



Minnesota State Community and Technical College  
Detroit Lakes | Fergus Falls | Moorhead | Wadena

DRUG-FREE SCHOOLS  
AND COMMUNITIES ACT  
BIENNIAL REVIEW 2020

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## INTRODUCTION AND BACKGROUND

The Drug-Free Schools and Communities Act of 1989 Amendments required institutions of higher education to design and implement alcohol and illicit drug programs on their campuses. As a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education has to certify that it has adopted and implemented a program to prevent “the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees” on campus property or as a party of any campus activity.

This legislation directed the colleges:

1. To develop a written policy on alcohol and other drugs
2. To develop a process that ensures policy distribution to all students, staff and faculty
3. To enumerate federal, state, or local sanctions for unlawful possession or distribution of illicit drugs and alcohol
4. To describe health risks associated with alcohol abuse or illicit drug use
5. To describe college drug and alcohol programs available for students and employees
6. To specify disciplinary sanctions imposed on students and employees for policy violations
7. To conduct biennial reviews to assess the effectiveness of their alcohol and drug programs

At a minimum each institution of higher education must annually distribute the following in writing to all students and employees:

Standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees.

A description of the legal sanctions under local, state or federal for the unlawful possession or distribution of illicit drugs and alcohol

A description of short term and long term health risks related to the use of illicit drugs or the abuse of alcohol.

A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees and students.

A clear statement that the institution will impose sanctions on students and employees and a description of those sanction, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct. The law further requires an institution of higher education to review its program:

1. To determine its effectiveness and implement changes if they are needed, and
2. To ensure that the sanctions developed are consistently enforced

In compliance with federal legislation, the Drug-Free Schools Act and Communities Review Group of Minnesota State Community and Technical College (M State) has prepared this biennial review.

## BIENNIAL REVIEW PROCESS

A review group was convened and oriented to the requirements of the Drug-Free Schools Act and the completion of a biennial review to comply with the act.

Members represented: Student Development Services, Academic Affairs, Counseling Services, Strategic Prevention Framework Partnerships for Success Grant Coordinators, College Social Worker, Faculty.

The committee reviewed components essential to the college’s drug and alcohol program: policy statements, publications, services, data collection, student life and data on student and employee conduct.

The committee consisted of the following individuals:

Laura Zeiher, Compliance Officer (Committee Chair)

Alli Fast, SPF PFS Project Coordinator

Marisa Gonzalez, Social Worker

Victoria Mc-Wane Creek, Director of Housing and Residential Life

Kitra Nelson, SPF PFS Project Coordinator

Wendy Olds, Financial Aid Director

Maronda Robertson, Counselor/Faculty

Kayla Simon, Social Worker

Nancy South, Student Development Services Director

## ANNUAL DISTRIBUTION OF THE DRUG AND ALCOHOL PREVENTION PROGRAMS

Students – In the second week of each academic term, the Compliance Officer will email an official notice to all students, providing them with the information for the student handbook and the student conduct code, which included the college’s alcohol and drug prevention information.

Employees – At the beginning of each academic term, the Chief Human Resources Officer (CHRO) or designee will distribute via email an official notice to all employees, providing them with the M State Drug Free Environment policy and procedure. In addition, new employees will receive via email the M State Drug Free Environment policy and procedure at the time of hire.

## BIENNIAL REVIEW POLICY AND PROCEDURE

### The Biennial Review Policy and Process

It is the policy of the college to conduct a Biennial Review following the guideline below. This review will consist of a review of the college’s drug and alcohol prevention program with the following objectives: (1) determining the effectiveness of the policy and implementing changes to the drug and alcohol prevention program if they are needed; and (2) to ensure sanctions developed are enforced consistently.

The Biennial Review must also include a determination as to: (1) the number of drug- and alcohol- related violations and fatalities occurring on the campus or as a part of their activities that are reported to campus officials; and (2) the number and type of sanctions the IHEs impose on students or employees as a result of such violations or fatalities.

### Biennial Review Procedure and Timeline

Next Biennial Review Period: Fall 2020 - Spring 2022 (covers academic years 2020-21 and 2021-2022) The time from the previous review has been adjusted, and those adjustments are reflected in the time-line below.

January of 2022 - identify Biennial Team Members

February of 2022 - committee begins meeting regularly to review college’s drug and alcohol prevention programs and previous Biennial Review report. A first step is to identify and gather together the necessary documents and information to support the review. Committee members will leave meetings with assignments and tasks with completion deadlines.

March of 2022 - May 2022 - committee meets regularly and provides progress updates. The committee will begin to identify recommendations for improvement, if necessary, to current alcohol and drug prevention efforts. The Biennial Review report writing can begin during this period.

May 2022 – October 2022 - continue to write review and incorporate information provided by committee members

November 2022 - December 2022 - The Drug-Free Schools and Communities Act Biennial Review - 2022 will be finalized and presented to the college president for review.

December 2022 - The Drug-Free Schools and Communities Act Biennial Review - 2022 will be published to the college website and the college community will be notified via email, with a link to the report, that the report is available. The email will also indicate that the report is available in an alternative format and how to make a request. This notification will be sent by the College’s Compliance Officer.

## GENERAL CONCLUSION

M State appears to be in full compliance with federal legislation. The college has developed and maintains a drug prevention policy. The college distributes the drug-free policy annually to all students, faculty and staff through the Annual Security and Fire Safety Report. The drug-free policy is also distributed to all students through the Student Handbook. The drug-free policy is also available on the college’s website. The college provides services and activities that promote a drug-free campus environment. The college tracks the number of alcohol- and drug-related offenses, applicable sanctions and referrals.

## COLLEGE COMPLIANCE WITH FEDERAL LEGISLATION

Minnesota State Community and Technical College acknowledges its legal obligation to conduct a biennial review of compliance with the Drug-Free Schools and Communities Act and authorized an administrative review to be conducted to determine if the college fulfills the requirements of the aforementioned Federal regulations.

The intention of this document is to meet the legal requirements of conducting a biennial review.

## POLICY TITLE: DRUG-FREE ENVIRONMENT

(currently published on the college's website)

### Purpose:

To provide a drug-free environment for students, employees and visitors at the college.

### Definitions:

#### *Alcohol*

Alcohol consumption causes a number of changes in behavior and physiology. Even low doses significantly impair judgment, coordination and abstract mental functioning. Statistics show that alcohol use is involved in a majority of violent behavior on college campuses, including acquaintance rape, vandalism, fights and incidents of drinking and driving. Continued abuse may lead to dependency, which often causes permanent damage to vital organs and deterioration of a healthy lifestyle.

#### *Cannabis (Marijuana, Hashish)*

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. Users also experience interference with psychological maturation and temporary loss of fertility. The active ingredient in marijuana, THC, is stored in the fatty tissue of the brain and reproductive system for a minimum of 28 to 30 days.

