


AUSTIN PEAY STATE UNIVERSITY  
POLICIES AND PROCEDURES MANUAL

Policy Number: 5:051	Supersedes Policy Number: 5:051
Date: August 14, 1995	Dated: August 13, 1990
Subject: Drug-Free Workplace/Campus	
Initiating Authority: Vice President for Student Affairs	TBR Policy/Guideline Reference:
Approved:  President	

## I. Introduction

This policy has been developed to provide a comprehensive overview of the health risks and legal implications related to alcohol and other drug use, and to serve as a reference for on- and off-campus resources that are available to students, faculty and staff at Austin Peay State University.

## II. Philosophy

Austin Peay State University's fundamental purpose is to produce educated men and women equipped to use their abilities productively and wisely. The curricula and extra-curricular activities of the University are routes to intellectual maturity and means to the development of ideas, insights, values and competencies which form a permanent, personal capacity for thought and action. The University strives to provide an environment for students to construct their own education and to acquire the means of making self-education the rewarding enterprise of a lifetime, enabling them to become effective agents of social change. An environment free of the illegal or abusive use of alcohol or other drugs by members of the academic community encourages this educational development. Therefore, Austin Peay State University

is committed to having a campus that is free of alcohol and other drug use.

In keeping with its primary purpose, Austin Peay will utilize educational strategies as its major approach to the problem of alcohol and other drug use. It is important, however, that everyone be aware that any member of the University community who uses illegal drugs or abuses any drug including alcohol may be subject to prosecution and punishment by the civil authorities and to disciplinary proceedings by the University. Austin Peay's interest in punishing offenders is not punitive, but rather to establish clear limits of conduct for all members of the campus community.

This policy does *NOT* punish people who seek rehabilitation. All information provided by people who voluntarily avail themselves of alcohol or other drug counseling or rehabilitation services will be confidential. It will *NOT* be used against the individual seeking assistance.

### III. Policy

*It is the policy of this institution that the unlawful manufacture, distribution, acquisition, possession, or use of alcohol and illegal drugs on the APSU campus, on property owned or controlled by APSU, or as part of any activity of APSU is strictly prohibited.*

Austin Peay is dedicated to the pursuit and dissemination of knowledge and, as such, expects all members of the academic community to behave in a manner conducive to that end. The highest standards of personal and professional conduct must be maintained by faculty, staff and students. Illegal or abusive use of alcohol and other drugs by members of the University community adversely affects the mission of the University and is prohibited.

Accordingly, Austin Peay State University adopts the following policy, consistent with federal, state and local laws. The policy is intended to accomplish the following:

1. Prevent substance abuse through strong educational efforts;
2. Encourage and facilitate the use of counseling services and rehabilitation programs by those members of the

University community who require assistance in stopping substance abuse; and,

3. Discipline appropriately those members of the University community who engage in illegal substance-related behaviors.

A. Educational Efforts to Prevent Substance Abuse

In keeping with its primary mission of education, Austin Peay will conduct a strong educational program aimed at preventing drug abuse and illegal drug or alcohol use. Educational efforts shall be directed toward all members of the University community and will include information about the incompatibility of the use or sale of illegal substances with the goals of APSU; the health hazards associated with illegal drugs or alcohol use; the incompatibility of substance abuse with the maximum achievement of education, career and other personal goals; and the potential legal consequences of involvement with illegal drugs or alcohol.

B. Counseling and Rehabilitation Services to Prevent Substance Abuse

Those faculty, staff or students who seek assistance with a substance abuse-related problem shall be provided with information about alcohol and other drug counseling and rehabilitation services through APSU and also through community organizations. Those who voluntarily avail themselves of University services shall be assured that applicable professional standards of confidentiality will be observed.

C. Disciplinary Actions to Prevent Substance Abuse

Students, faculty and staff are responsible, as citizens, for knowing about and complying with the provisions of Tennessee law that make it a crime to possess, sell, deliver or manufacture those drugs designated collectively as "controlled substances" in 39-17-405 -- 39-17-426 of the Tennessee Code Annotated. Any member of the University community who violates those laws is subject both to prosecution and punishment by the civil authorities and to disciplinary proceedings by the University.

