WNCC ALCOHOL AND ILLEGAL DRUG POLICIES
WNCC promotes learning by engaging students, advancing scholarly inquiry, cultivating critical thought and creating knowledge. To foster an environment in which this mission can be realized, certain expectations must be placed upon each member of the college community. These expectations are non-negotiable and are monitored diligently. Individuals have the right to their own beliefs and values, but they share a responsibility to accept the consequences for failing to live up to the standards of the institution.
All students bear a responsibility to understand the policies governing their behavior as set out in the Judicial Code. The college’s policies on alcohol and illegal drugs are defined below; however, all students should be familiar with the entire code.
More information, including the complete text of the code, can be found in the student handbook, and on the web at www.wncc.edu.

Offenses Against the Peace
Any student who commits one or more of the following prohibited acts shall be held responsible for an offense against the peace:
Clause 1 Alcoholic Beverages Use, possession, or sale of alcoholic beverages on campus or at any College sponsored function.
Clause 2 Drunkenness Acting in a disorderly manner as a result of drinking a beverage with alcoholic content.
Clause 3 Drugs - The unauthorized possession, use, sale, transportation of drug paraphernalia, or substances of hallucinogenic or psychedelic or controlled substance on the College campus or at College sponsored events.
Clause 4 Disturbance Participating in any disturbance which is in any way unruly, disorderly, or unlawful on campus or any College sponsored function.
Clause 5 Obstruction or Disruption Obstruction or disruption of any College activity, either academic, social or administrative.
Clause 6 Disorderly, Lewd, Indecent, or Obscene Conduct Disorderly conduct or lewd, indecent, or obscene conduct or expression on College property or at College-sponsored or supervised activities.
(View the entire code on the website – www.wncc.edu.)

Employee Drug/Alcohol Policy
The College affirms its responsibility and commitment to maintain a drug-free workplace strictly according to the terms and conditions of the Drug-Free Workplace Act of 1988. The College is obligated to provide a drug-free, safe, healthy, and secure workplace for employees.
The College prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances on College property or while conducting College business off-premises. Any employee convicted of a criminal drug offense under the above conditions is subject to appropriate personnel action up to and including termination or satisfactory participation in a drug rehabilitation program.

The College does hereby establish drug-free awareness programs to be implemented through the President which shall inform all employees about:

1) The dangers of drug abuse in the workplace;
2) The College's policy of maintaining a drug-free workplace;
3) Drug counseling, rehabilitation, and employee assistance programs; and
4) Appropriate personnel actions and penalties which may be imposed for drug abuse violations.

This policy applies to all faculty, staff, or student employees; and all employees, as a condition of employment, must abide by the terms of this policy and must also report any criminal drug conviction within five days after the conviction to their immediate supervisor. This includes any drug violation occurring on or off College premises while conducting College business.

**Alcohol and Other Drug Information**

**Standard of Conduct/ Disciplinary Sanctions**

Western Nebraska Community College’s standards of conduct clearly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its officially recognized activities. The laws of local, state, and federal authorities pertaining to the possession and use of illicit drugs and alcoholic beverages on public property shall be followed. Specifically, this means that it is a violation of the drug and alcohol policy for students or employees to purchase, manufacture, posses, consume, or sell such items on campus. Students or employee violations of the standards as stated in the above paragraph shall result in any one or a combination of the following disciplinary sanctions:

* Warning
* Disciplinary probation
* Suspension
* Referral to an appropriate drug/alcohol treatment program
* Any other action considered necessary by college officials

Definitions and accompanying procedures of these sanctions pertaining to students can be found in the Student Handbook. Policies and procedures of these sanctions pertaining to employees are included in the Board of Governors Policy Manual. Students’ rights shall be protected in accordance with due process.

Students’ accused of violating the drug/alcohol policy as established shall have the right to: 1) a hearing before the appropriate campus judicial board, and 2) access to an appeal as defined within the college policies and procedures.

**Prevention Programs and Drug and Alcohol Centers**

WNCC has developed health education programs including those which deal specifically with the abuse of drugs and alcohol by students and employees. Example program services include educational programs, dissemination of informational materials, counseling services, referrals and sometimes college disciplinary actions.
There are numerous drug and alcohol counseling, treatment, and rehabilitation centers located within the 12-½ county area served by Western Nebraska Community College. The following listing groups these centers in four categories: information and referral offices, outpatient services, inpatient treatment facilities, and halfway house re-entry programs.

