



# NEBRASKA METHODIST COLLEGE

## Annual Drug and Alcohol Policy Notification

In Compliance with the Education Department General Administrative Regulations Part 86 (EDGAR 86).

## Introduction

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As a requirement of Education Department General Administrative Regulations Part 86, Nebraska Methodist College is to disseminate and ensure receipt of the below policy/information to all students, staff, and faculty on an annual basis. This process is formally conducted by email to all NMC students, faculty and staff. Questions concerning this policy and/or alcohol and other drug programs, interventions and policies may be directed to the VP Institutional Effectiveness, Lindsay Snipes or Chief Student Officer/Dean of Students, Sarah Murphy.

## Standards of Conduct

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### College Code of Conduct Policy

Being a student at NMC communicates an intention and commitment to join the College community. Each student's enrollment therefore obligates him or her to demonstrate civilized behaviors - those reflective of the College's core values and student policies.

Behavior is recognized as a reflection of professional and personal integrity, which conveys to the community an image of the College and ultimately of health care professions. Through the delivery of health care, a student assumes serious responsibility for others. Based upon these factors, the College believes a student, as an adult, has the personal responsibility for understanding the potential impact of personal, as well as professional, behaviors upon others. Thus, adherence to College Code of Conduct policy as well as all other NMC policies and regulations is required.

NMC students are expected to conduct themselves as health care professionals and as responsible citizens of their communities. The personal conduct of NMC students is expected to reflect the high regard in which the public holds health care professionals. Any student, employee or other individual will be subject to disciplinary action upon violation of the College Code of Conduct policy.

Nebraska Methodist College Standards of Conduct regarding illicit drugs and alcohol include:

- It is a violation of the alcohol policy for students to consume or possess alcoholic beverages on campus.
- NMC students are expected to abide by federal, Nebraska State law, and local laws.
- Student possession or consumption of alcohol on campus or at any College sponsored student event shall constitute misconduct. A College-sponsored event is any gathering where students are in attendance that is arranged or is endorsed by the College.
- Should a student attend class, clinical, laboratory sessions, practicum or College sponsored or approved events while under the influence of alcohol or drugs (illegal or prescribed), this shall constitute misconduct.

- Any student or student organization which violates this policy will be subject to disciplinary action which may include immediate dismissal from the College.
- The manufacture, sale, possession, distribution or use of illegal drugs is prohibited.
- The College will cooperate fully with state and federal laws. Section 5301 of the Anti-Drug Abuse Act of 1988 states in part, "if a student is convicted of drug distribution or possession, the court may suspend eligibility of Title IV financial aid. If a student is convicted three or more times for drug distribution, he/she may become permanently ineligible to receive Title IV financial aid."

### **Drugs and Alcohol:**

Nebraska Methodist College encourages all members of the college community to maintain civic and social responsibility when making decisions regarding the use of alcoholic beverages. If a student demonstrates unsafe and/or unprofessional behavior and fails to achieve the standard of care, violates professional standards or state practice acts of each academic program, or calls into question the professional accountability of the student, corrective action will follow. Students are expected to adhere to the standards of behavior required of healthcare professionals. Depending upon the degree of actual or potential harm a client may suffer, a one-time deviation from safe practice may be sufficient to judge a student unsafe. In accordance with the College's position on alcoholic beverages or drugs (illegal or prescribed), students practicing in a clinical setting or coming to class under the influence of alcohol and/or drugs is prohibited and warrants corrective action. The College may require a student to submit to a blood, breath, and/or urine test for drugs or alcohol for reasonable cause. A student may request assistance with a drug or alcohol-related use/abuse problem without risk of penalty, provided the request is not the result of a violation. All such requests will maintain the student's confidentiality. See College Catalog for procedure for reasonable cause testing.

### **Campus Housing:**

All residents are required to sign a Community Living Agreement when they move into Josie's Village, stating that they agree to support NMC's core values and adhere to all College and Campus Housing policies. All residents are expected to make a positive contribution to the community through their input and behaviors.

- The use and/or possession of alcohol/alcohol containers, as well as the manufacture, sale, distribution, use and/or possession of illegal drugs/drug paraphernalia is prohibited on campus. The consequences for each resident involved in an alcohol-related violation are as follows:
  - 1st Incident - All guests escorted out of Josie's Village and an alcohol awareness session with a College counselor.
  - 2nd Incident - Guest privileges restricted for two weeks, 10 hours of community service at NMC and completion of alcohol education course (course fee of \$250 to be paid by student).
  - 3rd Incident - Alcohol evaluation, resident is placed on housing probation and \$500 fine.

- 4th Incident - Eviction from Josie's Village without any refund of rent or deposits paid.
- The consequences for each person involved in an illegal drug related violation at Josie's Village will include the following:
  - Automatic eviction of the resident(s) from Josie's Village, without any refund of rent or deposits paid; and
  - All names referred to College and local authorities where additional College, local, state, and federal sanctions may apply.
- Sanctions for either type of violation may also include the immediate dismissal of a student from the College.

**Drug Screening:**

The purpose of this policy is to provide a safe working and learning environment for patients, students, clinical and institutional staff and property in the clinical programs of Nebraska Methodist College. Healthcare accreditation organizations mandate that hospitals and other health care agencies require students who participate in the care of patients be subject to the same standards as their employees. Accordingly, submitting a negative urine drug screen is a condition for participation in the clinical component of all programs.