#### *Medical Cannabis*

Although some limited use of medical cannabis is now legal in Minnesota under state law, federal law continues to classify its use as illegal, and M State is required to prohibit its use as a condition of receiving federal financial assistance.

#### *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. Hallucinogens can cause liver damage, convulsion, coma and even death.

#### *Cocaine/Crack*

Cocaine users often have a stuffy, runny nose and may have a 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 freebase rock cocaine, is extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, convulsions, and even death.

#### *Methamphetamines*

Methamphetamines, known as speed, meth, ice, glass, etc., have a high potential for abuse and dependence. Taking even small amounts may produce irritability, insomnia, confusion, tremors, convulsions, anxiety, paranoia, and aggressiveness. Methamphetamines are addictive and users can develop a tolerance quickly so will need more and more to get the same effect. Over time, methamphetamine users may experience symptoms similar to Parkinson's disease, a severe movement disorder. There are many health risks from taking this type of drug. While on the drug, the user may become tense and anxious, and it can leave them feeling depressed, paranoid and tired for days after. Methamphetamines can also cause violent mood swings, and users can become very aggressive. Long-term use can cause paranoia, hallucinations, mental illness and respiratory problems and will put a strain on the heart due to increased blood pressure.

#### *Amphetamines*

Amphetamines can cause a rapid or irregular heartbeat, headaches, depression, damage to the brain and lungs, tremors, loss of coordination, collapse and death. Heavy users are prone to irrational acts.

#### *Club Drugs*

Club drugs, such as MDMA (Ecstasy), Rohypnol, GHB, and Ketamine are used in a nightclub, bar or rave drug scene. They have varying effects and can cause changes to critical parts of the brain.

#### *Heroin/Narcotics/Opiates*

Narcotics such as codeine, heroin or other opiate drugs cause the body to have diminished pain reactions. The use of heroin can result in coma or death due to a reduction in heart rate.

#### *Steroids*

Steroid users experience a sudden increase in muscle weight and an increase in aggression and combativeness. Steroids can cause high blood pressure, liver and kidney damage, heart disease, sterility and prostate cancer.

## Policy:

Minnesota State Community and Technical College is committed to providing an environment free of alcohol and illegal drugs for its students, employees and visitors. Therefore, the College prohibits the unlawful possession, use, manufacture, or distribution of controlled substances, including alcohol and illegal drugs, by students and employees on its property, in College or state-owned vehicles, or as part of any of its activities.

### *Standards of Conduct*

The College standards of conduct prohibit the unlawful possession, use, manufacture or distribution of illegal drugs and alcohol by students and employees at all on-campus activities and off-campus activities that are considered to be school-sponsored. Foreign study programs, field trips, etc., also fall under these requirements.

### *Disciplinary Sanctions*

The College shall impose appropriate disciplinary sanctions on students and employees found to violate this policy, up to and including expulsion or termination. Individuals who violate this policy may additionally be subject to legal sanctions, including criminal prosecution, under federal, state or local law. Summary information on legal penalties for violating controlled substance law is found below.

Students working as employees are covered while on duty under the employee sanctions; otherwise, they are covered under the student sanctions.

### *Policy Distribution*

The College distributes the Drug Free Environment Policy by email for new employees at the time of hire and annually thereafter to all employees. The college distributes a copy of the policy to students each semester via their college email account.

## Responsibilities:

### *Campus Designee*

Ensure that College personnel and students know of this policy. Enforce this policy by imposing disciplinary sanctions. Secure pre-approval from the Office of the Chancellor for the serving of alcoholic beverages at college functions as permitted under Minnesota State Board Policy.

### *All College employees, including student employees*

Abide by the terms of this policy. Notify immediate supervisor of their conviction for a criminal drug statute violation occurring in the workplace no later than five (5) days after such convictions. Requested to report violations to the campus administrator.

### *All Students*

Abide by the terms of this policy. Requested to report violators to the campus administrator.

## Resources for Assistance:

Students and/or employees seeking assistance with an alcohol or drug problem may contact the following resources for assistance:

### *State Employee Assistance Program*

Counseling Services ..... 866.477.1586  
Website <https://mn.gov/mmb/segip/health-and-wellbeing/eap/>

### *Detroit Lakes*

Glenmore Recovery Center ..... 218.846.1605  
Alcoholics Anonymous ..... 218.844.9970

### *Fergus Falls*

Lakeland Mental Health Center ..... 218.736.6987  
Alcoholics Anonymous ..... 218.739.9887

### *Moorhead*

Clay County Social Services ..... 218.299.5200  
Narcotics Anonymous..... 701.234.9330  
Alcoholics Anonymous ..... 701.235.7335

### *Wadena*

Neighborhood Counseling Center ..... 218.631.1714  
Alcoholics Anonymous ..... 218.631.3823

# STATE AND FEDERAL LEGAL SANCTIONS REGARDING CONTROLLED SUBSTANCES:

## Minnesota Alcohol Violation Sanctions

### *Driving Under the Influence:*

It is illegal to drive, operate or be in physical control of motor vehicle while under the influence of alcohol and/or a controlled or hazardous substance or with a blood-alcohol concentration of 0.08 or more. "Operate" or "in physical control" includes starting the motor, steering or being in position to control a vehicle, including simply sitting or sleeping in a parked vehicle.

#### *PENALTY:*

First offence (including juvenile convictions): - fine up to \$700, jail up to 90 days, driver's license revocation of at least 30 days

Second offense within 5 years or 2 or more convictions within 10 years: gross misdemeanor – fine up to \$3,000, jail up to one year, driver's license revocation of at least 30-90 days and possible chemical dependency treatment.

Three or more offenses: longer period of revocation.

### *Minors in Possession/Consumption:*

Persons *under 21 years of age* consuming or possessing alcoholic beverages with intent to consume, unless the person is in a parent or guardian's home and drinks with their permission. Possession anywhere other than a parent or guardian's home is prima facie evidence of intent to consume.

*PENALTY:* Misdemeanor

### *Selling or Purchasing for a Minor:*

Selling, bartering, furnishing or giving alcoholic beverages to a person under 21 years old (except parents in their home).

*PENALTY:* Gross misdemeanor.

### *Civil Liability:*

Possible civil liability for damages caused by the person under 21 while under the influence.

Anyone under 21 years of age who purchases or attempts to purchase an alcoholic beverage or claiming to be 21 or older for the purpose of purchasing alcoholic beverages.

*PENALTY:* Misdemeanor.

Drivers license suspension of 90 days if a driver's license, permit or Minnesota identification is used in making or attempting the purchase.

This includes a person under 21 years of age purchasing or procuring alcoholic beverages or lending to or permitting use of identification by a person under the age of 21 for the purpose of purchasing or attempting to purchase alcoholic beverages.

