

College Policies Regarding Drug Use by Students and Employees

In accordance with federal guidelines, this announcement is provided each semester to inform new students, faculty, and employees about the CMC Alcohol and Other Drugs Policy.

Christ Mission College (CMC) has a long-standing commitment to the support and maintenance of a drug-free environment. In keeping with this history, we would like to provide you with a link to the existing CMC Alcohol and Other Drugs (AOD) Policy, which you will find below.

The policy and resource guide were prepared in accordance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989. It describes the health risks and legal sanctions associated with alcohol and other drugs. It outlines the College's standard of conduct and disciplinary actions taken against students or employees who violate the standard. It also provides college and community resources to help with a drug or alcohol related problem.

As a reminder, under the federal Controlled Substances Act, marijuana is classified as a Schedule 1 controlled substance and is illegal. Consistent with that Act and the federal Drug Free Schools and Communities Act and the Drug Free Workplace Act, the College prohibits the unlawful or unauthorized possession, use, distribution, dispensation, sale, or manufacture of marijuana (cannabis) on college property or as part of any College activity. The Texas Controlled Substances Act classifies tetrahydrocannabinols (THC) in penalty group 2 for the purposes of criminal penalties. Sections 481.120 and 481.121 make delivery and possession of marijuana a criminal offense.

In Texas and federal law, recreational use of marijuana is still illegal. The College's marijuana prohibition applies to both recreational and medical use. Medical use will only be allowed under the approval of a qualify physician and the CMC Student Service office.

Compliance with these laws and acts represents the College commitment to maintaining a healthy learning and work environment. In addition, remaining in compliance helps to protect the millions of dollars in federal funding CMC receives for student financial aid and research.

To review the CMC Alcohol and Other Drug Policy and Resource Guide, visit: cmctx.edu

Students should contact the Office of Students Services at (210) 688-3101 with any questions. Employees should contact CMC Human Resources.

I am a College employee. For what actions may I be disciplined?

- Under existing policies and in compliance with federal and state laws, employees are subject to disciplinary action including discharge for unauthorized consumption of intoxicating liquors on institutional time or property; inability to satisfactorily perform their assigned duties as a result of drinking alcoholic beverages; illegal use of drugs, narcotics,

or intoxicants; unauthorized sale or distribution of drugs, narcotics, or intoxicants; or otherwise unfit to perform job duties due to use of alcohol or illegal drugs. If you have a problem with controlled substances or alcohol, please look for professional advice and treatment. You may seek help for a problem or obtain a list of counseling, rehabilitation, and assistance programs confidentially by Human Resource Office at (210) 688-3101.

What if I am convicted of a drug or alcohol offense that took place at work?

- You must notify your supervisor within five days. Employees convicted of a drug or alcohol offense involving the workplace may be disciplined or discharged under existing laws, policies, and rules, or may be required to complete a drug rehabilitation program in order to continue employment at the College.

I'm a student. What happens if I violate the College's Alcohol and Other Drug Policy?

- Students who illegally possess, use, distribute, sell, or manufacture drugs and alcohol are subject to the College disciplinary action and may be dismissed from the College.

Laws That Apply to Alcohol and Other Drug Use

Federal Law:

- According to state and federal laws, a person convicted of certain misdemeanor or felony offenses may forfeit certain civil rights, including his/her right to vote, hold public office, purchase or possess firearms, or obtain or maintain certain licenses for a specified period of time. (United States Code Sec. 1973gg-6, United States Code Sec. 992 (g).
- 21 U. S. C. 841 makes it a crime (a) to manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance; or (b) to create, distribute, or dispense, or possess with intent to distribute or dispense, a counterfeit substance.
- Possession of a controlled substance is defined in 21 U.S. C. 844(a) is defined as knowingly or intentionally possesses a controlled substance unless such substance was obtained directly or pursuant to a valid prescription or order, from a practitioner. Punishable by up to 1-year imprisonment and/or a minimum fine of \$1,000. Note: Possession of Flunitrazepam (also known as Rohypnol) may be punishable by up to 3 years imprisonment.
- The Controlled Substances Act places all substances which are in some manner regulated into one of five schedules. The CSA provides penalties for unlawful manufacturing, distribution, and dispensing of controlled substances.
- The U. S. Code establishes and authorizes the U. S. Attorney General to revise as needed, classifications of controlled substances. Schedule I is comprised essentially of “street drugs” and Schedule V is comprised of drugs with a “low potential for abuse” when compared with drugs in

schedules I-IV. Examples of Schedule I drugs are heroin and marijuana. PCP, for example, is a Schedule II drug. Amphetamine is a Schedule III drug, while Barbitol is a Schedule IV drug. An example of a Schedule V drug would be a prescription medication with not more than 200 mg. of codeine per 100 grams.