**Information and Referral Offices**
**Panhandle Substance Abuse Council**
Scottsbluff: 308.632.3044
[www.psacl1.com](http://www.psacl1.com)

**Outpatient Services**
**Human Services Incorporated**
Alliance: 308.762.7177

**Addiction Center**
Sidney: 308.254.2649
[www.pmhc.net](http://www.pmhc.net)

**Region 1 Substance Abuse Services**
Scottsbluff: 308.635.3171

**Lutheran Family Services**
411 Black Hills
Alliance, NE 69301
308.762.5436

**Panhandle Mental Health Center**
723 Flack
Alliance, NE 69301
308.762.2545

**Panhandle Mental Health Center**
4110 Ave. D
Scottsbluff, NE 69361
308.635.3171

**Inpatient Treatment Facilities**
**Memorial Hospital & Home Health**
Sidney: 308.254.5825

**Veterans’ Hospital & Treatment Center**
Hot Springs, SD: 605.745.4101

**Half-way House Re-entry Programs**
**Homestead Detox/ Halfway house**
Scottsbluff: 308.635.7782
Any of the resources can also provide information and assessment relating to drug and alcohol abuse. In addition, they can furnish schedules for local and area meetings of Alcoholics Anonymous, Narcotics Anonymous, Alanon, Adult children of Alcoholics, Alateen, and Alatot. Both inpatient and outpatient centers offer help for the entire family of alcoholic or drug user.

**Health Risks**
Numerous health risks have been identified with substance abuse (use of illicit drugs and excessive use of alcohol). Abusers can lose resistance to disease, develop physical and psychological dependence, become depressed, develop heart problems, contract infections, or become malnourished, physically exhausted, and even die.

Reality is often distorted, reactions may be slower, and the risk of accidents increases. Extended substance abuse can cause coma, respiratory arrest, and convulsions. Injected drugs increase the risk for infectious diseases such as hepatitis and AIDS. Body systems are affected. The liver, lungs, and heart are damaged.

For women, there is an increase in birth defects associated with use during pregnancy. The counseling offices on each campus have more in-depth information on the inherent health risks related to substance abuse.

**Legal Sanctions**

**Scottsbluff City Ordinance- Controlled Substance Protective Act (13-603 et seq.)**
It shall be unlawful for any person to possess an opium pipe or any device or paraphernalia designed for use or principal use for smoking a controlled substance. 
It shall also be unlawful for any person to possess a hypodermic needle or syringe or any other device or paraphernalia designed for use for injecting a controlled substance.

Any person who shall violate any of said provisions shall upon conviction be fined in any amount not exceeding $100.00 and shall pay the cost of prosecution. 
Alcoholic Liquor; Consumption; Open containers; Place unlawful 13-601 et seq. It shall be unlawful for any person: 
1. To consume or have in possession any open container of alcoholic liquor within the city and public streets, alleys, roads, highways, or parking areas, or upon other property owned or under control of the State or any governmental subdivision thereof; or, 
2. To consume or have in possession any open container of alcohol within the City inside a vehicle while upon said streets, alleys, roadways, and highways, parking areas or other property. Any person who shall violate any of said provisions shall upon conviction be fined in any amount not exceeding $100.00 and shall pay the cost of prosecution.

**Legal Sanctions**

**Sidney City Ordinance- Controlled**

**Legal Sanctions**

**Alliance City Ordinance- Controlled**
Nebraska State Law

Controlling Drugs and Alcohol

The Uniformed Controlled Substances Act makes it unlawful for any person knowingly or intentionally to manufacture, distribute or possess with the intent to distribute or possess with the intent to distribute a counterfeit controlled substance. Any person who violates the provisions of the Uniformed Controlled Substances Act shall be guilty, depending on the type of substance and quantity of the substance, of a Class II to Class IV felony. Any person knowingly or intentionally possessing marijuana shall be guilty of a Class IV felony to a Class V misdemeanor depending upon the quantity and number of offenses.