It is expected that APSU students, faculty and staff who use or possess alcoholic beverages will do so as legally prescribed by the laws of the state of Tennessee, within the regulations of Austin Peay State University and live in a manner that does not disrupt the lives of others. A person whose conduct is outside these parameters will be subject to the judicial rules and procedures of the University.

It is not "double jeopardy" for both the civil authorities and the University to proceed against and punish a person for the same specified conduct. The University will initiate its own disciplinary proceeding against a student or employee when the alleged conduct is deemed to affect the interests of the University.

Sanctions will be imposed by the University in accordance with this policy, Staff Handbook, Faculty Handbook, Student Code of Conduct and other appropriate University policies. Students, faculty and staff members of APSU with substance abuse problems are encouraged to take advantage of available diagnostic, referral, counseling and prevention services. However, employees and students availing themselves of these services will not be granted special privileges and exemptions from standard academic and student conduct requirements. Austin Peay will not excuse acts of misconduct committed by employees and students whose judgement is impaired due to substance use.

**Employees** (This includes regular and temporary employees, student employees and employees working at the University under the guidelines of federal contract or grant. Compliance with the policy is considered a condition of employment under the terms of the employment.)

As a condition of employment, each employee must abide by the terms of this statement and must notify the director of human resources of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. Failure to provide this notification *within five days* after conviction will result in termination of employment. A conviction includes a finding of guilt, a plea of *nolo contendere*, or imposition of a sentence by any state or federal judicial body.

Possible disciplinary sanctions for failure to comply with this statement, other than notification, may include one or more of the following:

1. termination;
2. suspension;
3. mandatory participation in, and satisfactory completion of, a substance abuse program or rehabilitation program;
4. and, recommendation for professional counseling.

**Students** (This shall mean any person who is registered for study at Austin Peay State University for any academic period. A person shall be considered a student during any period that follows the end of an academic period which the student has completed until the last day for registration for the next succeeding regular academic period, and during any period while the student is under suspension from the University.)

Possible disciplinary sanctions for failure to comply with the terms of this statement may include one or more of the following:

1. expulsion;
2. suspension;
3. probation;
4. mandatory educational program.

In addition to the above, students may be required to participate in, and satisfactorily complete, a substance abuse program or rehabilitation program. Finally, in addition to imposed University sanctions, a student may be referred for criminal prosecution.

As a condition for receiving federal Title IV financial aid, each student must certify that he/she will not engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance and must notify the director of student financial aid of any conviction *within five days* after such conviction. A student convicted of violating the regulation may lose his/her federally funded financial aid and may be subject to disciplinary action under the Student Code of Conduct.

IV. Institutional Compliance

The Director of LifeChoices is responsible for overseeing the University's compliance with the Drug-Free Schools and Communities Act regulations and the biennial review.