For all programs, submitting a negative drug screen will be a requirement prior to the start of clinical courses. Repeat testing may also be required for cause or to retest a dilute sample. Failure of the drug test, tampering or attempting to tamper with a specimen, or refusal to cooperate with any aspect of this policy, or any health system policy on substance abuse, will result in disciplinary action up to and including dismissal, refusal of enrollment or denial of clinical course progression. The student shall be responsible for paying any and all associated costs of urine drug screening including necessary retesting for any reason. Charges will be added to the students' account.

Test results will be confidential with disclosure of results provided only to approved persons involved in evaluating qualifications for clinical programs. Because of the mandate to comply with health system policies, disciplinary actions against students may be imposed without the customary mechanisms of academic warning and probation. Reports are the property of the NMC, will not be provided to students unless requested, and will be kept in confidential files separate from the student's academic file.

**Health Risks Associated with Alcohol and Drugs:**

- 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. Continued abuse may lead to dependency, which often causes permanent

damage to vital organs and deterioration of a healthy lifestyle. Alcohol use can result in missing class, poor academic performance and disciplinary or legal issues. Other consequences associated with alcohol use include: injury to self or others, being involved in a fight, forgetting where you were or what you did, doing something you later regretted and having unprotected sex.

- 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.
- Cocaine/Crack 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 such as Lysergic Acid Diethylamide (LSD) 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), another hallucinogen affects the section of the brain that controls the intellect and keeps instincts in check. Hallucinogens can cause liver damage, convulsion, coma, and even death.
- 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, 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. Over time, methamphetamine users may experience symptoms similar to Parkinson's disease, a severe movement disorder.
- 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.
- 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.

**Universal Crisis and Drug Abuse Hotline: 1-800-392-0280**  
**Counseling Treatment and Rehabilitation for Drug and Alcohol Abuse:**

After a student meets with a campus counselor, recommendations will be made on an individual basis. A violation will result in a meeting with the counselor and referrals to either campus counselors or community resources, with a release to the campus counselor.

**Special Note-** Please be aware that healthcare providers hold a special responsibility to the public. Drug and Alcohol violations are taken seriously due to the professional nature of Nebraska Methodist College. The State of Nebraska licensing boards require an explanation and description of any misdemeanor or felony before State Boards can be taken.

## **Policies—Alcohol, Drugs and Weapons**

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As an academic community, Nebraska Methodist College is committed to providing an environment in which learning and scholarship can flourish. The possession or use of illegal drugs, or the abuse of those which may otherwise be legally possessed, seriously affects the College environment, as well as the individual potential of our students and staff. The College enforces state laws and related College policies, including those prohibiting the following activities on campus:

- Consuming or possessing alcoholic beverages on campus.
- Distribution, possession, or use of illegal drugs or controlled substances.
- Possession of firearms or other dangerous weapons.

The abuse of alcohol and other drugs by students, regardless of age and of location (on-campus or off-campus), is prohibited by the College Code of Conduct. Abuse of alcohol and other drugs by College employees is prohibited under the Methodist Health System Drug Free Workplace policy. The College and/or Methodist Health System can, and will, impose disciplinary sanctions for violations. Students and employees are also subject to city ordinances and state and federal laws.

Nebraska Methodist College strongly encourages students and staff members to voluntarily obtain assistance for dependency or abuse problem before such behavior results in an arrest and/or disciplinary referral which might result in their separation from the institution.

The use of, or addiction to, alcohol, marijuana, or controlled substances is not considered an excuse for violations of the College Conduct Code or employee expectations, and will not be a mitigating factor in the application of appropriate disciplinary sanctions for such violations.

Help is available both on campus and within the community for students and employees who are dependent on, or who abuse the use of alcohol or other drugs. Nebraska Methodist College

Counseling Center and other professional agencies will maintain the confidentiality of persons seeking help for personal dependency and will not report them to institutional or state authorities. Nebraska Methodist College's Office of Student Engagement, Campus Health and Campus Housing provides educational and awareness programming, information, and assistance throughout the academic year.

## **Drug and Alcohol Policy**

Nebraska Methodist College recognizes that misuse of alcohol and other drugs and the unlawful possession, use or distribution of illicit drugs and alcohol pose major health problems, are potential safety and security problems, can adversely affect academic, clinical, and job performance, and can generally inhibit the educational development of students.

NMC is committed to the standards outlined by the Federal Drug-Free Workplace Act of 1988, the Anti-Drug Abuse Act of 1988, and the Drug-Free Schools and Communities Act Amendments of 1989. As a result of this commitment, NMC has established regulations forbidding students to engage in the unlawful manufacture, distribution, dispensing, possession or use of illegal or illicit drugs and alcohol on NMC premises or property or as part of any NMC activity planned for or by students. These regulations shall assure that NMC is in compliance with all applicable federal, state, and local statutes, regulations, and ordinances.

