stimulants. Morphine, PCP, Methadone, Ritalin   | Up to 2 years in prison; fines of up to \$2,500  |
| Schedule III | Anabolic steroids, Codeine and Hydrocodone (Vicodin, Lorcet, Dolacet and others) with aspirin or Tylenol, Special K (Ketamine), some barbiturates and other depressants | Up to 6 months in prison; fines of up to \$1000  |
| Schedule IV  | Many prescription drugs such as Darvon, Talwin, Equanil, Valium (diazepam), Rohypnol, and Xanax, as well as other tranquilizers.  | Fines of up to \$500                             |
| Schedule V   | Codeine based cough medicines   | Fines of up to \$250                             |

### Conviction for DUI first offense

- Mandatory, minimum \$250 fine
- Driver's license revocation for one year

### Conviction for DUI second offense

- Mandatory, minimum \$500 fine
- Driver's license revocation for three years
- Possible jail term up to one year

### Conviction for DUI second offense within ten years of prior offense carries the following additional penalty

- Mandatory, minimum ten-day jail term

### Conviction for DUI second offense within five years of prior offense carries the following additional penalty

- Mandatory, minimum 20-day jail term

### Three DUI convictions within a ten-year period

- Mandatory, indefinite driver's license revocation
- If your driving privilege is revoked for a first or second DUI offense conviction and you receive another

DUI, the license revocation period will run consecutively with the existing revocation period.

### Conviction for DUI third offense

- Mandatory, minimum \$1,000 fine
- Mandatory indefinite driver's license revocation
- Prosecution as a Class 6 felony

### Conviction for DUI third offense within five years carries the following additional penalty

- Mandatory, minimum six-month jail term

### Conviction for DUI third offense within ten years carries the following additional penalty

- Mandatory, minimum 90-day jail term
- Permanent forfeiture of your vehicle (if you are the soleowner)

### Conviction for DUI fourth or subsequent offense

- Mandatory, minimum one-year jail term

BAC of 0.15% and not higher than 0.20% at the time of arrest

- First offense carries a mandatory, minimum five-day jail term in addition to all other penalties
- Second offense within ten years carries a mandatory, minimum ten-day jail term in addition to all other penalties

BAC of 0.20% or higher at the time of arrest

- First offense carries a mandatory, minimum ten-day jail term in addition to all other penalties
- Second offense within ten years carries a mandatory, minimum 20-day jail term in addition to all other penalties

If you are under age 21, you cannot purchase, possess or consume alcohol. If law enforcement stops you while driving after illegal consumption of alcohol, you are subject to administrative license suspension (ALS). If you are convicted of driving after illegally consuming alcohol and were found to have a BAC of 0.02 and less than 0.08, the court penalty will include a suspension of your driving privilege for one year from the date of conviction, and a minimum mandatory fine of \$500, or the requirement that you complete at least 50 hours of community service. Regardless of age, if driving on a DUI suspended or restricted license, you may be charged with DUI if you drive with a BAC of 0.02 percent or higher.

If you provide or sell alcoholic beverages to a person under age 21, intoxicated or ordered by a court to refrain from consuming alcohol, you are subject to a fine up to \$2,500, twelve months in jail and mandatory suspension of your driver's license for up to one year. These same penalties apply if you assist someone under age 21 in obtaining or purchasing alcohol.

If you're under age 21 and you purchase, possess and/or consume alcohol, you face a fine ranging from \$500 to \$2,500, up to 12 months in jail and mandatory suspension of your driver's license for at least six months but not more than one year.

## Federal Sanctions

Federal penalties and sanctions for illegal possession of a controlled substance include the following:

**First conviction:** up to 1 year in prison, fine of \$1,000 to \$100,000, or both **Second conviction:** at least 15 days and up to 2 years imprisonment, \$5,000 to \$250,000 fine, or both **After two drug convictions:** at least 90 days and up to 3 years in prison, \$5,000 to \$250,000 fine, or both. Special federal sentencing provisions for possession of crack cocaine include a mandatory prison term of at least 5 years and up to 20 years, fine of up to \$250,000, or both, for a first conviction if the amount of crack exceeds 5 grams, for a second conviction if amount exceeds 3 grams, and for a third or subsequent conviction if the amount exceeds 1 gram.

Additional federal sanctions may also apply including forfeiture of vehicles used to transport controlled substances, denial of federal benefits including student loans, grants, and contracts and denial or revocation of certain federal licenses and benefits (exhibit A).