## Appendix A: Health Risks

TYPES OF DRUGS	HEALTH RISKS
<p><b>Schedule I:</b> Heroin, LSD, Peyote, Mescaline, Psilocybin (Shrooms), Other Hallucinogens, Methaqualone (Quaaludes), Phencyclidine (PCP) and MDA</p>	<p>Psychologically and physically addictive; depression, withdrawal symptoms, convulsions, death, unpredictable behavior with hallucinogens; possible damage to unborn fetus.</p>
<p><b>Schedule II:</b> Morphine, Demerol, Codeine, Percodan, Percocet, Fentanyl, Dilaudid, Seconal, Nembutal, Cocaine, Amphetamines, and other opium, opium extracts and narcotics.</p>	<p>Psychologically and physically addictive; withdrawal symptoms, convulsions, respiratory failure, frequent accidents; possible damage to unborn fetus; death; cocaine and amphetamines increase blood pressure which can lead to irregular heartbeat and death; amphetamines can cause agitation, increase in body temperature, hallucinations, convulsions, possible death.</p>
<p><b>Schedule III:</b> Certain barbiturates such as amobarbital and codeine containing medicine such as Fiorinal #3, Doriden, Tylenol #3, Empirin #3, and codeine-based cough suppressants such as Tussionex and Hycomine; and all anabolic steroids.</p>	<p>Psychologically and physically addictive; potential liver damage, nausea and vomiting; dizziness, disorientation, shallow breathing, cold and clammy skin, coma, possible death; withdrawal symptoms--anxiety, tremors, insomnia, convulsion; possible damage to unborn fetus.</p>
<p><b>Schedule IV:</b> Barbiturates, narcotics, and stimulants, including Valium, Talwin, Librium Equanil, Darvon, Darvocet, Placidyl, Tranzene, Serax, Ionamin (yellow jackets).</p>	<p>Psychologically and physically addictive; drowsiness, withdrawal symptoms--tremors, abdominal and muscle cramps insomnia, anxiety, convulsions, possible death; possible damage to unborn fetus.</p>
<p><b>Schedule V:</b> Compounds that contain very limited amounts of codeine, dihydrocodeine, ethlmorphine, opium, and atropine, such as Terpene Hydrate with codeine and Robitussin AC.</p>	<p>Psychologically and physically addictive; nausea, gastrointestinal symptoms, drowsiness, withdrawal symptoms--runny nose, watery eyes, panic, chills, cramps, irritability, nausea; possible damage to unborn fetus.</p>
<p><b>Schedule VI:</b> Marijuana, THC, Hashish, Hash Oil, Tetrahydrocannabinol.</p>	<p>Psychologically addictive; increased risk of lung cancer, bronchitis, and emphysema; contributes to heart disease, fatigue, paranoia, possible psychosis; withdrawal symptoms--insomnia, hyperactivity, and decreased appetite; depression of the immune system; decrease sperm count in men and irregular ovulation in women.</p>
TYPES OF ALCOHOL	HEALTH RISKS
<p>Malt beverage is beer, ½ of 1% to 6% alcohol.</p> <p>Unfortified wine is wine not more than 17% alcohol.</p> <p>Fortified wine is wine not more than 24 % alcohol.</p> <p>Spirituos liquor is distilled spirits or ethyl alcohol, including spirits of wine, whiskey, rum, brandy, gin, etc.</p> <p>Mixed beverage is a drink composed in whole or part of spirituos liquor.</p>	<p>Psychologically and physically addictive; respiratory depression; depression of the immune system; increase risk of heart disease, cancer, accidents, hypertension; brain damage; liver damage; damage to the unborn fetus; impotence at high dosage levels.</p>

## Appendix B: Tennessee Regulations

TYPES OF DRUGS	CRIMINAL OFFENSES AND PENALTIES FOR MANUFACTURE; DELIVERY; SELLING; or POSSESS WITH THE INTENT TO MANUFACTURE, DELIVER OR SELL
<b>Schedule I:</b> High potential for abuse; and no accepted medical use in treatment in the US or lacks accepted safety for use in treatment under medical supervision. Specific drugs refer to TCA 39-17-406.	Class B Felony. Fine of not more than \$100,000; jail time of 6-30 yrs.
<b>Schedule II:</b> High potential for abuse; the substance has currently accepted medical use in treatment in the US, or currently accepted medical use with severe restrictions; and the abuse of the substance may lead to severe psychic or physical dependence. Specific drugs refer to TCA 39-17-408.	Class C Felony; except cocaine is punished as a Class B Felony if the amount of drug is .5 grams or more, if a weapon is involved, or if death or bodily injury occurs. Fine of not more than \$100,000; jail time of 3-15yrs.
<b>Schedule III:</b> Less potential for abuse than the substances listed in Schedules I and II; the substance has currently accepted medical use in treatment in the US; and abuse of the substance may lead to moderate or low physical dependence or high psychological dependence. Specific drugs refer to TCA 39-17-410 (includes anabolic steroids).	Class D Felony. Fine of not more than \$50,000; jail time of 2-12 yrs.
<b>Schedule IV:</b> Low potential for abuse relative to substances in Schedule III; the substance has currently accepted medical use in treatment in the US; and abuse of the substance may lead to limited physical dependence or psychological dependence relative to the substances in Schedule III. Specific drugs refer to TCA 39-17-412.	Class D Felony. Fine of not more than \$50,000; jail time of 2-12 yrs.
<b>Schedule V:</b> Low potential for abuse relative to the substances in Schedule IV; the substance has currently accepted medical use in treatment in the US; and the substance has limited physical dependence or psychological dependence liability relative to the substances in Schedule IV. Specific drugs refer to TCA 39-17-414.	Class E Felony. Fine of not more than \$5,000; jail time of 1-6 yrs.
<b>Schedule VI:</b> Substances not included in Schedules I through V and include marijuana; tetrahydrocannabinols; and synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity. TCA 39-17-415	Class E Felony, for not less than ½ ounce nor more than 10 lbs of marijuana; or not more than 2 lbs of hashish. Fine of not more than \$5,000; jail time of 1-6 yrs. Class D Felony; not less than 10 lbs nor more than 70 lbs of marijuana, or not more than 2 lbs nor more than 15 lbs of hashish. Fine of not more than \$50,000; jail time of 2-12 yrs.
<b>Schedule VII:</b> Substance not included in Schedules I through VI, the controlled substance included is Butyl nitrate and any isomer thereof.	Class E Felony. Fine of not more than \$1,000, jail time of 1-6 yrs.
<b>Class X:</b> Designated amounts of certain drugs within multiple Schedules. Amounts refer to TCA 39-17-417(2)(l)(1-13).	Class B Felony. Fine of not more than \$200,000; jail time of 6-30 yrs.
<b>"Mega Drug" Offense:</b> Designated amounts of certain drugs within multiple Schedules. Amounts refer to TCA 39-17-417 (2)(j)(1-13).	Class A Felony. Fine of not more than \$500,000; jail time of 15-60 yrs.
Deliver or sale of a Schedule I-V to a minor under the age of 12 yrs.	Punished one classification higher than is provided in TCA 39-17-417 subsection (b)-(f) or (l) for the Schedule I-V controlled substance delivered or sold.