NMC encourages all members of the college community to maintain civic and social responsibility when making decisions regarding the use of alcoholic beverages off NMC premises. If a student demonstrates unsafe and/or unprofessional behavior that violates professional standards or state practice acts of each academic program, or calls into question the professional accountability of the student, corrective action will follow. Students are expected to adhere to the standards of behavior required of healthcare professionals. A one-time deviation from safe practice may be sufficient to judge a student's behavior unsafe.

Practicing in a clinical setting or coming to class under the influence of alcohol and/or drugs (illegal or prescribed) is prohibited and warrants corrective action. If the College or a clinical site has reasonable suspicion that the student is under the influence of drugs or alcohol, it may require a student to submit to a blood, breath, and/or urine test for drugs and/or alcohol.

Students who may be experiencing drug or alcohol-related use/abuse problems are encouraged to contact the NMC Counseling Office without risk of sanctions, provided the request is not the result of a violation, wherein the student will be evaluated and possibly referred to a substance abuse specialist for assessment, additional counseling, and/or be referred for treatment.

Students who initiate and seek assistance and/or medical treatment on behalf of themselves, another student, or a friend when a serious or life-threatening situation is transpiring as a result of alcohol and/or drugs may qualify for consideration under the Medical Amnesty Policy. In sum, by enrolling at NMC, students acknowledge and agree to the following:

- It is a violation of the Drug and Alcohol Policy for students to consume or possess alcoholic beverages on campus.
- Student possession or consumption of alcohol on NMC premises or property or at any College-sponsored event shall constitute misconduct. A College-sponsored event is any gathering where students are in attendance that is planned for or by students and endorsed by the College.
- Misconduct constitutes a student attending class, clinical, laboratory sessions, practicum or College-sponsored or approved events while impaired by alcohol or drugs (illegal or prescribed).
- Any student or student organization which violates this policy will be subject to disciplinary action which may include immediate dismissal from the College.
- The manufacture, sale, possession, distribution or use of illegal drugs is prohibited.

**Procedure for reasonable suspicion testing:**

1. A student who reports to class or clinical and is reasonably suspected of being under the influence of alcohol/illegal drugs or who is reasonably suspected of impairment due to legally prescribed medication will be removed and will be required to provide specimens for a drug and/or alcohol analysis at that time. Student confidentiality will be maintained as much as possible.

**If student is at a clinical site in Iowa or Nebraska and during NMC operating hours\*:**

- Remove the student from patient care and arrange for student oversight based on the clinical site policy. The student is to remain in that location until drug testing is completed.
- Call the NMC Reception Desk at (402) 354-7000 to report suspected student impairment and provide the following information - name and contact phone number of person reporting the incident, clinical site location (include full address for clinical site and department), student name and program.
- The Receptionist will contact Midlands Testing Services (MTS) at (402) 658-1122 or (402) 657-5453 and notify them of the site and contact person. The Receptionist will also contact the Dean of Students at (402) 354-7528 to report the incident.
- MTS will come directly to the clinical site to complete the drug testing. Upon arrival, MTS will call the contact phone number for the location of the student.
- Following the testing, the clinical site supervisor/instructor will inform the student to contact a family member/friend for transportation. If needed, the supervisor/instructor will contact the NMC receptionist to arrange taxi service for the student (Omaha only).
- If the student appears to be impaired and refuses to be tested, assist the student in contacting a family member/friend or call a taxi to take the student home.\*\* If the student tries to leave on their own, call the Omaha or local police department and, using reasonable judgment,



attempt to detain the student if possible until they arrive. Do not use force to detain the student or do anything that might place yourself or others at risk.

\*Clinical instructors/preceptors at sites outside of Nebraska and Iowa OR when the NMC campus is closed, who suspect student impairment due to drugs (illegal or prescription) or alcohol are to remove the student from patient care and contact the Program Director for further instructions.

**If student is at the NMC campus:**

- The instructor will notify the NMC Reception Desk at (402)354-7000.
  - The Receptionist will contact Security immediately of suspected impairment. The security officer will remove the student from the classroom and escort them to the Student Health Center waiting area.
  - The Receptionist will contact Midlands Testing Services (MTS) at (402) 658-1122 or (402) 657-5453 and notify them of the site and contact person (Security). The Receptionist will also contact the Dean of Students at (402) 354-7528 to report the incident.
  - MTS will come directly to campus to complete the drug testing. Upon arrival, MTS will check in with the receptionist for the location of the student.
  - Following the testing, the security officer will inform the student to contact a family member/friend or arrange for a taxi to provide transportation home. Security will supervise the student until their transportation arrives.
  - If the student appears to be impaired and refuses to be tested, Security will contact a family member/friend or call a taxi to take the student home. If the student tries to leave campus on their own, Security will call the Omaha Police Department, and using reasonable judgment, attempt to detain the student if possible until they arrive.
2. The student will be required to meet the Dean of Students within 24 hours or the next business day.
  3. Students who refuse testing or fail to comply with any step in the process may be suspended or dismissed from NMC.
  4. All positive alcohol or drug screens will be referred to a chemical dependency counselor for evaluation at the students' expense. Students are required to follow through with treatment recommendations. When the student is released, they will be informed that clinical placement will be based on availability and may not be guaranteed. This incident may significantly deter academic progression.

**Penalties for a confirmed positive drug test:**

**First Positive Test:**

- The student will be suspended from clinical courses for a minimum of thirty (30) days.

