

BLUE MOUNTAIN CHRISTIAN UNIVERSITY

POLICIES AND PROCEDURES

AREA: Personnel

NUMBER: Policy 3.20

SUBJECT: Drug-Free, Alcohol-Free and Tobacco-Free Environment

In order to promote a healthy environment for students, faculty, staff, and visitors, Blue Mountain Christian University is a tobacco-free campus.

Because Blue Mountain Christian University promotes the highest ideals with regard to care of the mind, body, and spirit, it attempts to provide a clean and uplifting work environment for employees and students.

1. **Drug and Alcohol Policy**

The history, philosophy, policies, and principles of Blue Mountain Christian University prohibit the possession, distribution, use, or abuse of illicit or illegal drugs by students or employees. Further, Blue Mountain Christian University does not approve of the use, possession, or distribution of alcoholic beverages. The use, possession, or distribution of any such substances by students or employees at Blue Mountain Christian University is expressly forbidden and the same shall not be tolerated on any property owned by or controlled by Blue Mountain Christian University, nor shall the same be tolerated at or as a part of any activity undertaken at or under the direction or supervision of Blue Mountain Christian University, nor shall the same be allowed to affect the work performance of any person employed at or by Blue Mountain Christian University.

Illicit drugs shall be defined to include any drug, the use, possession, or distribution of which is proscribed by the laws of the State of Mississippi or by the United States of America. Any violation of the provisions of this notice or of any statements of a similar nature published by Blue Mountain Christian University relative to illicit drugs or alcoholic beverages will result in disciplinary action, which may include suspension with or without pay or termination, mandatory successful completion of approved rehabilitation programs, and/or probation, any of which may become a part of the permanent record of the person violating or breaching any expression of this statement or similar published University policies, standards, rules, and/or regulations.

A violation of the University's expectations may result in sanctions up to and including a student's expulsion or an employee's termination.

An employee or student shall notify the Office of the President within 48 hours of an arrest for the violation of any law regulating alcohol or drugs occurring anywhere. Failure to report as required may result in sanctions (see below).

Additionally, the University expressly reserves the right to refer any person violating this or similar regulations of Blue Mountain Christian University to the appropriate law enforcement officials for prosecution for violation of Civil and/or Criminal Laws, as authorized by *The Drug Free Schools and Communities Act of 1989*.

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It is the desire of Blue Mountain Christian University to have a totally *drug-free* workplace where the body, as the temple of God, is allowed to remain healthy and to grow in stature and where the mind is allowed to grow in wisdom, both acknowledging the presence of Almighty God as the Creator. Thus, it is imperative that the employees of the University set and maintain a standard of excellence for themselves and for the students who “Enter here to learn” and “Depart to share their wisdom.”

2. Tobacco-Free Environment

Findings and Intent

The 2006 U.S. Surgeon General's Report indicates that health consequences of involuntary Exposure to tobacco smoke, has concluded that

- A. secondhand smoke exposure causes disease and premature death in children and adults who do not smoke;
- B. children exposed to secondhand smoke are at an increased risk for sudden infant death syndrome (SIDS), acute respiratory problems, ear infections, and asthma attacks, and that smoking by parents causes respiratory symptoms and slows lung growth in their children;
- C. exposure of adults to secondhand smoke has immediate adverse effects on the cardiovascular system and causes coronary heart disease and lung cancer;
- D. there is no risk-free level of exposure to secondhand smoke;
- E. establishing smoke-free workplaces is the only effective way to ensure that secondhand smoke exposure does not occur in the workplace, because ventilation and other air cleaning technologies cannot completely control for exposure of nonsmokers to secondhand smoke; and
- F. evidence from peer-reviewed studies shows that smoke-free policies and laws do not have an adverse economic impact on the hospitality industry. (U.S. Department of Health and Human Services. The Health Consequences of involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General.

U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006.)