TCA 39-17-418 states it is an offense for a person to knowingly possess or casually exchange a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a medical practitioner. In addition, it is an offense for a person to distribute marijuana not in excess of ½ ounce. A violation of this statute is a Class A Misdemeanor with penalties of up to 11 months and 29 days of jail time and/or a requirement to attend a drug offender school or perform community service work at such a school.



Appendix B: Tennessee Regulations (continued)

ALCOHOL	PENALTIES
<p>TCA 57-3-412(3)(A): It is unlawful for any person under the age of 21 years to have in such person's possession and/or transport any intoxicating liquor for any purpose, whether the same be possessed in a dry county or a wet county. Any person 18 yrs of age or older may, in the course of such person's employment, transport, possess, sell and/or dispense intoxicating liquors.</p>	<p>Class A Misdemeanor; jail time of up to 11 months and 29 days.</p>
<p>TCA 57-3-412(4): Any person who purchases an alcoholic beverage for or at the request of a person under 21 years of age commits a Class A Misdemeanor.</p>	<p>Punished by a fine of not less than \$25 nor more than \$500 and by not more than 30 days of community service work. Upon a person's second or subsequent conviction for such offense, such person shall be punished by a fine of not less than \$50 nor more than \$1,000 and by not more than 30 days of community service work.</p>
<p>TCA 57-3-412(5)(A): It is unlawful for any person who is younger than 21 years of age to purchase or attempt to purchase any alcoholic beverage.</p>	<p>Class A Misdemeanor. A person younger than 21 years of age but 18 years of age or older is convicted of the purchase or attempt to purchase or possess alcoholic beverages shall prepare and send to the department of safety, driver control division, within 5 working days of the conviction, an order of denial of driving privileges for the offender.</p>
<p>TCA 57-3-412(2)(c): Any person under 21 years of age who knowingly makes a false statement or exhibits false identification of the effect that he is 21 or older to any person engaged in the sale of alcohol beverages for the purpose of purchasing or obtaining the same commits a Class A Misdemeanor.</p>	<p>If the person violating is less than 18 years of age, that person shall be punished by a fine of \$50 or not less than 20 hours of community service work, which fine or penalty shall not be suspended or waived. If the person violating is 18 years of age or older but less than 21, that person shall be punished by a fine of not less than \$50 nor more than \$200 or imprisonment in the county jail or workhouse for not less than 5 days nor more than 30 days.</p>
<p>TCA 57-4-203(C)(c): It is unlawful for any licensee or other person to sell or furnish any alcoholic beverage to any person who is known to be insane or mentally defective, or to any person who is visibly intoxicated, or to any person who is known to habitually drink alcoholic beverages to excess, or to any person who is known to be a habitual user of narcotics or other habit-forming drugs.</p>	<p>Class A Misdemeanor; jail time of up to 11 months and 29 days.</p>
DRIVING	PENALTIES
<p>TCA 55-10-401 <i>Driving under the influence of intoxicant or drug prohibited:</i> It is unlawful for any person or persons to drive or to be in physical control of any automobile or other motor vehicle on any of the public roads and highways of the state of Tennessee, or on any streets or alleys, or while on the premises of any shopping center, trailer park or any apartment house complex, or any other premise which is generally frequented by the public at large, while under the influence of any intoxicant, marijuana, narcotic drug, or drug producing stimulating effects on the central nervous system.</p>	<p>First offense: Fine of not less than \$350 nor more than \$1,500 and such person or persons shall be confined in the county jail or workhouse for not less than 48 hours nor more than 11 months and 29 days; and loss of driver's license for 1 year.                      Second offense: Fine of not less than \$600 nor more than \$3,500 and the person or persons shall be confined in the county jail or workhouse for not less than 45 days nor more than 11 months and 29 days; and loss of driver's license for 2 years. In addition, for a second offense a judge may require inpatient alcohol or drug treatment.                      Third and subsequent offense: Fine of not less than \$1,100 nor more than \$10,000 and the person or persons shall be confined in the county jail or workhouse for not less than 120 days nor more than 11 months and 29 days, and the court shall prohibit such person or person from driving a vehicle for a period of time of not less than 3 years nor more than 10 years.                      