

DRUG FREE SCHOOLS ACT

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 and students 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 Health and Counseling Office at 769-7818.

By providing this explanation of policy, the college hopes to encourage elimination of all forms of substance abuse, and to help those who currently may be involved to stop such use and get appropriate help.

Exhibit 1:

FEDERAL TRAFFICKING PENALTIES

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 - 4999 gms mixture	<p>First Offense: Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$2 million if an individual, \$5 million if not an individual</p> <p>Second Offense: Not less than 10 yrs., and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$4 million if an individual, \$10 million if not an individual</p>	5 kgs or more mixture	<p>First Offense: Not less than 10 yrs., and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$4 million if an individual, \$10 million if not an individual.</p> <p>Second Offense: Not less than 20 yrs., and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$20 million if not an individual.</p> <p>2 or More Prior Offenses: Life imprisonment</p>
Cocaine Base (Schedule II)	5-49 gems mixture		50 gems or more mixture	
Fentanyl (Schedule II)	40 - 399 gems mixture		400 gems or more mixture	
Fentanyl Analogue (Schedule I)	10 - 99 gems mixture		100 gems or more mixture	
Heroin (Schedule I)	100 - 999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1 - 9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5 - 49 gms pure or 50 - 499 gms mixture		50 gms or more pure or 500 gms or more mixture	
PCP (Schedule II)	10 - 99 gms pure or 100 - 999 gms mixture	100 gm or more pure or 1 kg or more mixture		

PENALTIES

Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<p>First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs., or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.</p> <p>Second Offense: Not more than 30 yrs. If death or serious injury, not less Flunitrazepam than life. Fine \$2 million if an individual, \$10 million if not an individual</p>
Flunitrazepam (Schedule IV)	1 gm or more	
Other Schedule III drugs	Any amount	<p>First Offense: Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p>Second Offense: Not more 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual</p>
Flunitrazepam (Schedule IV)	30 to 999 mgs	
All other Schedule IV drugs	Any amount	<p>First Offense: Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p>Second Offense: Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.</p>
Flunitrazepam (Schedule IV)	Less than 30 mgs	
All Schedule V drugs	Any amount	<p>First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p>Second Offense: Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>

FEDERAL TRAFFICKING PENALTIES MARIJUANA

DRUG	QNT.	1st OFFENSE	2nd OFFENSE
Marijuana	1,000 kg or more mixture; or 1,000 or more plants	<ul style="list-style-type: none"> • Not less than 10 years, not more than life • If death or serious injury, not less than 20 years, not more than life • Fine not more than \$4 million if an individual, \$10 million if other than an individual 	<ul style="list-style-type: none"> • Not less than 20 years, not more than life • If death or serious injury, mandatory life • Fine not more than \$8 million if an individual, \$20 million if other than an individual
Marijuana	100 kg to 999 kg mixture; or 100 to 999 plants	<ul style="list-style-type: none"> • Not less than 5 years, not more than 40 years • If death or serious injury, not less than 20 years, not more than life • Fine not more than \$2 million if an individual, \$5 million if other than an individual 	<ul style="list-style-type: none"> • Not less than 10 years, not more than life • If death or serious injury, mandatory life • Fine not more than \$4 million if an individual, \$10 million if other than an individual
Marijuana	more than 10 kgs hashish; 50 to 99 kg mixture more than 1 kg of hashish oil; 50 to 99 plants	<ul style="list-style-type: none"> • Not more than 20 years • If death or serious injury, not less than 20 years, not more than life • Fine \$1 million if an individual, \$5 million if other than an individual 	<ul style="list-style-type: none"> • Not more than 30 years • If death or serious injury, mandatory life • Fine \$2 million if an individual, \$10 million if other than individual
Marijuana	1 to 49 plants; less than 50 kg mixture	<ul style="list-style-type: none"> • Not more than 5 years • Fine not more than \$250,000, \$1 million other than individual 	<ul style="list-style-type: none"> • Not more than 10 years • Fine \$500,000 if an individual, \$2 million if other than individual
Hashish	10 kg or less		
Hashish Oil	1 kg or less		

STATE LAWS OF IDAHO PENALTIES FOR ALCOHOL AND ILLEGAL DRUG ABUSE

Violation Idaho Code 37-2732, 2732B (1949)	Controlled Substance Category	Classification	Penalty Idaho Code 37-2732, 2732B (1949)
Manufacture, deliver, or possess with the intent to manufacture or deliver, a controlled substance	Narcotic drug classified in Schedule I or controlled substance classified in Schedule II	Felony	Prison term not exceeding life; fine not exceeding \$25,000
	Any other controlled substance which is a nonnarcotic drug classified in Schedule I, or a controlled substance classified in Schedule III	Felony	Prison term not exceeding 5 years; fine not exceeding \$15,000
	Schedule IV	Felony	Prison term not exceeding 3 years; fine not exceeding \$10,000
	Schedules V and VI	Misdemeanor	Prison term not exceeding 1 year; fine not exceeding \$5,000
Unlawful possession of a controlled substance	Narcotic drug classified in Schedule I or controlled substance classified in Schedule II	Felony	Prison term not exceeding 7 years; fine not exceeding \$15,000
	LSD	Felony	Prison term not exceeding 3 years; fine not exceeding \$5,000

	Schedule I (except LSD) or Schedules III, IV, V, and VI	Misdemeanor	Prison term not exceeding 1 year; fine not exceeding \$1,000
	Marijuana greater than 3 ounces	Felony	Prison term not exceeding 5 years; fine not exceeding \$10,000
Trafficking in marijuana (manufacturing, delivering, bringing into the state, or possessing 1 pound or more of marijuana)		Felony	Mandatory prison term of 1 to 15 years; mandatory fine of \$5,000 to \$50,000, depending on amount possessed; second conviction doubles penalty
Trafficking in cocaine (manufacturing, delivering, bringing into the state, or possessing 28 grams or more of cocaine)		Felony	Mandatory prison term of 3 to life; mandatory fine of \$10,000 to \$100,000, depending on amount possessed; second conviction doubles penalty
Trafficking in methamphetamine (manufacturing, delivering, bringing into the state, or possessing 28 grams or more of methamphetamine)		Felony	Mandatory prison term of 3 to life; mandatory fine of \$10,000 to \$100,000, depending on amount possessed; second conviction doubles penalty
Trafficking in heroin (manufacturing, delivering, bringing into the state, or possessing 2 grams or more of heroin)		Felony	Mandatory prison term of 3 to life; mandatory fine of \$10,000 to \$100,000, depending on amount possessed; second conviction doubles penalty

State

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. Below described 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:

- (1) The maximum fine for a first conviction is \$1,000;
- (2) A second conviction may result in a maximum sentence of 30 days in jail, a fine of up to \$2,000, or both;
- (3) Subsequent convictions may result in a maximum sentence of 60 days in jail, a fine of up to \$3,000, or both;
- (4) 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: (1) his driver's license will be seized; and
(2) 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: (1) up to six months of jail; and
(2) may be fined up to \$1,000 dollars; and
(3) 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:

- (1) not less than 10 [30] days in jail and up to one [five] years; and
- (2) may be fined to an amount not to exceed \$2,000 [\$5,000] dollars; and
- (3) 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:

- (1) a minimum jail sentence of 30 days and not to exceed five years; and
- (2) may be fined an amount not to exceed \$5,000 dollars; and
- (3) 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:

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

(2) operating a commercial vehicle while one's blood alcohol is 0.04 or more; and

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

Exhibit 2:

Health Risks of Alcohol Consumption

The consumption of alcohol may cause a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses 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 liver.

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