*PENALTY:* Gross misdemeanor. Driver's license suspension of 90 days.

**NOTE:** Penalties can change with each legislative session. Municipalities and counties may also have ordinances that regulate gatherings and have specific penalties for violation.

## Minnesota Drug Sanctions

### *Schedule Drugs (I-V)*

- I. Heroin, LSD, mescaline and peyote, amphetamine variants, marijuana, other hallucinogens.
- II. Opium, morphine, codeine, methadone, cocaine, barbiturates.
- III. Anabolic steroids, opium, methadone, cocaine, barbiturates.
- IV. Barbiturates, benzodiazepines, choral hydrate, other narcotics, stimulants and depressants.
- V. Opium, codeine, other narcotics and depressants.

### *First Degree*

**Sale:** 10+ grams of cocaine, 50+ grams of other narcotic drug, 200+ doses hallucinogen, 50 kilos marijuana or 25+ kilos marijuana in a school zone, park zone or public housing zone.

**Possession:** 25+ grams of cocaine, 500+ grams of other narcotic drug, 500+ doses hallucinogen, 100+ kilos marijuana.

**PENALTY:** 0-40 years, 4-year mandatory minimum if prior drug felony; up to \$1 million fine, 0 to 40 years, 2<sup>nd</sup> offense.

### *Second Degree*

- Sale:** 3+ grams of cocaine, 10+ grams of other narcotic drug, 50+ doses hallucinogen, 25 kilos marijuana or sale of a Schedule I or II narcotic drug of 5+ doses hallucinogen or methamphetamine either to a person under 18 or in a school zone, park zone or public housing zone.
- Possession:** 6+ grams of cocaine, 50+ grams of other narcotic drug, 100+ doses hallucinogen, 50+ kilos marijuana
- PENALTY:** 0 to 40 years, 3 years mandatory minimum if prior drug felony; up to \$500,000 fine.

### *Third Degree*

- Sale:** Narcotic drug: 10+ doses hallucinogen, 5+ kilos marijuana or sale of a Schedule I, II or III (except a Schedule I or II narcotic drug or marijuana) to a person under 18 or employment of person under 18 to sell the same.
- Possession:** 3+ grams cocaine, 10+ grams of other narcotic drug, 10+ kilos marijuana, and any amount of Schedule I or II narcotic drug or LSD or methamphetamine or 5+ kilos in a school zone, park zone or public housing zone.
- PENALTY:** 0 to 30 years, 2-year mandatory minimum if prior drug felony; up to \$250,000 fine. 0 to 30 years, 2<sup>nd</sup> or subsequent offense.

### *Fourth Degree*

- Sale:** Any Schedule I, II or III drug (except marijuana) or sale of marijuana in a school zone, park zone or public housing zone or any Schedule IV or V drug to a person under 18 or conspiracy for the same.
- Possession:** 10 doses hallucinogen, any amount of Schedule I, II or III drug (except marijuana) with intent to sell it.
- PENALTY:** 0 to 30 years, 1 year mandatory minimum if prior drug felony; up to \$100,000 fine.

### *Fifth Degree*

- Sale:** Marijuana or a Schedule IV drug.
- Possession:** All Schedule I, II, III or IV drugs except 42.5 grams or less of marijuana. Any prescription drugs obtained through false pretenses or forgery.
- PENALTY:** 0 to 5 years, 6 months mandatory minimum if prior drug felony; up to \$10,000 fine.

### *Small Amounts of Marijuana*

For the possession of up to 1.4 grams of marijuana the person is guilty of a petty misdemeanor including a fine of \$200 and required attendance at an approved drug education program.

Second conviction of possession of a small amount of marijuana results in a misdemeanor and possible drug treatment. Possession of 1.4 grams or less of marijuana in an automobile is a misdemeanor.

## Federal Controlled Substance Sanctions

### *Schedule I Drugs (Penalty for possession):*

- First Offense:** 0 years to life, 10 year mandatory minimum; if death or serious injury, 20 year minimum; up to \$4 million fine individual, \$10 million other than individual
- Second Offense:** 0 years to life, 20 years mandatory minimum; if death or serious injury, not less than life; up to \$8 million fine individual, \$20 million other than individual.

### *Schedule II Drugs (Penalty for possession):*

- First Offense:** 5 years to 40 years, 5 year mandatory minimum; if death or serious injury, 20 years minimum; up to \$2 million fine individual, \$10 million other than individual.
- Second Offense:** 0 years to life, 10 years mandatory minimum; if death or serious injury, not less than life; up to \$4 million fine individual, \$10 million other than individual.

*Schedule I or II Controlled Drugs (Penalty for possession):*

*First Offense:* 0 to 20 years; if death or serious injury, 20 years minimum, not more than life; up to 1 million fine individual, \$5 million other than individual.

*Second Offense:* 0 to 30 years; if death or serious injury, not less than life; up to \$2 million fine individual, \$10 million other than individual.

*Schedule III Drugs (Penalty for possession):*

*First Offense:* 0 to 5 years, up to \$250,000 fine individual, \$1 million other than individual.

*Second Offense:* 0 to 10 years; up to \$500,000 fine individual, \$2 million other than individual.

*Schedule IV Drugs (Penalty for possession):*

*First Offense:* 0 to 3 years, up to \$250,000 fine individual, \$1 million other than individual.

*Second Offense:* 0 to 6 years; up to \$500,000 fine individual, \$2 million other than individual.

*Schedule V drugs (Penalty for possession):*

*First Offense:* 0 to 1 year; up to \$100,000 fine individual, \$250,000 other than individual

*Second Offense:* 0 to 2 years; up to \$200,000 fine individual, \$500,000 other than individual.

*Miscellaneous Penalties:*

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 one year imprisonment.

21 U.S.C. 881 (a)(4): Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21 U.S.C. 844 (a): Civil fine of up to \$10,000 (pending adoption of final regulations).

21 U.S.C. 853 (a): Denial of federal benefits, such as student loans, grants, contracts and professional and commercial licenses up to one year for first offense, up to five for second and subsequent offenses.

18 U.S.C. 922 (g): Ineligible to receive or purchase a firearm.

*Associated Policies:*

State of Minnesota Prohibition of Alcohol and Drug Use by State Employees  
Minnesota State Board Policy 5.18 Alcoholic Beverages or Controlled Substances on Campus  
Drug-Free Schools and Campuses Act Amendments of 1989  
Drug-Free Workplace Act of 1988  
M State Bystander Policy  
M State Amnesty Policy

*Associated Procedures:*

*Policy History:*

*Policy Owner:* Chief Human Resource Officer

*Policy Author:* Dacia Johnson/Shawn Anderson

*Date of Adoption:* 3/1/2005

*Date of Implementation:* 8/28/2017

*Date and Subject of Revision:* 7/31/17

*updates:* MnSCU to Minn State, contacts, definitions, format, and associated policies; 7.31.12; updated policy;

**Policy Group Assignment:** College Organization & Administration

**Procedure Written:** Not Needed

**-End of Published Drug-Free Environment Policy-**

## M STATE STUDENT CONDUCT CODE

(as published on the college website)

The M State Student Conduct code is published on the college's website ([www.minnesota.edu/student-conduct](http://www.minnesota.edu/student-conduct)). Notification of the Student Conduct Code is provided annually to all students via their college issued email address. This notification also indicates that students may request a printed copy of the Student Conduct Code in Student Development Services on any M State campus, between 8 a.m. and 4:30 p.m., Monday-Friday.