All persons sentenced under TCA 55-10-403(a) shall, in addition to service of at least the minimum sentence, be required to serve the difference between the time actually served and the maximum sentence on probation. The judge shall impose the following conditions: participation in an alcohol and drug safety DUI school, and/or drug offender school program, if available; or upon second or subsequent conviction for violating the provisions of TCA 55-10-401 or 39-17-418, involving the possession of a controlled substance, participation in a program of rehabilitation for alcohol and other drug treatment; and the payment of restitution to any person suffering physical injury or personal losses as the result of such offense.                      Driving while restriction of license in place is a Class E Felony; 1-6 years in jail.</p>
<p>TCA 55-10-406 <i>Tests for alcoholic or drug content of blood:</i> Any person who drives any motor vehicle in the state of Tennessee shall be deemed to have given consent to a test for the purpose of determining the alcoholic or drug content of that person's blood; provided, that such test is administered at the direction of a law enforcement officer having reasonable grounds to believe such person to have been driving while under the influence of an intoxicant or drug. Any law enforcement officer who requests that the driver of a motor vehicle submit to a test for the purpose of determining the alcoholic or drug content of the driver's blood shall, prior to conducting such test, advise the driver that refusal to submit to such test will result in the suspension of the driver's operator's license by the court. If such person having been placed under arrest and thereafter having been requested by a law enforcement officer to submit to such test and advised of the consequences for refusing to do so, refuses to submit, the test shall not be given and such person shall be charged with driving under the influence.</p>	

Appendix B: Tennessee Regulations (continued)

<p>TCA 55-10-408 <i>Tests for alcoholic or drug content of blood – Presumption of intoxication and impairment:</i> Evidence that there was, at the time alleged, .05%, or less, by weight of alcohol in the blood of the defendant, shall create no presumption. Evidence that there was, at the time alleged, .10% or more by weight of alcohol in the defendant's blood shall create a presumption that the defendant was under the influence of such intoxicant, and that the defendant's ability to drive was impaired thereby, sufficiently to constitute a violation of TCA 55-10-401. If the defendant has been convicted 1 or more times of violating TCA 55-10-401, a presumption that the defendant is under the influence shall be made if the blood alcohol content is .08%.</p>	<p>See section above for penalties.</p>
<p>55-10-412 <i>Addition penalties – Ignition interlock devices:</i></p>	<p>The court may order the person to operate only a motor vehicle which is equipped with a functioning ignition interlock device and this restriction may continue with a period up to 1 year after such person's license is no longer suspended or restricted.</p>
<p>55-10-416 <i>Open container law:</i> No driver shall consume any alcoholic beverage or beer or possess an open container of alcoholic beverage or beer while operating a motor vehicle.</p>	<p>Class C Misdemeanor, punishable by fine only.</p>
<p>TCA 55-10-414 <i>Child endangerment – Drunk driving child protection:</i> A person who violated TCA 55-10-410, and who at the time of the offense was accompanied by a child under 13 years of age commits the offense of child endangerment, a Class A Misdemeanor; commits a Class D Felony of aggravated child endangerment when the child suffers serious bodily injury as a result of the violation; and commits a Class C Felony of especially aggravated child endangerment when the death of the child is the result of the violation.</p>	<p>Class A Misdemeanor, up to 11 months and 29 days jail time. Class D Felony, 2-12 years jail time. Class C Felony, 3-15 years jail time.</p>
<p>TCA 55-10-415 <i>Driving while impaired – Penalties</i> Person age 16 or older but under age 21 may not drive or be in physical control of an automobile or other motor drive vehicle while: the alcohol concentration in the person's blood is more than .02%; or under the influence of alcohol; or under the influence of any intoxicant, marijuana, narcotic drug, or drug producing stimulating effects on the central nervous system; or under the combined effects</p>	<p>Person 18 or older but under 21 years of age is a Class A misdemeanor punishable only by a driver license suspension of 1 year and by a fine of \$250. As an additional punishment the court may assign public service hours. Person 16 or over but under 18 years of age commits a delinquent act and is punishable only by a driver license suspension of 1 year and by a fine of \$250. As an additional punishment, the court may impose public service hours.</p>

