

TURTLE MOUNTAIN COMMUNITY COLLEGE  
Student Drug and Alcohol Policy

PURPOSE

The Turtle Mountain Community College has adopted this policy in an effort to inform faculty, staff and students of the adverse effects of drug and alcohol abuse, standards of conduct, disciplinary and legal sanctions related to such use or abuse and to advise those concerned of available counseling and rehabilitation services. The intent is to fully comply with any current or future requirements, regulations or interpretations of the Federal Drug-Free Schools and Communities Act Amendments of 1989.

POLICY

**STANDARDS OF CONDUCT:**

All students are prohibited from the unlawful possession, use or distribution of illicit drugs and alcohol or the abuse of alcohol on college property or in connection with any college activity.

SANCTIONS

The following disciplinary sanctions which are consistent with tribal, state and federal law may be imposed for violation of the standards of conduct cited in this policy:

- Warning
- Loss of privilege
- Restitution
- Mandatory participation in an approved drug and/or alcohol abuse treatment, rehabilitation, and/or re-entry program
- Probation
- Suspension
- Dismissal

Where appropriate, referral for prosecution may be made. One or more sanctions may be imposed. A complete description of applicable legal sanctions under tribal, state, and federal law for unlawful possession or distribution of illicit drugs and alcohol is included in the Student Conduct Code.

STUDENT REFFERAL

The college has designated a member of its professional counseling staff to provide initial counseling assistance to students with problems and/or concerns related to the use and/or abuse of drugs and/or alcohol. The students who seek college-counseling assistance will also be referred to an appropriate community agency or health facility for more in-depth assessment and long-term treatment. Because Turtle Mountain Community College is a non-residential/commuter institution, students represent a broad geographical service region. The college is in continuous contact with counseling agencies and health facilities that serve this broad region.

**Federal Trafficking Penalties – Hard Drugs**

<b>CSA</b>	<b>2<sup>nd</sup> Offense</b>	<b>1<sup>st</sup> Offense</b>	<b>Quantity</b>	<b>Drug</b>	<b>Quantity</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>
<b>I</b>  <b>And</b>  <b>II</b>	1. Not less than 10 years, Not more than life.  2. If death or serious injury, not less than life.  3. Fine of not more than \$2 million individual, \$5 million other than individual	1. Not less than 5 years. Not more than 40 years.  2. If death or serious injury, not less than 20 more than life  3. Fine of not more than \$2 million individual, \$5 million other than individual	10-99 gm pure or 100-999 gm mixture	Methamphetamine	100 gm or more pure or 1 kg or more mixture	1. Not less than 10 years. Not more than life  2. If death or serious injury, not less than 20 years or more than life.  3. Fine of not more than \$4 million individual, \$10 million other than individual	1. Not less than 20 years. Not more than life.  2. If death or serious injury, not less than life.  3. Find of not more than \$8 million individual, \$20 million other than individual
			100-999 gm mixture	Heroin	1 kg or more mix		
			500-4,999 gm mixture	Cocaine	5 kg or more mix		
			5-49 gm mixture	Cocaine Base	50 gm more mix		
			10-99 gm pure or 100-999 gm mixture	PCP	100 gm or more pure or 1 kg or more mixture		
			1-9 gm mixture	LSD	10 gm or more mixture		
			40-399 gm mixture	Fentanyl	400 gm or more mixture		
10-99 gm mixture	Fentanyl Analogue	100 gm ore more mixture					
<b>I</b>  <b>II</b>	<b>Drug</b>	<b>Quantity</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>EMPTY</b>	<b>EMPTY</b>	<b>EMPTY</b>
<b>I</b>  <b>II</b>	<b>Others (law does not include marijuana, hashish, or hash oil)</b>	<b>Any</b>	1. Not more than 20 years  2. If death or serious injury, not less than 20 years, not more than life.  3. Fine \$1 million individual, \$5 million not individual.	1. Not more than 30 years.  2. If death or serious injury, life.  3. Fine \$2 million individual, \$10 million not individual	<b>EMPTY</b>	<b>EMPTY</b>	<b>EMPTY</b>
<b>III</b>	<b>All (includes anabolic steroids as of 2/27/91)</b>	<b>Any</b>	1. Not more than 5 years.  2. Fine not more than \$250,000 individual, \$1 million not individual	1. Not more than 10 years  2. Find not more than \$500,000 individual, \$2 million not individual	<b>EMPTY</b>	<b>EMPTY</b>	<b>EMPTY</b>

<b>IV</b>	<b>All</b>	<b>Any</b>	<p>1. Not more than 3 years.</p> <p>2. Fine not more than \$250,000 individual, \$1 million not individual</p>	<p>1. Not more than 6 years.</p> <p>2. Fine not more than \$500,000 individual, \$2 million not individual</p>	<b>EMPTY</b>	<b>EMPTY</b>	<b>EMPTY</b>
<b>V</b>	<b>All</b>	<b>Any</b>	<p>1. Not more than 1 year</p> <p>2. Fine not more than \$100,000 individual, \$250,000 not individual.</p>	<p>1. Not more than 2 years.</p> <p>2. Fine not more than \$200,000 individual, \$500,000 not individual.</p>	<b>EMPTY</b>	<b>EMPTY</b>	<b>EMPTY</b>

**Federal Trafficking Penalties – Marijuana**

<b>Description</b>	<b>Quantity</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>
<b>Marijuana</b>	1.000 kg more mixture; or 1,000 or more plants	1. Not less than 10 years, not more than life.  2. If death or serious injury, not less than 20 years, not more than life.  3. Fine not more than \$4 million individual, \$10 million other than individual.	1. Not less than 20 years, not more than life.  2. If death or serious injury, not more than life.  3. Fine not more than \$8 million individual, \$20 million other than individual.
<b>Marijuana</b>	100 kg to 999 kg mixture; or 100-000 plants	1. Not less than 5 years, not more than 40 years.  2. If death or serious injury, not less than 20 years, not more than life.  3. Fine not more than \$2 million individual, \$5 million other than individual.	1. Not less than 10 years, not more than life.  2. If death or serious injury, not more than life.  3. Fine not more than \$4 million individual, \$10 million other than individual.
<b>Marijuana</b>	<u>50 to 99 kg mixture</u> 50 to 99 plants	1. Not more than 20 years.  2. If death or serious injury, not less than 20 years, not more than life.  3. Fine \$1 million individual, \$5 million other than individual.	1. Not more than 30 years.  2. If death or serious injury, not more than life.  3. Fine \$2 million individual, \$10 million other than individual.
<b>Marijuana</b> <hr/> <b>Hashish</b> <hr/> <b>Hashish Oil</b>	<u>Less than 50 kg mixture</u> <u>10 kg or more</u> 1 kg or more	1. Not more than 5 years.  2. Fine not more than \$250,000, \$1 million other than individual.	1. Not more than 10 years.  2. Fine \$500,000 individual, \$2 million other than individual.