The M State Student Conduct Code identifies several areas that support the Drug-Free Policy [www.minnesota.edu/student-conduct](http://www.minnesota.edu/student-conduct)

**College Rules:** Violating Minnesota State Board policy and published College policies, rules or regulations or violating other College department regulations that have been posted or publicized. Provisions contained in College documents shall be deemed "rules" under this code.

**Violations of Law:** Violations of local, state or federal law on college property or off college property when such a violation poses a threat to the safety or welfare of the college community or disrupts the operations of the college

**Controlled Substances:** Use, possession or distribution of any controlled substance or drugs and/or drug paraphernalia.

**Alcohol:** Public intoxication or use, possession or distribution of alcoholic beverages except as expressly permitted by law and college regulations.

### Health Risks

(The following information is also contained in the Student Handbook, beginning on page 30)

**Alcohol.** Alcohol consumption causes a number of changes in behavior and physiology. Even low doses significantly impair judgment, coordination, and abstract mental functioning. Statistics show that alcohol use is involved in a majority of violent behaviors on college campuses, including acquaintance rape, vandalism, fights, and incidents of drinking and driving. Continued abuse may lead to dependency, which often causes permanent damage to vital organs and deterioration of a healthy lifestyle.

**Amphetamines** - Amphetamines can cause a rapid or irregular heartbeat, headaches, depression, damage to the brain and lungs, tremors, loss of coordination, collapse, and death. Heavy users are prone to irrational acts. Club Drugs - Club drugs, such as MDMA (Ecstasy), Rohypnol, GHB, and Ketamine sometimes are used in a nightclub, bar, or rave drug scene. They have varying effects and can cause changes to critical parts of the brain

**Cocaine/Crack** - Cocaine users often have a stuffy, runny nose and may have a perforated nasal septum. The immediate effects of cocaine use include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature, paranoia and depression. Cocaine is extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, psychosis, convulsions, stroke and even death.

**Hallucinogens** - Lysergic Acid Diethylamide (LSD) causes 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. Hallucinogens can cause liver damage, convulsion, coma and even death.

**Marijuana** - 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. Users also experience interference with psychological maturation and temporary loss of fertility. 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.

**Methamphetamines.** Methamphetamines, known as speed, meth, ice, glass, etc., have a high potential for abuse and dependence. Taking even small amounts may produce irritability, insomnia, confusion, tremors, convulsions, anxiety, paranoia, and aggressiveness. Methamphetamines are addictive and users can develop a tolerance quickly, so the user will need more and more to get the same effect. Over time, methamphetamine users may experience symptoms similar to Parkinson's disease, a severe movement disorder. There are many health risks from taking this type of drug. While on the drug the user may become tense and anxious and it can leave them feeling depressed, paranoid and tired for days after. Methamphetamines can also cause violent mood swings and users can become very aggressive. Long-term use can cause paranoia, hallucinations, mental illness, respiratory problems and will put a strain on the heart, due to increased blood pressure.

**Heroin/Narcotics/Opiates** - Narcotics such as codeine, heroin or other opiate drugs cause the body to have diminished pain reactions. The use of heroin can result in coma or death due to a reduction in heart rate.

**Steroids** - Steroid users experience a sudden increase in muscle and weight and an increase in aggression and combativeness. Steroids can cause high blood pressure, liver and kidney damage, heart disease, sterility and prostate cancer.

## MINNESOTA CONTROLLED SUBSTANCES SANCTIONS

### Minnesota Alcohol Violation Sanctions

#### Driving Under the Influence:

It is illegal to drive, operate, or be in physical control of a motor vehicle while under the influence of alcohol and/or a controlled or hazardous substance. A blood alcohol level of 0.08 or more is considered intoxicated. "Operate" or "in physical control" includes starting the motor, steering or being in position to control a vehicle, including simply sitting or sleeping in a parked vehicle. It is illegal for persons under the age of 21 to drive, operate, or be in physical control of a motor vehicle, regardless of the degree of intoxication and blood alcohol level.

Minnesota state law imposes stiff criminal and administrative sanctions on persons who are convicted of driving under the influence of alcohol and/or a controlled or hazardous substance. Administrative sanctions for driving under the influence convictions can include driver's license suspension, revocation, cancellation, denial, or disqualification. If convicted of driving under the influence, criminal penalties range from a misdemeanor to a felony, including potential jail time and/or fines of up to \$14,000.

Minnesota law - driving while impaired, including underage drinking and driving ( <https://www.revisor.mn.gov/statutes/cite/169A.20> )

**Minors in Possession/Consumption:**

It is a violation of Minnesota state law for anyone under the age of 21 to consume alcohol, purchase or attempt to purchase alcoholic beverages, or enter a licensed liquor establishment to purchase or be served alcoholic beverages. Additionally, it is against the law for anyone under the age of 21 to misrepresent their age, attempt to use another's driver's license or false identification to gain entry into a liquor establishment, or purchase alcoholic beverages.

Minnesota law - underage alcohol offenses ( <https://www.revisor.mn.gov/statutes/cite/340A.503> )

**Selling or Purchasing for a Minor:**

Selling, bartering, furnishing, or giving alcoholic beverages to a person under 21 years of age is a gross misdemeanor offense with a maximum penalty of 0-1 year imprisonment and/or \$3,000 fine.

Minnesota law - violations and penalties related to liquor laws ( <https://www.revisor.mn.gov/statutes/cite/340A> )

**Civil Liability:**

Possible civil liability for damages caused by the person under 21 while under the influence.

Anyone under 21 years of age who purchases or attempts to purchase an alcoholic beverage or claiming to be 21 or older for the purpose of purchasing alcoholic beverages.

Minnesota law - civil actions ( <https://www.revisor.mn.gov/statutes/cite/340A.801> )

*NOTE:* Penalties can change with each legislative session. Municipalities and counties may also have ordinances that regulate gatherings and have specific penalties for violation.

