North Idaho College Drug and Alcohol Prevention Policy

North Idaho College (NIC) recognizes the health risks and costs associated with the use of illicit drugs and the abuse of alcohol, and is committed to providing a drug-free and alcohol-free educational environment which supports the mission of the College.

Employees, students, and members of the Board of Trustees participate in and fully support the process of developing and reviewing the drug and alcohol policy and the implementation of educational and prevention programs.

NIC assures compliance with the Drug Free Schools & Communities Act by regularly monitoring that its printed information is distributed, providing online anytime anywhere access to the NIC Drug and Alcohol Policy, offering preventive and educational programs regarding alcohol and drug use, and implementing appropriate training for employees.

There are substantial legal sanctions pursuant to local, state, or Federal Law which may be levied against individuals for the unlawful manufacture, distribution, possession or use an illegal drug, or controlled substance. The law often treats drug offenses as a criminal matter punishable by substantial fines, imprisonment, or other severe sanctions.

The health risks associated with the inappropriate use of drugs include, but are not limited to, physical and psychological addiction, physical, psychological and spiritual deterioration, disease and death.

The college supports participation in programs for the prevention of the inappropriate use of drugs, controlled substances and tobacco/alcohol abuse. NIC’s Health and Counseling Services can provide confidential assistance with drug and alcohol abuse problems. Assistance is available to provide educational training programs, health information, and preliminary evaluation and counseling for possible referral for outside medical assistance. Individuals may get more information through the Director of Student Disability, Health and Counseling Office at 208 – 769 – 7794.

By providing this explanation of policy, the college hopes to encourage elimination of all forms of substance abuse, to help those who currently may be involved to stop use and get appropriate help, and to assist in stopping the spread of this menace at our college and in society as a whole.
Legal Sanctions according to Idaho State Law

The abuse or illegal possession of alcohol is proscribed under Idaho Law. A person must be 21 years of age or older in Idaho in order to lawfully purchase, possess, or consume an alcoholic beverage. If a person's blood alcohol content exceeds 0.10 it is unlawful to drive any motor vehicle and first offense penalties can result in six months in jail or a fine of $1,000, or both. Driving privileges can also be suspended or revoked. There are also local laws prohibiting public intoxication or possession of alcohol by a person under 21 years of age. Described below, are specific Idaho criminal statutes proscribing the illegal abuse or possession of alcohol.

IC 49-2446:

Any person that fraudulently misrepresents his age to a dispenser of alcohol faces misdemeanor penalties and possible loss of driving privileges for 90 days.

IC 18-1502:

Any person violating age violations pertaining to the possession, use, procurement, or sale of alcohol is guilty of a misdemeanor:

- The maximum fine for a first conviction is $1,000;
- A second conviction may result in a maximum sentence of 30 days in jail, a fine of up to $2,000, or both;
- Subsequent convictions may result in a maximum sentence of 60 days in jail, a fine of up to $3,000, or both;
- Driving privileges may be suspended for violators under the age of 21.

IC 23-603:

Any person that gives or sells alcohol to a minor (under 21 years of age) shall be guilty of a misdemeanor. A second violation shall constitute a felony.

IC 18-8002:

Any person who drives in the State of Idaho shall be deemed to have given his consent to an alcohol test. If the driver refuses to submit to the test:
• his drivers license will be seized; and
• if his refusal is not reasonable the driver will lose his driving privileges for 180 days.

IC 18-8005:

Any person found guilty of driving under the influence of alcohol for the first time is guilty of a misdemeanor and may be sentenced to:

• up to six months of jail; and
• may be fined up to $1,000 dollars; and
• may have his driving privileges suspended for 180 days.

Any person found guilty of driving under the influence of alcohol for a second [third] time within five years is guilty of a misdemeanor [felony] shall be sentenced to:

• not less than 10 [30] days in jail and up to one [five] years; and
• may be fined to an amount not to exceed $2,000 [$5,000] dollars; and
• shall have his driving privileges suspended for one [five] year.

IC 18-8006:

Any person causing great bodily harm, permanent disability or permanent disfigurement while driving under the influence is guilty of a felony and may be sentenced to:

• a minimum jail sentence of 30 days and not to exceed five years; and
• may be fined an amount not to exceed $5,000 dollars; and
• shall have his driving privileges suspended for a minimum of one year and maximum of five years.

IC 49-335:

Any person who operates a commercial vehicle and holds a Class A, B, or C license is disqualified from operating a
commercial vehicle for not less than one year if:

- operating a commercial vehicle under the influence of alcohol; and

- operating a commercial vehicle while one's blood alcohol is 0.04 or more;

- any person who operates a commercial vehicle and refuses to submit to a test to determine the driver's alcohol concentration.