According to the 2010 U.S. Surgeon General's Report, How Tobacco Smoke Causes Disease, even occasional exposure to secondhand smoke is harmful and low levels of exposure to secondhand tobacco smoke lead to a rapid and sharp increase in dysfunction and inflammation of the lining of the blood vessels, which are implicated in heart attacks and stroke. (U.S. Department of Health and Human Services. How Tobacco Smoke Causes Disease: The Biology and Behavioral Basis for Smoking-Attributable Disease: A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2010.)

- 1) Accordingly, Blue Mountain Christian University, finds and declares that the purposes of this policy are to protect the public health and welfare by prohibiting smoking, including the use of Electronic Smoking Devices (ESD), on the Blue Mountain Christian University campus;
- 2) to guarantee the right of nonsmokers to breathe smoke-free air, while recognizing that the need to breathe smoke-free air shall have priority over the desire to smoke; and
- 3) to encourage a healthier, more productive living/learning environment for all members of our campus community.

Definitions

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- A. "Electronic Smoking Device" means any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or Vape pen, or under any other product name or descriptor.
- B. "Hookah" means a water pipe and any associated products and devices which are used to produce fumes, smoke, and/or vapor from the burning of material including, but not limited to, tobacco, shisha, or other plant matter.
- C. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, hookah, or any other lighted or heated tobacco or plant product intended for inhalation, including marijuana, whether natural or synthetic, in any manner or in any form. "Smoking" also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this Article.
- D. "Tobacco Product" means any substance containing tobacco, including but not limited to, cigarettes, cigars, pipe tobacco, hookah, snuff, chewing tobacco, dipping tobacco, bidis, blunts, clove cigarettes, or any other type of tobacco; and any derivative of tobacco, containing nicotine that is manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product will be introduced into the human body by inhalation, ingestion, or absorption.

Smoking and Tobacco Use

In light of the above findings, the Blue Mountain Christian University campus shall be entirely smoke free and tobacco free effective, July 1, 2024. The smoke-free/tobacco-free policy applies to all Blue Mountain Christian University facilities, property, and vehicles, owned or leased, regardless of location. Smoking and tobacco use shall not be permitted in any enclosed place, including, but not limited to, all offices, classrooms, hallways, waiting rooms, restrooms, meeting rooms, community areas, performance venues and private residential space within Blue Mountain Christian University housing. Smoking and tobacco use shall also be prohibited outdoors on all Blue Mountain Christian University campus property, including, but not limited to, parking lots, paths, fields, sports/recreational areas, and stadiums, as well as in all personal vehicles while on campus. This policy applies to all students, faculty, staff, and other persons on campus, regardless of the purpose for their visit. No exemptions are allowed for theatrical productions, sports arena and/or special events, nor on off-campus properties. Permission for an exemption will not be provided from the president or other authority.

Promotion and Sale of Tobacco Products

In further recognition of the incompatibility of Blue Mountain Christian University's educational mission and the promotion of tobacco products: No tobacco-related advertising or sponsorship shall be permitted on Blue Mountain Christian University property, at Blue Mountain Christian University sponsored events, or in publications produced by Blue Mountain Christian University with the exception of advertising in a newspaper or magazine that is not produced by Blue Mountain Christian University and which is lawfully sold, bought, or distributed on Blue Mountain Christian University property. For the purposes of this policy, "tobacco related" applies to the use of a tobacco brand or corporate name, trademark, logo, symbol, or motto, selling message, recognizable pattern or colors, or any other indicia of product identical to or similar to, or identifiable with, those used for any brand of tobacco products or company which manufactures tobacco products. Cigarettes, including ESDs, cigars, and pipes, including hookah pipes, shall not be sold or distributed as samples on university grounds, either in vending machines, the student union, or any area on campus.

Drug Penalties

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Additional Sanctions

Local, state and federal laws prohibit unlawful possession or distribution of illicit drugs and alcohol, and otherwise regulate their use. A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts and licenses. For the violation of local, state, and federal laws, sanctions may occur. The University may refer for prosecution the unlawful possession, use, or distribution of illegal drugs and alcohol by students and employees on its property or as a part of any of its activities.