MINNESOTA DRUG SANCTIONS			
Schedule Drugs (I-V)			
	Sale	Possession	Penalty
First Degree	17+ grams cocaine, methamphetamine, 10+ grams heroin, 50+ grams of other narcotic drug, 200+ doses hallucinogen, 25 kilos marijuana.	50+ grams cocaine, methamphetamine, 25+ grams heroin, 50 kilos marijuana, or 500+ marijuana plants.	0-30 years, 4 year minimum if prior drug felony; up to \$1 million fine. Imprisonment to 86 to 158 months.
Second Degree	10+ grams any narcotic drug other than heroin, 3+ grams heroin, 50+ doses hallucinogen, 10+ kilos marijuana, or sale of Schedule I or II narcotic drug either to a person under 18 or in a school zone, park zone, public housing zone, or drug treatment center.	25+ grams cocaine, methamphetamine, 6+ grams heroin, 50+ grams of other narcotic drug, 100+ doses hallucinogen, 25+ kilos marijuana, or 100+ marijuana plants.	0-25 years, 3 year minimum if prior drug felony; up to \$500,000 fine. Imprisonment to 48 to 108 months.
Third Degree	Any amount of narcotic drug, 10+ doses hallucinogen, 5+ kilos marijuana, or sale of any Schedule I or II drug or marijuana to a person under 18 or employment of a person under 18 to sell same, any amount of cocaine or heroin.	10+ grams any narcotic drug other than heroin, 3+ grams heroin, 10+ grams of other narcotic drug, 10+ kilos marijuana, and 5 doses of a Schedule I or II narcotic drug in a school zone, park zone, public housing zone, or drug treatment center.	0-20 years, up to \$25,000 fine.

Fourth Degree	Any Schedule I, II, or III drug (except marijuana), or sale of marijuana in a school zone, park zone, or public housing zone or any Schedule IV or V drug to a person under 18 or conspiracy for the same.	10 doses of hallucinogen, any amount of Schedule I, II, or III controlled substance (including GHB/not including marijuana) with intent to sell.	0-15 years, up to \$100,000 fine.
Fifth Degree	Any amount of marijuana except small amounts for no remuneration, or any Schedule IV drug.	Any amount of Schedule I, II, III, or IV drugs except 42.5 grams or less of marijuana.	0-5 years, up to \$10,000 fine.
<p>Small Amounts of Marijuana</p> <p>For the possession or sale of 42.5 grams or less of marijuana (no including the resinous form of marijuana) the person is guilty of a petty misdemeanor and is required to attendance at an approved drug education program.</p> <p>A conviction of possession or sale of a small amount of marijuana within two years of a previous guilty misdemeanor conviction results in a misdemeanor and required participation in a chemical dependency evaluation and possible drug treatment. Possession of 1.4 grams or less of marijuana in an automobile is a misdemeanor.</p> <p><i>NOTE:</i> Crimes and penalties can change with each legislative session</p> <p>(Source: <a href="https://www.revisor.mn.gov/statutes/cite/152">https://www.revisor.mn.gov/statutes/cite/152</a> )</p>			

## FEDERAL CONTROLLED SUBSTANCES SANCTIONS

The possession, use, or distribution of illegal drugs is prohibited by 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.

### A. Denial of Federal Benefits

#### 21 U.S.C. 862

A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions.

### B. Forfeiture of Personal Property and Real Estate

#### 21 U.S.C. 853

Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued and property is seized at the time an individual is arrested on charges that may result in forfeiture.

### C. Federal Drug Trafficking Penalties

#### 21 U.S.C. 841

Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The list below is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are twice as severe.

If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces a mandatory life sentence and fines ranging up to \$8 million.

Persons convicted on federal charges of drug trafficking within 1,000 feet of a university (21 U.S.C. 845a) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year.

### D. Federal Drug Possession Penalties

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. 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.

## FEDERAL DRUG SANCTIONS

Substance	Amount	Penalty - First Conviction
Heroin	1 kilo or more	<b>Prison:</b> not less than 10 years, not more than life. <b>Fine:</b> up to \$4 million.
Cocaine	5 kilos or more	
Crack Cocaine	50 grams or more	
Methamphetamine	100 grams or more	
PCP	100 grams or more	
LSD	10 grams or more	
Marijuana	1,000 kilos or more	
N-Phenyl-N-propanamine	400 grams or more	
Heroin	100-999 grams	<b>Prison:</b> not less than 5 years, not more than 40 years. <b>Fine:</b> up to \$2 million.
Cocaine	500-4,999 grams	
Crack Cocaine	5-49 grams	
Methamphetamine	10-99 grams	
PCP	10-99 grams	
LSD	1-10 grams	
Marijuana	100-1,000 kilos	
N-Phenyl-N-propanamine	40-399 grams	
Amphetamines	Any amount	<b>Prison:</b> up to 3 years.
Barbiturates	Any amount	<b>Fine:</b> up to \$250,000.
Marijuana	50-100 kilos	<b>Prison:</b> up to 20 years. <b>Fine:</b> up to \$1 million.
Hashish	10-100 kilos	
Hash Oil	1-100 kilos	
Flunitrazepan (Rohypnol, "roofies", or "roaches")	1 gram	
Marijuana	Less than 50 kilos	<b>Prison:</b> up to 5 years. <b>Fine:</b> up to \$250,000.
Hashish	Less than 10 kilos	
Hash Oil	Less than 1 kilo	
Flunitrazepan (Rohypnol, "roofies", or "roaches")	Less than 30 milligrams	

## DISTRIBUTION OF WRITTEN POLICY

College drug and alcohol policies are found in the Annual Security and Fire Safety Report published the college and located on the college’s website. All students and employees are notified of this publication’s location via an annual email that contains a link to the document on the college website. Add after last word in sentence (campuses) “, between 8 a.m. and 4:30 p.m., Monday - Friday.

Link to Annual Security and Fire Safety Report:  
<http://www.minnesota.edu/righttoknow/>

Link to Student Handbook:  
[www.minnesota.edu/handbook](http://www.minnesota.edu/handbook)

Link to Student Conduct Code:  
[www.minnesota.edu/student-conduct/](http://www.minnesota.edu/student-conduct/)

## DRUG AND ALCOHOL RELATED PROGRAMS

Information concerning the possession, use and sale of alcoholic beverages and illegal drugs, enforcement of federal and state drug laws and descriptions of drug and alcohol abuse education programs is provided to students in a variety of way: informational emails, orientation and co-curricular programs, workshops and seminars in compliance with Section 1213 of the Higher Education Act of 1965 as amended (PL 101-266).