Appendix C: Federal Regulations  
 Appendix B: Tennessee Regulations (continued)

Federal Trafficking Penalties  
 Narcotics Penalties & Enforcement Act of 1986

CSA	PENALTY		QUANTITY	DRUG	QUANTITY	PENALTY	
	2nd Offense	1st Offense				1st Offense	2nd Offense
a) d	Not less than 10 years; not more than life.	Not less than 5 years; not more than life.	100 - 999 gm mixture	HEROIN	1 kg or more mixture	Not less than 10 years; not more than life.	Not less than 20 years; not more than life.
	If death or serious injury, not less than life.	If death or serious injury, not less than 20 years; not more than life.	400-4,999 gm mixture	COCAINE	5 kg or more mixture	If death or serious injury, not less than 20 years; not more than life.	If death or serious injury, not less than life.
	Fine of not more than \$4 million individual; \$10 million other than individual.		10-99 gm or 100-999 gm mixture	PCP	100 gm or more, or 1 kg or more mixture	Fine of not more than \$4 million individual; \$10 million other than individual.	Fine of not more than \$8 million individual; \$20 million other than individual.
			1-10 gm mixture	LSD	10 gm or more mixture		
40-999 gm mixture			FENTANYL	400 gm or more mixture			
		10-99 gm mixture	FENTANYL ANALOGUE	100 gm or more mixture			
	Drug	Quantity	First Offense		Second Offense		
	Others*	Any	Not more than 20 years. If death or serious injury, not less than 20 years; not more than life. Fine \$1 million individual; \$5 million not individual.		Not more than 30 years. If death or serious injury, life. Fine \$2 million individual; \$19 million not individual.		
III	All	Any	Not more than 5 years. Fine not more than \$250,000 individual; \$1 million not individual.		Not more than 10 years. Fine not more than \$500,000 individual; \$2 million not individual.		
IV	All	Any	Not more than 8 years. Fine no more than \$250,000 individual; \$1 million not individual.		Not more than 6 years. Fine not more than \$500,000 individual; \$2 million not individual.		
V	All	Any	Not more than 1 year. fine not more than \$100,000 individual; \$250,000 not individual.		Not more than 2 years. fine not more than \$200,000 individual; \$500,000 not individual.		

\* Does not include marijuana, hashish, or hashish oil.

## Appendix C: Federal Regulations (continued)

## Possession of Drug Paraphernalia for the Purpose of Ingesting a Controlled Substance

To Possess:	To possess with intent to sell or deliver to manufacture; or to sell and/or deliver:
One year in prison and/or \$500 fine. ( <i>Misdemeanor</i> )	Two years in prison and/or \$1,000 fine. ( <i>Misdemeanor</i> ) --However-- Delivery of drug paraphernalia by a person over age eighteen to a person under age eighteen who is at least three years younger than defendant. Five years imprisonment and/or fine. ( <i>Felony</i> )

Federal Trafficking Penalties -- Marijuana  
Narcotics Penalties & Enforcement Act of 1986