- The penalties are determined by the schedule of the drug or other substance, and sometimes are specified by drug name, as in the case of marijuana.
- Penalties for first offenses include a fine up to \$10 million and/or a prison term up to life, but no less than 1 year.

• For the Drug Enforcement Agency's complete list of Federal Trafficking Penalties for Schedules I-V, please see:

https://www.iecc.edu/files_user/CONS/Files/Federal_Trafficking_Penalties.pdf

NOTE: Penalties for subsequent violations of the above-described provisions are progressively more severe than the initial convictions. Penalties, laws, and statutes may change without notice. This list is not intended to be comprehensive. For a complete list of drug and alcohol related offenses, please contact the appropriate law enforcement agency.

State Law:

Applicable Texas state laws and legal sanctions that apply to illegal alcohol and drug use, possession or distribution include, but are not limited to:

- Public Intoxication is defined as being intoxicated in public to the degree that one poses a danger to him/herself or to others. Class C Misdemeanor punishable by a fine up to \$500 and/or subject to arrest. (Texas Penal Code Sec. 49.02)
- Possession of Alcoholic Beverage in Motor Vehicle is defined as possessing an opened container of alcohol in a motor vehicle regardless of whether the vehicle is being operated or is stopped or parked. Class C Misdemeanor punishable by a fine up to \$500. (Texas Penal Code 49.031)
- Driving While Intoxicated is a Class B Misdemeanor punishable by a fine up to \$2,000 and/or 180 days in jail. (Texas Penal Code Sec. 49.04)
- The Texas Penal Code defines intoxication as “not having the normal use of mental or physical faculties by reason of the introduction of alcohol, a controlled substance, a drug” or any combination of substances. Therefore, drug consumption and intoxication laws under the Texas Penal Code may overlap with alcohol offenses.
- A person commits an offense if the person appears in a public place while intoxicated to the degree that the person may endanger the person or another. (Texas Penal Code 49.02)

- A person commits an offense if the person knowingly possesses an open container in a passenger area of a motor vehicle that is located on a public highway, regardless of whether the vehicle is being operated or is stopped or parked. Possession by a person of one or more open containers in a single criminal episode is a single offense. (Texas Penal Code 49.031)

- A person commits an offense if the person is intoxicated while operating a motor vehicle in a public place. (Texas Penal code 49.04)
 - Note that a person may also be convicted of offenses if intoxicated while operating a plane, driving with a minor in the vehicle, or boating. (Texas Penal code 49.045-.06)
 - Punishable with a minimum term of confinement of 30 days.

- A person commits an offense if the person, by accident or mistake while operating an aircraft, watercraft, or amusement ride while intoxicated, or while operating a motor vehicle in a public place while intoxicated, by reason of that intoxication causes serious bodily injury to another. (Texas Penal Code 49.07)

- A person commits an offense if the person: (1) operates a motor vehicle in a public place, operates an aircraft, a watercraft, or an amusement ride, or assembles a mobile amusement ride; and (2) is intoxicated and by reason of that intoxication causes the death of another by accident or mistake. (Texas Penal Code 49.08)

- A minor commits an offense if the minor purchases or attempts to purchase an alcoholic beverage. (Texas Alcoholic Beverage Code 106.02-.025)
 - The offense is punishable by a fine of not less than \$250; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver’s license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.

- A minor commits an offense if he consumes an alcoholic beverage. (Texas Alcoholic Beverage Code 106.04)
 - The offense is punishable by a fine of not less than \$250; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver’s license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.

- A minor commits an offense if the minor operates a motor vehicle in a public place, or a watercraft, while having any detectable amount of alcohol in the minor's system. (Texas Alcoholic Beverage Code 106.041)
 - The offense is punishable by a fine of not less than \$500 or more than \$2,000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. In addition, the court shall order community service to be performed.

- A minor commits an offense if he possesses an alcoholic beverage. (Texas Alcoholic Beverage Code 106.05)
 - The offense is punishable by a fine of not less than \$250; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver’s license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.

- A person commits an offense if he purchases an alcoholic beverage for or gives or makes available an alcoholic beverage to a minor with criminal negligence. (Texas Alcoholic Beverage Code 106.06)
 - The offense is punishable by a fine of not less than \$250; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver’s license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.

- A minor commits an offense if he falsely states that he is 21 years of age or older or presents any document that indicates he is 21 years of age or older to a person engaged in selling or serving alcoholic beverages. (Texas Alcoholic Beverage Code 106.07)
 - The offense is punishable by a fine of not less than \$250; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver’s license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.