The M State Moorhead campus has worked with law enforcement agencies in the Moorhead/Fargo area. These agencies report to the college when students have been cited for a drug or alcohol violation off campus. These violations may include, but are not limited to: minor in consumption, minor in possession driving under the influence, possession and other drug and drug paraphernalia charges. When the college receives notification of a student having received such a charge they are shared with a counselor who is a Licensed Drug and Alcohol Counselor. Students are reached out to and an appointment with the counselor is scheduled. A part of this appointment is a mandatory assessment. This assessment isn’t used as a punishment/sanction but rather to support the student and assist them in identifying any barriers that may be affecting their success, both personal and academic. The goal is to help them make wise choices around alcohol and other drugs and to prevent future problems. The results of the assessment are confidential. If the student fails to show up for the appointment a hold is put on their account that prevents them from registering for future terms until they complete the appointment and assessment.

Across the college there are brown bag lunch-style presentations on the topics of alcohol and drug prevention and/or education. The PowerPoint “Prime for Life,” which teaches the phases of addiction, is a tool that can be used in these presentations and in classroom presentations.

The college has participated in the College Student Health Survey conducted by Boynton Health Services at the University of Minnesota since 2007. At one point the college was participating every other year (based on the recommendation from staff at Boynton); but under the Strategic Prevention Framework Partnerships for Success grant, the college is participated annually through the life of the grant. The information provided in this survey is being used to inform the college’s prevention efforts and track health trends of the college’s student population.

M State recognizes the reality of chemical dependency and is aware of its occasional presence in the college community. As a safeguard against this dependency, there are a number local agencies that provide services to members of the M State community.

## RESOURCES FOR ASSISTANCE:

Students and/or employees seeking assistance with an alcohol or drug problem may contact the following resources for assistance:

### On Campus/College Resources:

#### Counselors

Counselor ..... 218.299.6516  
[counselors@minnesota.edu](mailto:counselors@minnesota.edu)

Counselor ..... 218.736.1539  
[counselors@minnesota.edu](mailto:counselors@minnesota.edu)

Counselor ..... 218.299.6618  
[counselors@minnesota.edu](mailto:counselors@minnesota.edu)

#### Social Workers

Fergus Falls and Moorhead ..... 218.299.6839  
Detroit Lakes and Wadena ..... 218.846.3687

#### Student Development Services Directors

Detroit Lakes Campus..... 218.846.3714  
Fergus Falls Campus ..... 218.736.1530  
Moorhead Campus..... 218.299.6620  
Wadena Campus ..... 218.846.3714

**Strategic Prevention Framework Partnerships for Success Coordinators**

Fergus Falls Campus ..... 218.736.1535  
 Moorhead Campus..... 218.299.6634

**State Employee Assistance Program (EAP)**

Counseling Services..... 1.800.657.3719  
 Website ..... <https://mn.gov/mmb/segip/health-and-wellbeing/eap/>

**Community Resources**

(verify fee and/or if participating in your health plan before use)

**Detroit Lakes Campus Area**

Alcoholics Anonymous ..... 218.844.9970  
 Drake Counseling Services..... 218.847.1329  
 Lakes Counseling Center..... 218.847.0696

**Fergus Falls Campus Area**

The Village Family Service Center/First Step Recovery..... 701.293.3384  
 Lakeland Mental Health Center..... 218.736.6987

**Moorhead Campus Area**

Cass County Social Services..... 701.241.5747  
 Clay County Social Services ..... 218.299.5200  
 ShareHouse ..... 701.282.6561  
 Lakeland Mental Health ..... 218.233.7524

**Wadena Campus Area**

Alcoholics Anonymous ..... 218.631.3823  
 Northern Pines Mental Health Center..... 218.631.1714  
 Neighborhood Counseling Center ..... 218.631.1714

**National**

SAMHSA..... 1.800.662.HELP (4357)

**FERGUS FALLS HOUSING AND RESIDENTIAL LIFE CONDUCT AND SANCTIONS**

M State Office of Housing and Residential Life engages in a Restorative Framework to foster and manage relationships while promoting accountability, community safety, and skill development. Realizing the opportunity to learn and grow extends into residence life, and with the Disciplinary Level and Point System, M State will help students meet community standards and ensure that students enjoy a safe and secure on-campus residential experience by promoting 1) compliance with policies, 2) consideration for others, and 3) safety in the housing community.

First alcohol/marijuana offense, students are required to participate in an individual or group Diversion Program, failure to complete/comply results in a monetary fine. With a second alcohol/marijuana offense, students are required to complete 3<sup>rd</sup> Millennium online educational course. Failure to complete/comply results in a monetary fine. A third alcohol/marijuana offense, students are required to engage in a Brief Motivation Interview (BMI) to assess ambivalence etc. and/or Chemical Dependency Assessment. Failure to complete/comply results in a monetary fine. A fourth alcohol/marijuana offense results in eviction from campus housing.

Residents who violate community standards will complete the appropriate Diversion and Development strategy based on Level and the type of violation described below.

DIVERSION & DEVELOPMENT PROGRAM		
VIOLATIONS	DIVERSION & DEVELOPMENT	DEMONSTRATION
First Violation Level 1	Individual or Group Diversion Program	Individual Reflection Paper submitted to housing director
Violation Level 2	Substance Use Education Course	Individual Reflection Paper submitted to housing director
Third Violation Level 3	Chemical Dependency Assessment	Individual meeting with housing director
Fourth Violation	Eviction Notice w/ 48 hours to vacate	

The statistics presented in the table below represent college policy violations that occurred in the residential facilities on the Fergus Falls campus from Jul 1, 2018 – June 30, 2019.

Number	Incident	Sanction	Further Action
23	Marijuana 1 <sup>st</sup> Offense	(1) Warning (22) Fines applied (9) Counselling (1) Substance Abuse Education Course	(2) fines waived upon completion of Diversion & Development
11	Marijuana 2 <sup>nd</sup> Offense	(11) Fines Applied (1) Counselling	
2	Marijuana 3 <sup>rd</sup> Offense	(2) Fines Applied (1) Substance Use Education Course	(1) fine waived upon completion of Diversion & Development
15	Alcohol 1 <sup>st</sup> Offense	(15) Fines Applied (6) Counselling	(3) fines waived upon completion of Diversion & Development
1	Alcohol 2 <sup>nd</sup> Offense	(1) Fine Applied	
0	Alcohol 3 <sup>rd</sup> Offense	NA	

The statistics presented in the table below represent college policy violations that occurred in the residential facilities on the Fergus Falls campus from Jul 1, 2019 – June 30, 2020.

Number	Incident	Sanction	Further Action
14	Marijuana 1 <sup>st</sup> Offense	(6) Fines Applied	
4	Marijuana 2 <sup>nd</sup> Offense	NA	
0	Marijuana 3 <sup>rd</sup> Offense	NA	
15	Alcohol 1 <sup>st</sup> Offense	(10) Fines Applied (1) Counselling	(3) fines waived upon completion of Diversion & Development
2	Alcohol 2 <sup>nd</sup> Offense	(2) Fines Applied	
0	Alcohol 3 <sup>rd</sup> Offense	NA	

## STRATEGIC PREVENTION FRAMEWORK - PARTNER FOR SUCCESS GRANT PROJECT

In 2014, the M State – Fergus Falls campus and the M State – Moorhead campus were selected as sub-grantees of the Strategic Prevention Framework Partnerships for Success (SPF PFS) Project. The SPF PFS Project is a grant that uses evidence-based strategies to reduce alcohol and drug use among students and community members. The SPF PFS Project is funded by the Substance Abuse and Mental Health Services Administration (SAMHSA) and is administered through the Minnesota Department of Human Services (DHS).