- The student will be required to see the NMC counselor for referral to a drug/alcohol abuse professional for evaluation and treatment. The length of the substance abuse treatment program will be determined by the treatment program counselor.
- The student will be responsible for any costs associated with the counseling and treatment in the substance abuse treatment program. Referral to the substance abuse treatment program shall be confidential.
- The Academic Dean will be informed of the expected completion date of the substance abuse treatment program and whether or not the student successfully completes the program.
- Reinstatement to clinical coursework is not guaranteed and will be based on successful completion of treatment and course availability.
- A negative follow-up drug test will be required before students are permitted to return to participation in clinical coursework. This testing will be done at the student's expense. Students who are suspended for a positive drug test and successfully complete a substance abuse treatment program will be required to submit to random, follow-up drug testing for up to twelve (12) months. A refusal to participate in a substance abuse program and/or follow-up drug testing will result in immediate permanent dismissal from College.

### **Second Positive Test:**

Dismissal from the College and forfeiture of any NMC scholarship.

### **Medical Amnesty Policy**

Nebraska Methodist College encourages a living and learning environment that promotes the health and safety of all members of the NMC community. Drug or alcohol consumption—including excessive consumption, consumption of a dangerous substance, or consumption by someone with sensitivity—can cause serious physical and neurological harm or be life-threatening. As such, students are encouraged to make responsible decisions and to seek medical attention in serious or life-threatening situations that result from alcohol and/or other drug abuse; students are also encouraged to seek help for any situation where medical treatment is reasonably believed to be appropriate.

If a student is so intoxicated s/he is unable to be awakened, letting that person "sleep it off" is not a reasonable alternative to getting him/her the necessary medical help. Students may be hesitant to seek help in such emergencies because of fear of potential conduct and disciplinary consequences for themselves, the person in need of medical attention, or the organization hosting the event where the situation occurs.

If medical attention is required, students should immediately contact professional medical personnel (9-1-1) and/or Campus Security (if on campus) (402) 354-6911. A (i) student who seeks emergency assistance on behalf of him or herself, another student, or a friend experiencing an alcohol and/or other drug related emergency, as well as (ii) the individual in distress may not be subject to disciplinary action nor mandatory alcohol and other drug sanctions under the College Code of Conduct or certain provisions under the Alcohol and Drug policy, as explained below.

NMC is committed to promoting a safe and healthy environment for all students. A medical amnesty policy benefits our campus by encouraging students to make responsible decisions in seeking medical attention in serious or life-threatening situations that result from alcohol and/or other drug abuse and in any situation where medical treatment is reasonably believed to be appropriate. If a student is so intoxicated or drugged that s/he is unable to be awakened, letting that person "sleep it off" is not a reasonable alternative to getting him/her the necessary medical help. This policy seeks to diminish fear of disciplinary and conduct sanctions in such situations and to encourage individuals and organizations to seek needed medical attention for students in distress from alcohol and drug use.

**Procedure:**

NMC students who needed medical attention as a result of alcohol and/or illegal drug use and are considered for the Medical Amnesty Policy as determined by the Dean of Students are then required to meet with the Dean of Students who may then refer the student to the NMC Counseling Office. The Counseling Office, after evaluating the situation, may also refer the student to a substance abuse specialist for assessment, additional counseling, and/or possible referral for treatment. Students who are referred but fail to meet and complete the recommendations in their entirety, or students determined by a professional to be in need of a medical or mental health leave (for their own or others' health and safety), may be subject to additional requirements after an opportunity to meet with a staff member from the Office of Student Engagement.

Students who are actively enrolled in a clinical course are required to be free of the influence of alcohol and drugs. If an enrolled student reports to class or a clinical site and is suspected of being under the influence of alcohol and/or drugs, depending on the circumstance (alcohol versus drug related incident), they may be required to provide specimens for a drug or alcohol analysis in accordance with the Alcohol and Drug Policy. The Dean of Students will work with the Counseling Office to make this determination.

If a registered student is transported to an emergency medical treatment center for intoxication or drug use, the student's parents or guardians may be notified by a phone call from the Dean of Students if necessary to protect the health or safety of the student or other individuals. If the student is involved in any subsequent (i.e., repeat) alcohol and/or drug abuse incidents, the situation will be evaluated by the Dean of Students to determine if medical amnesty is appropriate. The availability of medical amnesty with repetitive violations is determined cases-by-case.

Typically, situations will be handled through the regular conduct process and will be considered for sanctioning purposes if a student does not demonstrate a commitment to the steps recommended by the health care professional and is involved in repetitive alcohol and/or drug abuse incidents.

1. The Medical Amnesty Policy applies to NMC students who initiate and seek assistance and/or medical treatment on behalf of themselves, another student, or a friend when a serious or

life-threatening situation is transpiring as result of alcohol and/or drug abuse. Reporting to a clinical or practicum site while under the influence of drugs and/or alcohol where medical services may incidentally be offered during student's prescribed clinical hours, does not preclude the student from disciplinary action under the Code of Conduct and/or Alcohol and Drug Policy.