- The manufacture, delivery, or possession of a controlled substance (as defined by the Texas Controlled Substances Act) in the State of Texas is a crime and punishable by a fine up to \$250,000 and/or prison term of life or not more than 99 years. (Tex. Health & Safety Code 481.112-.119)

- Possession of a Controlled Substance is defined as knowingly or intentionally possessing a controlled substance without a valid prescription. The minimum penalty (depending on amount) includes a Class B Misdemeanor punishable by a fine up to \$2,000 and/or 180 days in jail. (Texas Penal Code Sec. 481.115, 481.116, 481.117, 481.118)

- A person commits an offense if the person knowingly or intentionally delivers marijuana.
 - Such offense is punishable by a fine up to \$100,000 and/or prison term of life or not more than 99 years. (Tex. Health & Safety Code 481.120)

- A person commits an offense if the person knowingly or intentionally possesses a usable quantity of marijuana.

- This offense is punishable by imprisonment for life or for a term of not more than 99 years or less than 5 years, and a fine not to exceed \$50,000. (Tex. Health & Safety Code 481.121)
- A person commits an offense if the person knowingly delivers a controlled substance listed in Penalty Group 1, 1-A, 2, or 3 (of the Texas Controlled Substances Act) or knowingly delivers marijuana and the person delivers the controlled substance or marijuana to a person who is a child or who is enrolled in a public or private primary or secondary school.
 - This offense is punishable as a felony in the second degree. (Tex. Health & Safety Code 481.122)
- Drug related offenses have increased penalties if the offense occurs in a “drug free zone.” Drug free zones include institutions of higher education, youth centers, schools (and other facilities) and the areas surrounding such locations.
 - Penalties include fines that may be doubled and minimum jail terms that may be raised. (Tex. Health & Safety Code 481.134)
- Offenses that occur within 1,000 feet of property owned by an institution of higher learning may be punishable to stricter criminal sanctions.

For more information on specific state codes, including the Texas Penal Code, Texas Alcoholic Beverage Code, and the Texas Health and Safety Code, visit:

<http://www.statutes.legis.state.tx.us/>

Controlled Substances

Section 812 in Title 21 of the U.S. Code

- Marijuana is classified as a Schedule I controlled substance under the federal Controlled Substances Act. Schedule I substances are defined as those that have "a high potential for abuse," "no currently accepted medical use in treatment in the United States," and "there is a lack of accepted safety for use of the drug or other substance under medical supervision.

In addition, the college’s marijuana prohibition applies to both recreational and medical use.

Underage Drinking

The consumption of alcoholic liquor by any person under 21 years of age is illegal [235 ILCS 5/6-20]. It is also against Texas law for anyone to permit a gathering at their residence at which one or more persons under 21 possess or consume alcoholic beverages, to rent a hotel or motel room for such purpose, and to sell or deliver alcohol to anyone under 21 or to any intoxicated person [235 ILCS 5/6-16]. It is also illegal for a person under 21 to present false identification in an attempt to purchase alcohol [235 ILCS 5/6- 16].

Driving Under the Influence

Driving while under the influence of alcohol, drugs, intoxicating compounds, or any combination thereof is against Texas law. In Texas, a person is legally intoxicated and may be arrested and charged with Driving While Intoxicated (DWI) with a .08 BAC (blood or breath alcohol concentration). However, a person is also intoxicated if impaired due to alcohol or other drugs regardless of BAC. Whether you are the driver or the passenger, you can be fined up to \$500 for having an open alcohol container in a vehicle.

Federal Laws That Apply to Alcohol and Drug Use

Possession and delivery of controlled substances is prohibited by the United States Code, Uniform Controlled Substance Acts [21 U.S.C. 801 and following]. Individuals can be penalized on the quantity of confiscated drugs, the type of drug(s) found, the number of previous offenses by the individual, and whether the individual intended to manufacture, sell, or use the drug. Any individual who knowingly possesses a controlled substance that is in an amount as specified by regulation of the Attorney General that is a personal use amount shall be liable to the United States for criminal and civil penalties.

Effects on Alcohol and Other Drugs on Health

Adverse health effects can range from nausea and anxiety to coma and death. There are risks associated with the chronic use of all psychoactive drugs, including alcohol. A pregnant woman who uses alcohol, cigarettes, or other drugs exposes herself and her fetus to serious risks, such as the risk of miscarriage, low birth weight, or brain damage.

Substance abuse may involve not only controlled substances and illegal drugs, but also alcohol and other substances that pose a health risk. When drugs are combined, their negative effects on the mind and body are often multiplied beyond the effects of the same drugs taken singly, which can be deadly. A list describing some of the health effects associated with the use of alcohol and other drugs is provided below.

For more information or questions concerning this document, students should contact the Student Life Office at (210) 688-3101. Employees should contact the Office of Human Resources at (210) 688-3101.