Quantity	Description	First Offense	Second Offense
1,000 kg or more	MARIJUANA Mixture containing detectable quantity.**	Not less than 10 years; not more than life. If death or serious injury, not less than 20 years; not more than life. Fine not more than \$4 million individual; \$10 million other than individual.	Not less than 20 years; not more than life. If death or serious injury, not less than life. Fine not more than \$8 million individual; \$20 million other than individual.
100 - 1,000 kg	MARIJUANA Mixture containing detectable quantity.**	Not less than 5 years; not more than 40 years. If death or serious injury, not less than 20 years; not more than life. fine not more than \$2 million individual; \$5 million other than individual.	Not less than 10 years; not more than life. If death or serious injury, not less than life. Fine not more than \$4 million individual; \$10 million other than individual.
50-100 kg	MARIJUANA	Not more than 20 years. If death or serious injury, not less than 20 years; not more than life. fine \$1 million individual; \$5 million other than individual.	Not more than 30 years. If death or serious injury, life. Fine \$2 million individual; \$10 million other than individual.
10-100 kg	HASHISH		
1-100 kg	HASHISH OIL		
100 or more plants	MARIJUANA		
Less than 50 kg	MARIJUANA		
Less than 10 kg	HASHISH	Not more than 5 years. Fine not more than \$250,000 individual; \$1 million other than individual.	Not less than 10 years. Fine \$500,000 individual; \$2 million other than individual.
Less than 1 kg	HASHISH OIL		

\*\*Includes hashish and hashish oil.

Marijuana is a Schedule I controlled substance.

## Appendix C: Federal Regulations (continued)

## Counterfeit Controlled Substances

To Create, Sell, or Possess with Intent to Sell or Deliver a Counterfeit Controlled Substance. <i>(any substance which is represented as a controlled substance.)</i>	Maximum Penalty: Five years in prison and/or fine.
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## For Your Information

1. If any person commits a controlled substance violation in which the punishment includes imprisonment for not more than two years and if he/she has been previously convicted for one or more controlled substances violations, he/she shall be punished as a Class I Felon. Up to five years in prison and/or fine.
2. If the violation includes imprisonment for not more than six months in prison and if he/she has been previously convicted of one or more controlled substances violations, he/she shall be guilty of a misdemeanor punishable by imprisonment of not more than two years and/or maximum fine of \$2,000.
3. Any person eighteen years of age or older who sells or delivers any controlled substance to a person under sixteen year of age shall be punished as a Class E Felon. Up to thirty years in prison and/or fine.

## Appendix D: Alcohol and Other Drug Resources

## University Affiliation

**Office of Student Affairs**

Ellington Student Services Building, Rm 202  
648-7341

The Student Affairs staff provide assistance to students concerning personal and academic difficulties. The Student Affairs Division's role is to act as student advocates.

**Office of LifeChoices/ADP**

Ellington Student Services Building, Rm 337  
648-6242

The LifeChoices staff provides assistance with AOD-related problems for the campus community. The assistance provided includes crisis counseling, referral and information. The Office also has a comprehensive multi-media resource library available to the entire campus community.

**STEP Team**

Ellington Student Services Building, Rm 337  
648-6242

The STEP Team is a volunteer student organization offering peer advocacy as well as peer education to APSU students concerning substance abuse problems.

**BACCHUS**

Ellington Student Services Building, Rm 337  
648-6242

BACCHUS(Boosting Alcohol Consciousness Concerning the Health of University Students) is a volunteer student organization offering social activities that encourage students to be alcohol and drug-free.

**Blah3**

Ellington Student Services Building, Rm 337  
648-6242

Blah3 is a volunteer student organization offering theatrical presentations of issues college students encounter. Blah3, through their theater presentations, encourages students to explore healthy, low-risk solutions to college life issues.

**Counseling and Testing Center**

Ellington Student Services Building, Rm 214  
648-6162

The Counseling and Testing Center provides students, staff and faculty with confidential counseling services. The Center provides short-term counseling, therapy, referral and educational services.

**Office of Housing and Residence Life**

Ellington Student Services Building, Rm 135  
648-7444

The residence life staff offers information concerning AOD awareness and education, implements programs and presentations, and provides needed assistance and referral. Residents should contact resident advisers or head residents in their buildings for assistance and/or information.