2. If a representative of an NMC student organization hosting an event calls for medical assistance, this act of responsibility might mitigate potential Conduct Code consequences that could arise against the organization, i.e., the fact that an organization sought help will be favorably considered in potential sanctioning for NMC policy violations. NMC student organizations involved in an incident must agree to take recommended steps to address concerns. In appropriate situations as determined in the conduct process, mitigation could result in the requirement of participation in an educational program or educational activities rather than other disciplinary consequences.
3. The protocol applies only to the Code of Conduct and Alcohol and Drug Policy, though absolutely no medical amnesty will be granted to students enrolled in a clinical course who report to any clinical or practicum site and are suspected to be under the influence of illicit drugs or alcohol. If there are any conflicts between the Alcohol and Drug Policy and the Medical Amnesty Policy, the Alcohol and Drug Policy will prevail.
4. Enforcement agencies may act within their jurisdictions in enforcing the laws enacted by the State of Nebraska, the United States, or any other state or nation where jurisdiction may be invoked.
5. The Medical Amnesty Policy applies only to individuals' use of alcohol and drugs where medical attention is sought out and needed. It does not apply to other prohibited behaviors including, but not limited to, the illegal distribution of illicit substances, harassment, sexual violence, hazing, causing or threatening physical harm, damage to property, or assault.

Questions regarding the Medical Amnesty Policy in general, should be directed to the Dean of Student (402) 354-7528.

### **Weapons Free Campus Policy**

The Methodist Health System prohibits all persons who enter the premises from carrying or otherwise possessing a handgun, firearm, or prohibited weapon of any kind, regardless of whether or not the person is licensed to carry or possess the weapon. This policy applies to all persons on Methodist Health System premises, including but not limited to, employees, contractors, visitors, patients, and physicians, except as noted in the "Exceptions" below.

Employees are also prohibited from carrying or otherwise possessing a weapon while in the course and scope of performing their job, whether or not they are on Methodist Health System premises at the time and whether or not they are licensed to carry or otherwise possess a

weapon. This policy also prohibits weapons at all Methodist Health System sponsored functions such as parties, picnics or continuing education.

The only exceptions to this policy are:

1. Law enforcement officers specifically authorized by law to carry a weapon; and
2. Those persons who have been given specific written permission by Methodist Health System to carry or otherwise possess a weapon on the premises.

"Methodist Health System premises" include, without limitation, all Methodist Health System owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways and parking lots under Methodist Health System ownership or control. Methodist Health System vehicles are covered by this policy at all times regardless of whether they are on Methodist Health System premises at the time. "Prohibited weapons" include any form of weapon or explosive restricted under local, state or federal regulation. This includes all firearms, illegal knives or other weapons (including tasers) covered by the law. (Legal, chemical dispensing devices such as pepper sprays that are sold commercially for personal protection are not covered by this policy.) If an employee, contractor, or visitor has a question about whether an item is covered by this policy, the individual should immediately contact Security. Persons entering Methodist Health System premises will be held responsible for making certain beforehand that any potentially-covered item is not prohibited by this policy.

The Methodist Health System reserves the right to conduct searches of any person, vehicle or object that enters the Methodist Health System premises. Pursuant to this provision, Methodist Health System is authorized to search lockers, desks, purses, briefcases, baggage, toolboxes, lunch sacks, clothing, vehicles parked on Methodist Health System premises, and any other item in which a weapon may be hidden. Additionally, Methodist Health System may search a vehicle owned by it and used by the employee, and a vehicle owned by an employee that is being used to conduct business on behalf of Methodist Health System, regardless of whether the vehicle is located on Methodist Health System premises at the time. Searches will only be conducted by Security, the Omaha Police Department or other individuals specifically designated by Security or Administration. To the extent the search is requested by Methodist Health System management and the employee is present, the employee may refuse the search; provided, however, that such refusal can result in termination of employment for refusal to cooperate. Methodist Health System reserves the right to conduct searches on its premises or authorize searches by law enforcement on its premises without the employee being present.

Further, carrying or otherwise possessing a weapon on the Methodist Health System premises in violation of this policy will be considered an act of criminal trespass and will be grounds for the immediate removal of the person from Methodist Health System premises. It may also result in prosecution. Additionally, failure by an employee to abide by all terms and conditions of this policy may result in discipline, up to and including termination from employment. Any known or suspected violation of this policy should immediately be reported to Security or Human Resources. In all cases, employees need to keep their safety and that of our patients and visitors

at the forefront. No action should be initiated if it places patients or employees at risk. Security and/or Administration will have the final responsibility to recommend action and determine whether or not other resources are needed. All Methodist Health System campus locations will post appropriate signs at main entrances for the public and employee entrances.

The Nebraska Methodist College's *Campus Housing Handbook* and *Housing Lease Agreement* expressly prohibit any weapon on campus and within student housing. In accordance with the lease agreement, "[r]esidents are not to have firearms, including otherwise lawfully concealed weapons, open blade knives, archery equipment, slingshots, mace and other similar chemical compounds, ammunition or other weapons." And too, residents are accountable for knowing the policies and procedures contained in the Housing Handbook. With regards to firearms, weapons and explosives the policy states the following:

"Firearms, Weapons, & Explosives: The possession and/or use of firearms, weapons, and explosives is prohibited on campus. Firearms and weapons include the following hunting and non-hunting items: knives, bow and arrows, rifles, shotguns, and handguns. Items that can be considered dangerous instruments, but not identified as a weapon, such as BB guns, paint guns, and high-powered water guns are also not allowed on campus. Explosives include, but are not limited to, ammunition, fireworks, and chemicals that are explosive in nature. All such items will be confiscated, and depending on the circumstances, may or may not be returned at the end of the academic year. Depending on circumstances, violation of this policy will result in either housing probation or immediate eviction from Josie's Village, suspension, and/or expulsion from the College." (Emphasis added.)

