



Drug Free Schools and Communities Act (DFSCA) Policy for Employees St. John's College | Annapolis, Maryland

The Drug Free Schools and Communities Act Amendments of 1989 requires that the College adopt and implement a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by employees and students. This document is being published to comply with the provisions of this act as it relates to employees. A separate policy, applicable to students, is available in the Student Handbook or upon request from the Assistant Dean's Office.

The information provides summary information on laws, health risks, expectations and consequences, and resources that have been created to educate about and discourage the abuse of alcohol and illicit drugs. This information is distributed on an annual basis.

Standards of Conduct

St. John's College realizes that alcoholism and drug dependency are serious health problems, but it also recognizes that the illegal use of drugs and alcohol presents serious safety and security problems for the campus community. The College therefore encourages employees with dependency problems to seek counseling and treatment. At the same time, however, it is ethically obliged to enforce very strict policies against illegal and irresponsible activities involving drugs and alcohol.

St. John's College is committed to providing a drug-free workplace and educational environment. The unlawful manufacture, distribution, dispensation, possession, or use of drugs or alcohol is prohibited in and on College property and off-campus events and activities that are sponsored by the College. Compliance with these policies shall be a condition of employment, and these standards of conduct apply to employees. The College observes state and municipal laws respecting alcoholic beverages. These laws prohibit the purchase or consumption of alcoholic beverages by any person who is less than 21 years of age. Those suspected of being under the influence of illegal drugs or alcohol in violation of this policy may be required to undergo testing, in accordance with applicable law.

Disciplinary Sanctions

The College will impose disciplinary sanctions on employees who violate this policy, up to and including referral for prosecution, termination of employment, commencement of procedures to terminate appointment as provided in Polity Article IV(6)(a)(i) and (ii) in the case of tutors, and/or will require satisfactory participation in an approved alcohol and/or drug abuse assistance or rehabilitation program.

Applicants hired into sensitive positions may be subject to drug and/or alcohol testing. An employee MUST notify the Director of Personnel within FIVE CALENDAR DAYS of a conviction for a violation of a criminal drug statute occurring in the workplace. “Conviction” means a finding of guilty (including a plea of no contest) or imposition of sentence, or both.

In addition to disciplinary sanctions imposed by the College, employees should be aware that federal, state, and some local laws treat illegal use, possession, sale, distribution, or manufacture of drugs or alcohol as serious crimes. Conviction can lead to imprisonment, fines, and assigned community service. Courts do not lift prison sentences in order to allow convicted persons to continue their jobs. Felony and certain other convictions can prevent you from entering many fields of employment or professions and may have to be listed on applications for employment.

Drug possession penalties (excluding Marijuana) in the state of Maryland are as follows:

Possession of any controlled substances besides marijuana (**any amount**) is a misdemeanor, punishable by up to four years in prison and a fine of up to \$25,000. The actual charge and penalties upon conviction are generally based on the amount of a given drug and the defendant’s criminal record.

Note: Possession of excessive amounts, suggesting the intent to distribute, may be charged as a felony. Penalties for manufacturing, distributing, or dispensing illegal drugs may include imprisonment for up to 10 years for a first offense, and/or a fine of up to \$100,000. Repeat offenses may result in harsher penalties.

Marijuana possession penalties in the state of Maryland are as follows:

- **Less than 10 g:** Civil offense—\$100 fine; 2nd offense—\$250 fine; 3rd or subsequent offense—\$500 fine.
- **10 g or more (but less than 50 lbs.):** Misdemeanor; up to one year in jail and/or fine of up to \$1,000.
- **50 lbs. or more:** Felony; up to five years in prison and/or a fine of up to \$100,000.

Note: Maryland recognizes the legitimate and [lawful use of marijuana for medical purposes](#). Patients with a valid doctor’s recommendation are required to register with the state.