Alcohol and Other Drugs Effects on Health

Alcohol

Alcohol is the drug most frequently abused on college campuses and in our society. Even small amounts of alcohol can impair the judgment and coordination required to drive a car, increasing your chances of having an accident. Alcohol may be an interacting factor in the incidence of aggressive acts, including vandalism and assault and serious health problems, such as liver damage. Consuming moderate to large amounts of alcohol impairs your ability to learn and

remember information. Because alcohol is a depressant, very large amounts can cause respiratory and cardiac failure, resulting in death.

Cannabis

Marijuana and hashish impair the user's short-term memory and comprehension. They can cause confusion, anxiety, lung damage, and abnormalities of the hormonal and reproductive systems. Hours after the feeling of getting high fades, the effects of cannabis on coordination and judgment may remain, heightening the risks involved in driving or performing other complex tasks. Cannabis, a fat-soluble substance, may remain in the body system for weeks. An overdose or long-term use may bring about paranoia, panic attacks, or psychiatric problems.

Depressants

Barbiturates, benzodiazepines (e.g., valium), quaaludes, and other depressants cause disorientation, slurred speech, and other behaviors associated with drunkenness. The effects of an overdose of depressants range from shallow breathing, clammy skin, dilated pupils, or a weak and rapid pulse that can result in coma or death.

Hallucinogens

Hallucinogens such as LSD, MDMA, PCP (angel dust), mescaline, peyote, and psilocybin (shrooms) can cause powerful distortions in perception and thinking. Intense and often unpredictable emotional reactions can trigger panic attacks or psychotic reaction. An overdose of hallucinogens can cause heart failure, lung failure, coma, and death.

Narcotics/ Opiates

Heroin, codeine, morphine, methadone, and opium are narcotics/ opiates. There is a high likelihood of developing a physical and psychological dependence on these drugs. Health effects include anxiety, mood swings, nausea, confusion, constipation, and respiratory depression. Overdose may lead to convulsions, coma, and death. The risk of being infected with HIV, the virus that causes AIDS, or other diseases significantly increases if you inject drugs and share needles.

Stimulants

Cocaine/crack, amphetamines, and other stimulants can cause agitation, loss of appetite, irregular heartbeat, chronic sleeplessness, and hallucinations. All non-prescribed stimulants are extremely dangerous and psychologically and physically addictive. An overdose can result in seizures and death.

Tobacco

Nicotine, the active ingredient in tobacco, increases your heart rate and raises your blood pressure. The tar in cigarette smoke is a major cause of cancer and other respiratory problems. The carbon monoxide in cigarette smoke can promote arteriosclerosis. Long-term effects of smoking cigarettes may include emphysema, chronic bronchitis, heart disease, chronic obstructive pulmonary disease (COPD) and lung cancer.

**Christ Mission College
Emergency Service Hotlines**

**Flexible Counseling
12030 Bandera Rd. #108
Helotes, TX 78023
210-485-9608**

<http://www.flexiblecounseling.com/>

This agency's goal is to help you uncover your true potential and lead a life that is worth celebrating. They cannot change your past, yet they work with you to better understand and resolve challenges in your life.

**Alcohol & Drug Helpline
800-821-Help**

This help line provides free support provided by counselors trained in treating patients with addiction and mental health issues. This service is available nationwide.

**South Texas Poison Center
7979 Wurzbach Rd,
San Antonio, TX 78229
1-800-222-1222**

<https://www.poisoncontrol.org/about-us/south-texas-poison-center/>

The center provides a 24-hour emergency telephone number resource for all Texas citizens. If you need assistance, simply dial the number for access to a toxicology referral service staffed by specially trained physicians, pharmacists, and nurses. Call if you have a question, you think, or suspect that you or someone else is experiencing adverse effects from excessive alcohol or drug use.

**Alcoholics Anonymous
210-828-6325**

<http://www.aasanantonio.org/>

Alcoholics Anonymous® is a fellowship of men and women who share their experience, strength, and hope with each other that they may solve their common problem and help others to recover from alcoholism. The only requirement for membership is a desire to stop drinking. There are no dues or fees for AA membership; we are self-supporting through our own contributions.

Esperanza Area of Narcotics Anonymous
446 East Canton
San Antonio, TX 78203
Phone Line: 210-434-0665
24-Hour Line: 800-221-9091

<https://eanaonline.org/>

This is a program of complete abstinence from all drugs. There is only one requirement for membership, the desire to stop using. NA offers addicts a way to live drug-free.

**Drug Alcohol Treatment Centers and
Addiction Rehab Programs Directory**
800-315-2056

[https://www.treatmentcentersdirectory.com/
Texas/San-Antonio/](https://www.treatmentcentersdirectory.com/Texas/San-Antonio/)

Search and locate a alcohol treatment, drug addiction rehab centers and detox programs in San Antonio, Texas.