State of Mississippi

The criminal penalties for drug possession, abuse, use, and/or distribution in the State of Mississippi, as expressed in the Mississippi Uniform Controlled Substance Law, Miss. Code Section 41-29-139, range from six-month imprisonment and \$500 fine for the sale of paraphernalia to 30 years and \$1 million in fines for second offenders. Illicit drugs are listed in schedules, and the penalties vary.

Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

[Source: 21.U.S.C.744(a)]

1st conviction: Up to 1-year imprisonment and fined at least \$1,000 but not more than \$100,000 or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000 or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000 or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000 or both, if:

- (a) 1st conviction and the amount of crack possessed exceeds 5 grams.
- (b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams.
- (c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram. [Source: 21.U.S.C. 853(a)(2) and 881(a)(7)]

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1-year imprisonment. See special sentencing provisions re: crack. [Source: 21.U.S.C. 881(a)(4)]

Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance. [Source: 21.U.S.C. 844a]

Civil fine of up to \$10,000 (pending adoption of final regulations). [Source: 21.U.S.C. 853a]

Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses. [Source: 18.U.S.C. 922(g)]

Ineligible to receive or purchase a firearm.

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MISCELLANEOUS

Revocation of certain federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc., are vested within the authorities of individual federal agencies.

Federal Drug Laws

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Federal Drug Penalties

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 - 4999 gms mixture	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 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	5 kgs or more mixture	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. 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. 2 or More Prior Offenses: Life imprisonment
Cocaine Base (Schedule II)	5-49 gms mixture		50 gms or more mixture	
Fentanyl (Schedule II)	40 - 399 gms mixture		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10 - 99 gms mixture		100 gms 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	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. Second Offense: Not more than 30 yrs. If death or serious		
Flunitrazepam				

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Alcohol Penalties

The legal drinking age for beer and/or alcohol is 21 years of age. A conviction for violating this law remains on one's record. A minor in possession can be fined up to \$500.00, 30 days community service, and/or a 90 days suspension of his/her driver's license. Minors convicted of using false identification, which includes using another individual's driver's license or ID, altering their own identification, or reproducing a fake ID card can be fined up to \$500.00 and serve up to 30 days of community service. Further, a person over 21 years of age who is in the business of supplying fake driver's licenses to minors can be convicted of a felony and face up to \$5,000 in fines and 3 years in jail. There are 34 (of 82 total) counties in Mississippi that are completely dry for hard liquor. In addition to this, there are 4 counties that are "half" dry because the county has two judicial districts and each district can have an independent election. There are several locations in the dry areas of the state that are legal for liquor and wine sales due to legislative action. There are currently 36 counties in Mississippi that are dry for beer and light wine sales. Within these 36 counties, there are numerous municipalities that are wet for beer sales.

What are the penalties for a DUI in Mississippi?

	1st Offense	2nd Offense	3rd Offense
Jail	Up to 48 hours	5 days up to 1 year	1 to 5 years
Fines and Penalties	\$250 to \$1,000	\$600 to \$1,500	\$2,000 up to \$5,000
License Suspension	90 days	2 years	5 years
IID** Required	No	Yes	Yes

The minimum age to legally purchase cigarettes or other tobacco products is 18 years.

Health Risks Associated with the Use of Alcohol and Illicit Drugs

A. Alcohol Consumption

Alcohol consumption causes 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,

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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 the 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 greater risk of becoming alcoholics than other youngsters.