Nebraska State law, Neb. Rev. Stat. § 69-2441, prohibits a holder of a valid permit issued under the Concealed Handgun Permit Act from carrying concealed weapons on college campuses.

### **Tobacco-Free Environment Policy**

In accordance with Methodist Health System policy, and efforts to promote and encourage healthy lifestyles, Nebraska Methodist College is a tobacco-free environment. Use, sale or distribution of tobacco products is prohibited inside and outside all buildings on the NMC campus and in private vehicles parked on College property. In addition, tobacco use is prohibited at all College sponsored off-campus events or at off-campus property owned by the College, including the Alumni Center.

Tobacco products include, but are not limited to, cigarettes, artificial or stimulated smoking devices (electronic cigarettes, etc.), cigars, chewing tobacco, hookah-smoked products, clove cigarettes, cigarillos, and pipe smoking. Individuals covered by the tobacco-free policy include, but are not limited to, students, employees, visitors, vendors, leased tenants, and contractors. Tobacco industry and related company sponsorship of campus groups, events, individuals, and departments is prohibited. This includes scholarships, sponsorship of faculty positions, and recruiting for employment.

NMC students, employees, and visitors are expected to be good neighbors by refraining from using tobacco products on the property of nearby businesses and residences.

## PENALTIES & SANCTIONS

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### Guidelines for Disciplinary Procedures

Individuals found to be in violation of various College policies and regulations may be subject to disciplinary sanctions. It is the belief of the College that sanctions should maximize safety for all students and College constituents, relate to the nature of the behavior, and provide an opportunity for growth and learning. Thus, these examples are not meant to represent the only sanctions that may be used by the College.

**Reprimand:** A written warning to a student for a violation of College policy. The warning shall include notice that further violations of the same or other regulations will result in a more severe disciplinary sanction. A copy of the warning letter is placed in the student's academic file.

**Apology:** A required formal apology, given either verbally or in writing (as designated by the sanction), either private or public, to an individual, outside agency, or the College. Evidence of the offering of the apology may be required.

**Restitution:** In the event of damage, destruction, or theft, a student may be required to make a full and complete reimbursement to the College or others. Restitution for College property, damage, or theft may take the form of financial payment, appropriate service, or other compensation. Failure to make arrangements to pay may result in a hold being placed on the student's NMC account.

**Monetary Fine:** The student is required to pay a specific monetary fine to the College. Failure to pay or to make arrangements to pay such fines may result in a hold being placed on the student's NMC account.

**Work Project:** The student is assigned a specific work or service project, as outlined in a work agreement. This sanction will normally be assigned to help the student reflect upon the negative implications of his/her behavior.

**Disciplinary Warning:** This sanction is administered to serve as a notice to the student that his/her behavior was unacceptable and inconsistent with the College's values and standards of behavior. The Warning will note that any future violations of the policy could result in the imposition of more severe sanctions. In some cases, it may be the preliminary step to Disciplinary Probation. This sanction may also involve specific conditions that may include, but are not limited to:

- Removal from campus housing or relocating within the apartments.

- Restriction of access to specific campus facilities.
- Loss of privileges, to include, but not limited to, the following:
  - Active participation in any or all public events sponsored by the College or by students;
  - Attendance at any or all public events sponsored by the College or by students;
  - Normal visitation rights.
- Work project requirements/assignment.

If a student is found responsible for a violation of the College's Sexual Harassment policies, a Disciplinary Warning could also include one or more of the following:

- Required consultation with a member of the College's counseling staff, as well as required participation in any on-going counseling and/or educational programming recommended by the counselor.
- Issuance of a public apology by the student.
- Prohibit contact between the violator and victim for specified time period.

**Disciplinary Probation:** This sanction may involve specified conditions that may include, but are not limited to:

- Removal from campus housing or relocating within the apartments.
- Restriction of access to specified campus facilities.
- Loss of privileges to include, but not limited to, the following:
  - Active participation in any or all public events sponsored by the College or by students;
  - Attendance at any or all public events sponsored by the College or by students;
  - Representation of the College in specified manners;
  - Holding office in a College-approved organization;
  - Participating in specific extracurricular activities;
  - Normal visitation rights.
- Required participation certain groups and/or educational programs as they relate to the violation.
- Required period of appropriate work project.

Disciplinary Probation can also carry other sanctions imposed by certain campus organizations and academic departments. For example, a student on Disciplinary Probation may be ineligible to hold positions in Student Senate, participate in clinical rotation, or hold positions on the student housing staff. Any such sanctions are considered independently by those organizations or departments and may be imposed in addition to the sanctions identified above. Notification of Disciplinary Probation may be sent to a minor student's parents, subject to regulations governing a student's right to privacy.