**Exhibit A:**

| <b>Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)</b> |   |   |  |   |
|---|---|---|--|---|
| <b>Schedule</b>   | <b>Substance/Quantity</b>                                     | <b>Penalty</b>  | <b>Substance/Quantity</b>  | <b>Penalty</b>  |
| II  | Cocaine<br>500-4999 grams mixture                             | <p><b>First Offense:</b> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.</p> | Cocaine<br>5 kilograms or more mixture                                   | <p><b>First Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 20 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p> <p><b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p> |
| II  | Cocaine Base<br>28-279 grams mixture                          |   | Cocaine Base<br>280 grams or more mixture                                |   |
| IV  | Fentanyl<br>40-399 grams mixture                              |   | Fentanyl<br>400 grams or more mixture                                    |   |
| I   | Fentanyl Analogue<br>10-99 grams mixture                      |   | Fentanyl Analogue<br>100 grams or more mixture                           |   |
| I   | Heroin<br>100-999 grams mixture                               |   | Heroin<br>1 kilogram or more mixture                                     |   |
| I   | LSD<br>1-9 grams mixture                                      |   | LSD<br>10 grams or more mixture  |   |
| II  | Methamphetamine<br>5-49 grams pure or<br>50-499 grams mixture |   | Methamphetamine<br>50 grams or more pure or<br>500 grams or more mixture |   |
| II  | PCP<br>10-99 grams pure or<br>100-999 grams mixture           |   | PCP<br>100 grams or more pure<br>or 1 kilogram or more<br>mixture        |   |
|   |   |   |  |   |
| <b>Substance/Quantity</b>   |   | <b>Penalty</b>  |  |   |
| Any Amount Of Other Schedule I & II Substances  |   | <p><b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if not an individual.</p>   |  |   |
| Any Drug Product Containing Gamma Hydroxybutyric Acid                                       |   | <p><b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.</p>   |  |   |
| Flunitrazepam (Schedule IV)<br>1 Gram   |   |   |  |   |
| Any Amount Of Other Schedule III Drugs  |   | <p><b>First Offense:</b> Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.</p>   |  |   |
| Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)    |   | <p><b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.</p>  |  |   |
| Any Amount Of All Schedule V Drugs  |   | <p><b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p><b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>   |  |   |

### Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances

|  |   |
|--|---|
| <p>Marijuana<br/>1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants</p>   | <p><b>First Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.</p> <p><b>Second Offense:</b> Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.</p> |
| <p>Marijuana<br/>100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants</p>   | <p><b>First Offense:</b> Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.</p> <p><b>Second Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50million if other than an individual.</p>    |
| <p>Marijuana<br/>50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants</p> <p>Hashish<br/>More than 10 kilograms</p> <p>Hashish Oil<br/>More than 1 kilogram</p> | <p><b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.</p> <p><b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</p>   |
| <p>Marijuana<br/>less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)<br/>1 to 49 marijuana plants</p>                 | <p><b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.</p> <p><b>Second Offense:</b> Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.</p>   |
| <p>Hashish<br/>10 kilograms or less</p>  |   |
| <p>Hashish Oil<br/>1 kilogram or less</p>  |   |

## **Convictions for Drug-Related Offenses**

Any student convicted of any drug-related criminal statute must notify the President and/or Regional Dean of Student Life, in writing, no later than five (5) days after such conviction regardless of where the offense occurred. This is because under federal and state laws, any student convicted of a drug-related felony offense must be denied all federal and state assistance, including Pell Grants and the GEAR-UP State Grant Program and the Virginia Tuition Assistance Program. However, a criminal conviction shall not be necessary to find that a student has violated these standards of conduct, and The Art Institute of Virginia Beach need not, and ordinarily will not, defer its own actions and sanctions pending the outcome of any criminal proceeding.

## **Danger Signals Indicating a Drug or Alcohol Problem**

Following is a listing of classic danger signals that may indicate the presence of a drug or alcohol problem:

- abrupt changes in mood or attitude
- decreased efficiency at work or at school
- frequent absences, tardiness, and/or early departures
- relationship problems with family, friends, and co-workers
- unusual outbursts of anger and hostility
- social withdrawal

## **Counseling**

If you observe any of these changes in yourself or another student, you are encouraged to talk with a Counselor. Information regarding local resources is available in the Student Services office.

Abuse of alcohol or drugs can lead to dependency and addiction, with serious consequences for personal health and overall quality of life. There are drug and alcohol counseling, treatment, and rehabilitation facilities available in our area where students and employees may seek advice and treatment. The College Counselor can refer you to one that meets your needs.

## **City of Virginia Beach Area Resources**

There are also organizations that may be contacted for help. The Watershed Addictions Treatment Program is staffed 24 hours, 7 days per week (1-877-788-6897). The Alcoholism and Drug Abuse Hotline (1-800-992-4414) and the Cocaine Hotline (1-800-262-2463) are open 24 hours a day. The National Institute on Drug Abuse Hotline (1-800-662-4357) is available from 8:00 a.m. to 2:00 a.m., Monday through Friday and from 11:00 a.m. to 2:00 a.m. on weekends.

A list of emergency and sliding-fee scale resources is available from the Student Life Office.