B. Illicit Drug Use

1. **CANNIBIS (MARIJUANA).** The use of marijuana may impair or reduce short-term memory and comprehension, alter sense of time and reduce coordination and energy level. Users often have a lowered immune system and an increased risk of lung cancer. The active ingredient in marijuana, THC, is stored in the fatty tissues of the brain and reproductive system for a minimum of 28 to 30 days.
2. **HALLUCINOGENS.** Lysergic acid (LSD), mescaline and psilocybin cause illusions and hallucinations. The user may experience panic, confusion, suspicion, anxiety and loss of control. Delayed effects, or flashbacks, can occur even when use has ceased. Phencyclidine (PCP) affects the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries.
3. **COCAINE/CRACK.** Cocaine users often have stuffy, runny noses and may have perforated nasal septum. The immediate effects of cocaine use include dilated pupils and elevated blood pressure, heart rate, respiratory rate and body temperature followed by depression. Crack or free-baser rock cocaine is extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, convulsions and even death.
4. **AMPHETAMINES.** Amphetamines can cause a rapid or irregular heartbeat, tremors, loss of coordination, collapse and death. Heavy users are prone to irrational acts.

Available Counseling Resources

The Behavioral Intervention Team (BIT) is an administrative committee designed to help faculty/staff and students respond to students and employees in distress, to help facilitate a comprehensive reporting culture on the campus, and to integrate threat assessment tools in the campus community. In addition to the services provided by the BIT, employees and students have access to nearby counseling services, including:

1. **Commicare** 820 Highway 178 East, Holly Springs, MS 38635 662-252-4140, Intake 662-252-4140, www.commicarems.org.
2. **Region IV MH/MR Commission- Booneville Extension Office** 2100 Chambers Street, Booneville, MS 38829 662-728-3174, Intake 662-728-3174, Hotline 662-728-3175, www.regionivmhs.com
3. **Region IV MH/MR Commission- 401 New Hope Drive, Corinth, MS 38835** 662-286-7199, Intake 662-286-7199, Hotline 888-287-4443, www.regionivmhs.com
4. **North Mississippi Medical Center Behavioral Health Center** 4579 South Eason Boulevard, Tupelo, MS 38801 662-377-3161, Intakes 662-377-3161-3154, 800-442-2238, Hotlines 662-377-3161 800-442-2238 www.nmhs.net

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5. Region III Chemical Dependency Services, Lifecore Health Group Addiction Services 920 Boone Street, Tupelo, MS 38804 662-987-4260, Intakes 662-844-3531-100, 662-844-3532-135, Hotlines 662-844-3531 662-844-1717
6. Communicare Haven House 152 Highway 7 South, Oxford, MS 38655 (662) 234-7237, Intake (662) 234-7237, Hotline (662) 234-7521 www.communicarems.org
7. Communicare Outpatient Treatment 152 Highway 7 South, (662) 234-7521, Intake (662) 234-7521 Hotline (662) 234-7521, www.communicarems.org
8. Quinco Mental Health Center McNairy County Center 641 East Poplar Street, Selmer, TN 38375 731-645-5753, Intake 800-532-6339, Hotline 800-467-2515
9. Quinco Community Mental Health Center 10710 Old Highway 64, Bolivar, TN 38008 (731) 658-6113, Intake 800-532-6339, Hotline 800-467-2515
10. Professional Care Services of West Tennessee, 12615 South Main Street, Somerville, TN 38068, (901)465-9831, Intake (901) 465-9831, Hotline (800) 353- 9918 www.pcswn.org

Compliance and Program Review

The effectiveness of this policy relies on the thoughtfulness, consideration, and cooperation of students, administrators, faculty, and staff for its success. It is the responsibility of ALL members of the campus community to comply with the policy. This policy shall be given to each employee upon employment, and each student upon enrollment, and thereafter this policy shall be given to each employee and student annually. A biennial review will be conducted by the President's Cabinet to determine the effectiveness of, and to implement changes to, the University's drug prevention program as needed, and to ensure that the disciplinary sanctions are consistently enforced by the University.

[Cross reference with Policy 4.22: Drug-Free, Alcohol-Free, and Tobacco-Free Environment and Policy 6.02: Drug-Free, Alcohol-Free, and Tobacco-Free Environment]

SOURCE: Board of Trustees: April 26, 2024; October 02, 2015; October 03, 2008; February 22, 2002
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