Although the Fergus Falls and Moorhead campuses both received grant funds from DHS for the administration of the SPF PFS Project, they were separate projects with distinct strategic and action plans. However, M State aims to replicate certain aspects of the program on a college-wide basis, including the implementation of effective strategies and prevention efforts.

## **Project Background:**

The SPF PFS Project had the primary goals of reducing alcohol use in students ages 18-20 and reducing marijuana use in students ages 18-25. M State administration began their work towards receiving the SPF PFS Project grant in the fall of 2014. In 2015, both the Fergus Falls and Moorhead campuses were selected as sub-recipients of the Project and received funding from DHS. In May 2015, SPF PFS Project Coordinators were hired and began work on their respective campuses.

The SPF PFS Project was split into two main phases and followed the Strategic Prevention Framework (SPF), as outlined by SAMHSA. The first phase, Phase I, included the initial assessment, capacity-building, and planning to understand the needs of the community and strategize for the prevention work. The second phase, Phase II, involved the implementation and evaluation of the strategies used to reduce substance use in the community. However, per the SPF, assessment, capacity-building, planning, and evaluation were used throughout Phase II to ensure that the strategies and prevention efforts were adapted to the evolving needs of the campuses and communities. Phase I of the Project began in May of 2015 and was completed at the end of the 2016 fiscal year (June 2016). Following the end of Phase I, Phase II began and continued until the end of the final fiscal year in 2019 (August 2019).

### **Phase I: Assessment, Capacity, & Planning**

Phase I of the SPF PFS Project lasted one year and included assessment, capacity building, and planning activities. The assessment phase involved gathering data on student behaviors from a variety of sources including surveys, reports, and conversations with stakeholders and community members. The surveys used to gather data included the College Student Health Survey administered by Boynton Health and individual campus student surveys. Other sources of data included law enforcement and school disciplinary reports, information on liquor license density and practices of license holders, campus and community policy reviews, campus and community scans, Coalition Member Conversations with individual coalition members, Key Informant Interviews with community leaders conducted by Wilder Research, and other sources. The Fergus Falls and Moorhead campuses worked with the DHS Alcohol and Drug Abuse Division (ADAD), Wilder Research, EpiMachine, and other technical assistance providers to assess the local conditions affecting student substance use and determine the intervening variables that each campus would focus on for targeted prevention.

Prior to the SPF PFS Project, individuals who engaged with students traditionally integrated drug and alcohol information and education in their daily work. On the Fergus Falls and Moorhead campuses, the aim of the SPF PFS Project Coordinators was to create effective, collaborative substance abuse prevention programs that are culturally competent, sustainable past the life of the grant, and are able to be generalized and successfully implemented on all four M State campuses.

The SPF PFS Project required each sub-grantee to develop three separate coalitions to guide the work of the Project and to allow stakeholders to convene at the same table. The first coalition, known as the M State Living Well Coalition, is comprised of campus leaders, students, and community partners and is centered on guiding the work of the Project. The second coalition, the Student Advisory Council, is composed of M State students and works to support the Coordinator in capacity-building efforts. The third coalition, known as the Epidemiological Workgroup, reviews and contextualizes data to direct prevention efforts on campus.

Through planning activities, the Fergus Falls and Moorhead SPF PFS Projects developed comprehensive, data-driven Strategic Plans to guide Phase II of the Project. The Strategic Plans include summaries of, and information from, all of the assessment sources that were utilized in assessing local conditions. The Strategic Plans include sub-plans for capacity and infrastructure enhancement, data collection, evaluation, dissemination, amending and updating procedures, and sustainability. The Strategic Plans also contain information on the direct and indirect populations, focus populations, and culturally sensitive populations in which prevention efforts are targeted. The focus populations and populations requiring culturally-specific services were chosen by each Project's coalitions using a data-driven process. Each campus created a logic model to assist with strategy selection and performed extensive research, evaluation, and justification processes before selecting strategies. The strategy selection process resulted in a number of strategies for each campus that address local conditions and intervening variables and aim to reduce substance use in the campus community.

### **Phase II: Implementation & Evaluation**

Through the grant period, programming centered on reducing alcohol and marijuana use was piloted and evaluated on the Fergus Falls and Moorhead campuses. The Fergus Falls and Moorhead campuses both implemented the following strategies where applicable through August 2019:

3rd Millennium Classrooms products (Alcohol-Wise, Marijuana-Wise, Under the Influence, and Marijuana 101) are online courses that offer education and personalized feedback to students. These courses are separated into two categories: prevention courses and intervention courses. The prevention courses, Alcohol-Wise and Marijuana-Wise, can be used by faculty as part of their First Year Experience and Career Life Planning courses. The intervention courses, Under the Influence and Marijuana 101, can be used by students who have been referred to campus staff for assistance with alcohol or marijuana use issues, or by faculty or staff as part of disciplinary sanctions

Brief Motivational Interviewing (BMI) can be implemented in a structured program available to self-identified students, students referred to campus staff for assistance with alcohol or marijuana use issues, or by faculty or staff as part of disciplinary sanctions

Social norms & social marketing campaigns can be used to affect student perceptions of harm from marijuana, and correct misinformation among students regarding peer alcohol use

ScreenU is an online screening tool for students to self-identify if their alcohol and/or marijuana use is negatively affecting their lives. Students who complete the screening are informed of campus and community resources around substance use and abuse prevention, as well as mental, physical, and social health services

The SPF PFS Project on the Fergus Falls campus piloted individual campus strategies to meet the unique needs of their campus.

Injunctive norms campaigns and education can be used to correct inaccurate assumptions by students regarding peer alcohol use, and can be presented to groups of students in a variety of ways and settings throughout the year

Community substance use policies can be addressed, with specific focus on the implementation of a Good Samaritan policy in the Fergus Falls community

Policy change and dissemination focused of the SPF PFS Projects. The college, in collaboration with SPF PFS Project staff, crafted a Medical Amnesty Policy and a Bystander Intervention Policy. These two policies support students in reaching out for medical or professional help in situations that may violate college policy (such as students needing assistance at a party where alcohol and/or other drugs may be present), which might previously have kept students from asking for the help that they, or others, need.