**Suspension:** Suspension from classes and/or the College property may occur for a period of up to one (1) regular semester. A student wishing to re-enroll at the end of the suspension period must notify the Vice President of Enrollment and Student Services in writing six (6) weeks prior to the start of the semester.

**Dismissal:** Dismissal constitutes expulsion from the College. Students who have been dismissed are not eligible for return or reapplication.

**Required Assessment and/or Counseling:** In the event a student's conduct creates safety concerns and/or violates the College Code of Conduct Policy, he or she may be required to receive counseling, not necessarily as a disciplinary measure, but as an attempt to facilitate growth and/or safety. The student's conduct will be individually evaluated based on observations of his or her actions that indicate safety concerns or violations of the Code of Conduct. Following this individual assessment, College, at its discretion, will determine whether the student will be required to obtain treatment or evaluation from a qualified healthcare professional. Based on the results of the student's assessment, the College, using careful judgment, will determine whether the student is otherwise qualified to take classes.

Before the College concludes that the student's conduct merits suspension or other appropriate disciplinary measures, student will be provided with a forum in which he or she will be given a reasonable opportunity to be heard and respond. However, in exigent circumstances, the College may take immediate measures to dismiss or withdraw the student. Any decision to suspend or withdraw a student will be made by the Vice President of Enrollment and Student Success or the Vice President of Academic Affairs (depending on the circumstance) and the College President. If the College takes immediate action to dismiss or withdraw the student, the student will be given the opportunity at a reasonable time afterwards to be heard and to present his or her position.

### **Non-Academic Suspension/Dismissal Policy**

Students who willfully and deliberately violate College regulations or regulations of an agency while representing the College or the rights of fellow students, faculty, clients and others; who maliciously or deliberately abuse College, agency or another's property by theft or destruction; who have possession of, consume or are under the influence of alcohol or illegal drugs while on the College campus and/or at another agency; or who willfully and deliberately violate civil or criminal codes are liable to immediate suspension and/or dismissal from the College.

Suspension from classes and/or the College property may occur for a period of up to one regular semester. Students wishing to re-enroll at the end of the suspension period must notify the Vice President of Enrollment and Student Success in writing six weeks prior to the start of the semester. Dismissal will constitute expulsion from the College. Students who have been dismissed are not eligible for return or re-application.

## Nebraska Citations and Penalties

OFFENSE	DESCRIPTION	PENALTY
<b>DWI/.08/Refusal</b>	These offenses all fall within the same misdemeanor. Driving while impaired is a violation that includes other drugs.	\$400 - \$500.00 fine, 7-60 days in jail, 6 month license suspension.
<b>Using False ID/Minor Misrepresenting Age</b>	It is a violation to use falsified documents to purchase alcohol. No minor shall obtain, or attempt to obtain, alcoholic liquor by misrepresentation of age, or by any other method, in any tavern or other place where alcoholic liquor is sold.	Up to \$500.00 fine and 6 months in jail.
<b>Furnishing a False ID</b>	Any person who knowingly manufactures, creates, or alters any form of identification for the purpose of sale or delivery of such form of identification to a person under the age of twenty-one years. This includes any card, paper, or legal document that may be used to establish the age of the person named thereon for the purpose of purchasing alcoholic liquor.	Up to \$500.00 fine and 6 months in jail
<b>Consuming Alcohol in Public</b>	It is illegal to consume alcohol on the public right of way. This includes street, sidewalks or any other public property.	Up to \$500.00 fine and 6 months in jail.
<b>Selling Alcohol Without a License</b>	It is illegal to charge for alcohol in any way e.g., at the door, as a cover charge or by the drink, if you do not have a liquor license.	Up to \$500.00 fine and 6 months in jail.
<b>Failure to Disperse/Failure to Obey a Lawful Order</b>	You may be cited for failing to leave or obey a specific command if ordered by an officer to do so.	Up to \$500.00 fine and 6 months in jail.
<b>Felony Assault</b>	Assaulting another person causing serious injury and/or involving the use of a weapon	Depending on the severity of the injury, this offense could result in incarceration.
<b>Minor in Possession</b>	No one under the age of 21 may possess, consume, or have physical control of alcohol. Exceptions: a minor may possess or have physical control of alcoholic liquor in his or her permanent place of residence. 19 and 20 year olds may handle alcohol as part of their employment duties.	Up to \$500.00 fine and 6 months in jail.

<b>Minor Attempt to Purchase</b>	It is unlawful for anyone under the age of 21 to attempt the purchase of alcohol with or without identification.	Up to \$500.00 fine and 6 months in jail.
<b>Procuring Alcohol for a Minor</b>	It is illegal to purchase alcohol for anyone under the age of 21.	Up to \$500.00 fine and 6 months in jail.
<b>Disorderly House</b>	This violation enables law enforcement to cite property owners or renters with parties that get out of hand causing a disturbance.	Up to \$500.00 fine and 6 months in jail.
<b>Misdemeanor Assault</b>	Striking another person causing injury.	Up to \$500.00 fine and 6 months in jail.
<b>Urinating in Public</b>	It is unlawful for any person to urinate or defecate on a public street, alley, or any other property, public or private, open to or visible to the public.	Minimum \$100.00 fine

### **Federal Drug Laws**

The possession, use, or distribution of illicit drugs is prohibited by federal law. Strict penalties are enforced 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.