**University Programming Council**

University Center, Office of Student Activities, Rm 315  
648-7341

The University Activities Board (UPC) is a volunteer student organization providing student generated social and educational programming for the campus community. Programs and activities offered emphasize fun, healthy lifestyle choices.

**Department of Public Safety**

Shasteen Building, Rm 133  
648-7786

Emergencies: 648-4848

On a request basis, the department will provide public awareness programs. These programs offer detailed insights into drinking and driving, sexual assault and the implications of illegal AOD use.

**Student Health Services**

Ellington Student Services Building, 1st floor  
648-7107

The Student Health Services provides crisis counseling, health education and referrals. A physician, nurse practitioner, registered nurse and pharmacist are available to provide immediate assistance as well as educational materials related to AOD abuse.

**Office of Human Resources**

Browning Building, Rm 002  
648-7177

The Office of Human Resources provides employees of APSU with assistance and information related to personnel matters. The Office provides confidential assistance and referrals for AOD-related matters.

**Religious Organizations**

Baptist Student Union  
306 Drane Street  
647-6940

Catholic Student Center – Newman House  
744 Franklin St.  
645-3887

Church of Christ Student Center  
524 College St.  
647-9575

Wesley Foundation  
510 College St.  
647-6412

**Tennessee Employee Assistance Program**

800-867-6811

The Employee Assistance Program (EAP) provides problem assessment and an action plan within a limited number of counseling sessions. The counseling sessions are strictly confidential and free of charge to regular employees and their immediate family members.

## Appendix D: Alcohol and Other Drug Resources (continued)

## Non-University Affiliated

	648-8126	552-9397
<b>Self-Help Groups</b>		
Alcoholics Anonymous (AA) and Al-Anon 951 Clark St. 647-0225	<i>Knoxville, TN</i> Detoxification Rehabilitation Institute 6400 Papermill Rd, Suite 100 Knoxville, TN 37919 (615) 584-1797	Samaritan Recovery Community (615)244-4802
Narcotics Anonymous 297-9762	<i>Memphis, TN</i> Midtown Mental Health Center (901) 353-5440	Tennessee Alcohol and Drug Council 800-889-9789
Adult Children of Alcoholics 552-0441	Memphis Alcohol and Drug Council 1450 Polar Ave. Memphis, TN 38104 (901) 274-0056	Vanderbilt Mental Health Center (615) 320-3550
		<i>Hopkinsville, KY</i> Charter Behavioral Health System 210 West 17th St. Hopkinsville, KY 800-967-4673
<b>Hot-Lines</b>		
Crisis Call Line 24 Hours 648-1000	<i>Nashville, TN</i> Alcohol and Drug Council (615) 269-0029	
Access Alcohol & Drug Abuse 24 Hours 800-234-0420	Bethlehem Centers of Nashville (615) 329-5835	
Addiction & Abuse issues 24 Hours 800-222-0828	Center for Black Family Life (615) 262 5835	
Adolescent Drug Abuse 24 Hour 800-877-7675	Cumberland Heights (615) 352-1757	
Alcohol A Abuse 24 Hour 800-676-7574	DeDe Wallace Mental Health Center (615) 860-7300	
Alcohol AAA Abuse line 24 Hours 800-827-7575	Edgehill Center (615) 256-5108	
Alcohol Abuse 24 Hours 800-274-2042	Lloyd C. Elam Mental Health Center (615) 327-1890	
Alcohol Abuse Action 24 hours 800-234-0420	Harbors at Brentwood 800-967-4673	
Alcohol Abuse & Crisis Intervention 800-234-0246	Human Growth Corporation (615) 262-7497	
Narcotics Abuse 24 Hours 800-234-0420	Luton Mental Health Center (615) 834-3240	
<b>Treatment Centers</b>		
<i>Chattanooga, TN</i> Council for Alcohol and Drug Abuse Services 207 Spears Ave. Chattanooga, TN 370405 (615) 756-7644	Meharry Medical College (615) 327-5532	
	Oasis Center (615) 327-4455	
<i>Clarksville, TN</i> Harriett Cohn Mental Health Center 511 Eighth St. Clarksville, TN 37040	Payne Chapel AME Church (615) 226-0264	
	Parthenon Pavilion	