## MEDICAL AMNESTY AND BYSTANDER INTERVENTION POLICIES

In the early Spring semester of 2017 the college approved both the Medical Amnesty and Bystander Intervention Policies to support students reaching out for medical or professional help for situations that might otherwise result in a violation of college policy such as underage drinking. The policies are posted on the college's website ([www.minnesota.edu/policies](http://www.minnesota.edu/policies)) and listed below. Information about both policies as well as resources are also printed in the Student Handbook, which is distributed annually via an email to the student body. This email also indicates that a printed copy of the Student Handbook is available in Student Development Services 8 a.m. - 4:30 p.m., Monday-Friday.

Student Handbook Link: [www.minnesota.edu/handbook](http://www.minnesota.edu/handbook)

### POLICY TITLE: BYSTANDER INTERVENTION AMNESTY

#### Purpose:

The purpose of this policy is to maintain a campus environment that promotes healthy, responsible living; affirms civility; supports the well-being of each member of the campus community, and is compliant with state and federal laws and college policies regulating behavior. Respect for college/campus/community standards and regulations is expected.

#### Policy:

The College expects all community members to take reasonable and prudent action to prevent or stop harassment, discriminations, and the violation of College policy and Student Conduct Code.

Taking action may include direct intervention, a call to campus security (Fergus Falls and Moorhead campuses have security services), or a report to a person in authority. The College also recognizes that fear of disciplinary repercussion may deter reporting or requests for help. The College has developed this policy to alleviate such concerns and encourage members of the College to respond to a potential act of sexual, emotional, or physical violence with or without the use of alcohol and/or drugs by any of the parties.

Students will be eligible for bystander amnesty when a student not acting in a staff capacity seeks professional assistance for another student(s) seeks professional assistance for another student(s) believed to be in danger or risk of significant harm if not assisted by emergency personnel.

Students will be eligible for bystander intervention amnesty when a student not acting in a staff capacity, but rather as a "Good Samaritan" seeks professional assistance for another student(s) believed to be in danger or risk of significant harm if not assisted by emergency personnel.

Eligibility for bystander intervention amnesty when acting as a "Good Samaritan" will be limited to:

The student(s) in need of assistance/intervention and

The student who first contacts emergency services (dialed 911) or first contacts security services (Fergus Falls and Moorhead campuses have security services) for assistance.

Assessing emergency assistance will be a mitigating factor in the student disciplinary process as noted below:

The student who placed the call for assistance may be required to complete educational programs and/or counseling related to sexual violence intervention. Disciplinary probation or suspension will be 'deferred' on the condition the student completes the educational sanctions as defined by the authorizing authority.

Bystander amnesty is specific to campus disciplinary action related to the Student Conduct Code.

Students granted bystander amnesty will not be immune from discipline for other concurrently occurring violations of the Student Conduct Code, such as but not limited to sexual violence, physical violence, hazing, vandalism, and weapons.

If local law enforcement assistance is required, the college cannot guarantee immunity for students from citation, arrest or criminal prosecution.

## POLICY TITLE: MEDICAL AMNESTY

### Purpose:

The purpose of this policy is to maintain a campus environment that promotes healthy responsible living, affirms civility, supports the well-being of each member of the campus community, and is compliant with state and federal laws and college policies regulating behavior. Respect for college/campus/community standards and regulations is expected.

Alcohol and other drug use potentially affect the safety, health, and quality of life for all students and employees. Additionally, alcohol and other drug use can affect the image of the college and restricts the college's ability to carry out its mission. Alcohol misuse and illicit drug use minimize an individual's ability to develop his/her academic or social relationships and is contrary to the educational process and goals of M State. M State recognizes that students and employees are ultimately responsible for their own conduct and the consequences of their behavior.

### Policy:

Medical amnesty, also known as Good Samaritan or 911 protection law, is essentially a policy to protect people from facing harsh legal consequences in a drug or alcohol-related emergency. At a college level, medical amnesty is intended to reduce barriers that may inhibit students from seeking professional assistance when faced with a potentially life threatening emergency caused by alcohol and/or drug use, by reducing the threat of college discipline for drug or alcohol use.

Students will be eligible for medical amnesty when a student not acting in a staff capacity seeks professional assistance for themselves or for another student(s) believed to be in danger or risk of significant harm if not evaluated by emergency personnel.

Eligibility for medical amnesty will be limited to the student in need of medical assistance and the student who first contacted emergency services (dialed 911) or contacted security services (Fergus Falls and Moorhead campuses have security services).

Assessing emergency medical assistance will be a mitigating factor in the student disciplinary process as noted below:

The student who placed the call for assistance will may be required to participate in educational programs and/or counseling related drug and/or alcohol use/abuse. Disciplinary probation or suspension will be 'deferred' on the condition the student completes the educational sanctions as defined by the authorizing authority.

The student requiring emergency medical intervention will may be required to complete educational programs and/or counseling. Disciplinary probation or suspension will be 'deferred' on the condition the student completes the educational sanctions as defined by the authorizing authority.

Medical amnesty is specific to campus disciplinary action related to the Student Conduct Code with regard to alcohol and/or drug violations. Should either of the aforementioned students be found responsible for an additional violation of college policy related to alcohol and/or other drugs within one calendar year of the date of the first violation, disciplinary sanctions for both violations will may be assigned to that student.

Students granted medical amnesty will not be immune from discipline for other concurrently occurring violations of the Student Conduct Code, such as but not limited to sexual violence, physical violence, hazing, vandalism, and weapons.

If local law enforcement assistance is required, the college cannot guarantee immunity for students from citation, arrest or criminal prosecution. Individuals however may qualify for prosecution immunity under Minnesota Statue 340A.503 Persons Under 21; Illegal Acts. Subd. 8.

## RECOMMENDATIONS

Continue to monitor and update Community Resources in various college publications and web-pages to reflect changes in service providers available in our campus communities. The Biennial Review workgroup recommends a smaller workgroup comprised of those employees who typically work with referrals to those agencies be assembled to review and provide updates. Recommended members are: Counselors, Social Workers, Student Development Services Directors.

Continue to identify and explore opportunities for collaborations for additional alcohol and other drug prevention and education opportunities in all of our campus communities.

Consistently survey students on healthy behaviors and utilize data to drive programs and services, as well as to create social norming campaigns.

Review strategies that were piloted at the Fergus Falls and Moorhead campuses through the SPF PFS grant, which was completed in the summer of 2019, along with all evaluation materials to determine how to best sustain strategies that were identified as effective.

Add a member from the Human Resources department to the Biennial Review team for the next review cycle.

Explore options for posting the local, state and federal sanctions regarding controlled substances to a link web-page to ensure more efficient updating of the information. This will reduce the probability of error as the information is published in various documents.

Continue to use and assess the Restorative Framework process utilized primarily in the residential facilities on the Fergus Falls campus and explore opportunities to apply it to situations that occur on the other M State campuses.



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