#### **Denial of Federal Aid (20 USC § 1091)**

Under the Higher Education Act of 1998, students convicted under federal or state law for the sale or possession of drugs will have their federal financial aid eligibility suspended. This includes all federal grants, loans, federal work study programs, and more. Students convicted of drug possession will be ineligible for one year from the date of the conviction of the first offense, two years for the second offense, and indefinitely for the third offense. Students convicted of selling drugs will be ineligible for two years from the date of the first conviction, and indefinitely for the second offense. Those who lose eligibility can regain eligibility by successfully completing an approved drug rehabilitation program.

#### **Forfeiture of Personal Property and Real Estate (21 USC § 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.

## Federal Drug Trafficking Penalties (21 USC § 841)

Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The following list 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 result from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces 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 USC § 845(a)) 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 1 year.

Drug/Substance	Amount	Penalty - 1st Conviction
<b>Barbiturates</b>	Any amount	Up to 5 years prison. Fine up to \$250,000
<b>Cocaine</b>	5 kgs. or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	Less than 100 grams	10-63 months prison. Fine up to \$1 million
<b>Crack Cocaine</b>	50 grams or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	5-49 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
	5 grams or less	10-63 months prison. Fine up to \$1 million
<b>Ecstasy</b>	Any amount	Up to 20 years imprisonment. Fine up to \$1 million. 3 years of supervised releases (following prison)
<b>GHB</b>	Any amount	Up to 20 years imprisonment. Fine up to \$1 million. 3 years of supervised releases (following prison)
<b>Hashish</b>	10-100 kg	Up to 20 years imprisonment. Fine up to \$1 million.
	10 kg or less	Up to 5 years imprisonment. Fine up to \$250,000
<b>Hash Oil</b>	1-100 kg	Up to 20 years imprisonment. Fine up to \$1 million.
	1 kg or less	Up to 5 years imprisonment. Fine up to \$250,000
<b>Heroin</b>	1 kg or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	100-999 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
	100 grams or less	10-63 months prison. Fine up to \$1 million
<b>Ketamine</b>	Any amount	Up to 5 years imprisonment. Fine up to \$250,000. 2 years supervised release
<b>LSD</b>	10 grams or more	Not less than 10 years prison, not more than life. Fine up to \$4 million

	1-10 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
<b>Marijuana</b>	1000 kg or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	100-999 kg	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
	50-99 kg	Up to 20 years imprisonment. Fine up to \$1 million
	50 kg or less	Up to 5 years imprisonment. Fine up to \$250,000
<b>Methamphetamine</b>	50 grams or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	10-49 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
	10 grams or less	10-21 months prison. Fine up to \$1 million
<b>PCP</b>	100 grams or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	10-99 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
	10 grams or less	10-21 months prison. Fine up to \$1 million
<b>Rohypnol</b>	1 gram or more	Up to 20 years imprisonment. Fine up to \$1 million
	less than 30 mgs	Up to 5 years imprisonment. Fine up to \$250,000

### **Federal Drug Possession Penalties (21 USC § 844)**

Persons convicted on Federal charges of possessing any controlled substance face penalties of up to 1 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 2 years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than 3 years in prison and a minimum fine of \$5,000. Possession of drug paraphernalia is punishable by a minimum fine of \$750.

Special sentencing provisions for possession of crack cocaine impose a mandatory prison term of not less than 5 years but not more than 20 years and a fine up to \$250,000, or both if:

- It is a first conviction and the amount of crack possessed exceeds 5 grams;
- It is a second conviction and the amount of crack possessed exceeds 3 grams;
- It is a third or subsequent crack conviction and the amount exceeds 1 gram.

Civil penalties of up to \$10,000 may also be imposed for possession of small amounts of controlled substances, whether or not criminal prosecution is pursued.

## Counseling and Treatment

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Short term alcohol and drug counseling is available to students through NMC's Counseling Center. Students may be referred to other treatment programs for more intensive treatment. Employee Assistance Program (EAP) & Virtual Care Group (VCG) offers free confidential counseling services to NMC employees (EAP) and for on ground and online students (VCG) 24/7/365.

## Prevention and Education

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Substance abuse can cause serious health and behavioral problems, including short-and long-term effects upon both the body (physiological) and mind (psychological), as well as impairment of learning ability, memory, and performance. As mandated by the Drug-Free Schools and Campuses Act, this policy is distributed to all students, staff and faculty on an annual basis, and during every even year, a biennial review of the comprehensive alcohol and other drug program is conducted.

In addition to the materials distributed annually for compliance with the Drug-Free Schools and Campuses Act of 1989, several educational programs and activities related to the use/abuse of alcohol and other drugs are held at NMC. These programs serve to increase students' and employees' awareness of the health and safety concerns associated with using/abusing alcohol and/or other drugs. At Care Days, New Student Orientation, and Welcome Weeks educational programs are presented by staff members and orientation leaders. Programs are also sponsored by student organizations, students, faculty, and staff scheduled programs and events for programmatic weeks such as Alcohol Awareness Week. For a complete description and listing of all drug or alcohol-abuse education programs, please contact the VP Institutional Effectiveness at 402-354-7259.