Alcohol violations

The state of Maryland also has local ordinances and regulations which prohibit possession of alcoholic beverages by those under 21 years of age, furnishing alcoholic beverages to those under 21 years of age, and falsifying one’s age to obtain alcohol. Penalties include fines ranging from \$500 to \$5,000, depending on the offense and whether it is the individual’s first offense.

Maryland law also prohibits public consumption of alcoholic beverages, and public intoxication. In Maryland, public intoxication means being intoxicated or drinking alcoholic beverages in public, and either endangering the safety of a person or property, or causing a public disturbance. Public drinking is a misdemeanor, which incurs a fine of up to \$100, up to 90 days in jail, or both. However, an intoxicated individual who consents, or whose health is in danger (such as with alcohol poisoning), may be taken to a detoxification center or other appropriate health care facility in lieu of arrest (although other charges, such as for property damage, may still be applicable).

Federal Drug Laws and Penalties

The possession, use, or distribution of illegal drugs is prohibited by federal law (note, that the use of marijuana, including for medicinal reasons, remains illegal under federal law). There are strict penalties for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of federal penalties for first convictions. All penalties are doubled for any subsequent drug conviction.

Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison and a mandatory fine of no less than \$1,000 up to a maximum of \$100,000. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500 (up to fines of \$250,000). Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000 (up to fines of \$250,000).

Penalties for distribution of controlled substances, including sharing with others even if not sold, can result in far more severe sanctions. Distributing controlled substances in violation of federal law can result in imprisonment of up to 20 years for a first offense and fines in excess of \$250,000. Stricter penalties may result where death or serious injury results from a person's drug use. More information on federal trafficking penalties is available from the United States Drug Enforcement Administration's publication, [*Drugs of Abuse: A DEA Resource Guide*](#).

Opioids

The dangers of and current epidemic in opioid abuse have been well-reported and should be clear to everyone. In recognition of the particularly urgent need for preventative education, the Maryland Legislature passed the Heroin and Opioid Education and Community Action Act in 2017. In compliance with this law, all incoming freshmen are required to attend heroin and opioid addiction awareness training during orientation. In addition, Narcan is a drug that when properly administered blocks the effects of opioids on the body and can be used in the emergency treatment of someone who has overdosed on opioids. The College has a supply of Narcan located in the Health Center and Public Safety offices. There is training in Narcan administration offered annually to all interested members of the St. John's community.

Health Risks

Specific, serious health risks are associated with the use of alcohol and illicit drugs. Some of the major risks are listed below. For more information, you may contact our Health Center at 410-626-2553.

- **Alcohol and Other Depressants:** Addiction, accidents as a result of impaired ability and/or judgement, alcohol poisoning, overdose when used with other depressants, damage to a developing fetus, heart and liver damage.
- **Marijuana:** Impairs short-term memory, thinking, and physical coordination. May cause panic reactions and paranoia. Can interfere with judgement, attention span, concentration, and overall intellectual performance. Impairs driving ability. May cause psychological dependence and compromise the immune system.
- **Cocaine:** Addiction, cardiovascular system damage including heart attack, brain damage, seizures, lung damage, severe depression, paranoia, psychosis.
- **Heroin:** Addiction, liver disease, collapsed veins, kidney disease, pulmonary infections, depression, heart infections, deterioration of white matter in the brain, infertility, skin infections, tooth and gum issues, overdose.

Treatment Options

A variety of resources exist for alcohol and drug prevention education, counseling, and referral.

- **Samaritan House**
2610 Greenbriar Lane, Annapolis, MD 21401
410-269-5605
samaritanhouseannapolis.org
- **First Step Recovery Program @ Arundel Lodge**
1419 Forest Drive, Annapolis, MD 21403
410-280-2333
arundellodge.org/first-step-recovery-program
- **Pathways**
2620 Riva Rd, Annapolis, MD 21401
443-481-5400
aahs.org/pathways

You may also contact our Employee Assistance Program to speak with a counselor at any time