It is further unlawful for any person to use or to possess with the intent to use or with intent to deliver drug paraphernalia. A person who violates this section shall be guilty of Class II misdemeanor unless the delivery of drug paraphernalia is to a person under 18 years of age, which shall be a Class I, misdemeanor.

Offenses Relating to Alcohol

Selected Nebraska Alcohol Offenses

Procuring Alcohol: It is a violation of Nebraska law to sell, give away, dispose of, exchange, or deliver, or permit the sale, gift or procuring of any alcoholic liquors to or for any minor or to any person who is mentally incompetent. Neb. Rev. Stat. § 53-180 (Reissue 2010). Violation of this law is punishable by not more than 1 year imprisonment, or $1,000 fine, or both. Neb. Rev. Stat. § 53-180.05 (1) (Reissue 2010) and § 28-106 (1) (Reissue 2008).

Minor In Possession: It is against the law for a person under the age of 21 years to possess alcohol. Neb. Rev. Stat. § 53-180.02 (Reissue 2010). Violation of this law is punishable by a three-month imprisonment, or $500 fine, or both. Neb. Rev. Stat. § 53-180.05 (1) (Reissue 2010) and § 28-106 (1) (Reissue 2008).

Consumption on Public Property: It shall be unlawful for any person to consume alcoholic liquor upon property owned or controlled by the state or any governmental subdivision thereof unless authorized by the governing bodies having jurisdiction over such property. Neb. Rev. Stat. § 53-186 (Reissue 2010).

A violation of this statute is punishable as follows: (1) For the first offense be fined not more than one hundred dollars; (2) upon a second conviction for the same infraction within a two-year period be fined not less than one hundred dollars and not more than three hundred dollars; and (3) upon a third or subsequent conviction for the same infraction within a two-year period be fined not less than two hundred dollars and not more than five hundred dollars. Neb. Rev. Stat. § 29-436 (Reissue 2008).

Driving Under Influence: Driving while under the influence of intoxicating liquors or drugs is a violation of Nebraska law. Neb. Rev. Stat. § 60-6,196 (Reissue 2010).

A violation of this statute is punishable as follows: (1) Except as provided in subdivision (2) of this section, if such person has not had a prior conviction, such person shall be guilty of a Class W misdemeanor, and the court shall, as part of the judgment of conviction, order that the operator's license of such person be revoked for a period of six months from the date ordered by the court. The revocation order shall require that the person apply for an ignition interlock permit pursuant to section 60-6,211.05 for the revocation period and have an ignition interlock device installed on any motor vehicle he or she operates during the revocation period. Such revocation
shall be administered upon sentencing, upon final judgment of any appeal or review, or upon the date that any probation is revoked.

If the court places such person on probation or suspends the sentence for any reason, the court shall, as one of the conditions of probation or sentence suspension, order that the operator's license of such person be revoked for a period of sixty days from the date ordered by the court. The court shall order that during the period of revocation the person apply for an ignition interlock permit pursuant to section 60-6.211.05. Such order of probation or sentence suspension shall also include, as one of its conditions, the payment of a five-hundred-dollar fine;

(2) If such person has not had a prior conviction and, as part of the current violation, had a concentration of fifteen-hundredths of one gram or more by weight of alcohol per one hundred milliliters of his or her blood or fifteen-hundredths of one gram or more by weight of alcohol per two hundred ten liters of his or her breath, such person shall be guilty of a Class W misdemeanor, and the court shall, as part of the judgment of conviction, revoke the operator's license of such person for a period of one year from the date ordered by the court. The revocation order shall require that the person apply for an ignition interlock permit pursuant to subdivision (1)(b) of section 60-6.197.01 for the revocation period and have an ignition interlock device installed on any motor vehicle he or she operates during the revocation period. Such revocation shall be administered upon sentencing, upon final judgment of any appeal or review, or upon the date that any probation is revoked.

If the court places such person on probation or suspends the sentence for any reason, the court shall, as one of the conditions of probation or sentence suspension, order that the operator's license of such person be revoked for a period of one year from the date ordered by the court. The revocation order shall require that the person apply for an ignition interlock permit pursuant to subdivision (1)(b) of section 60-6.197.01 for the revocation period and have an ignition interlock device installed on any motor vehicle he or she operates during the revocation period. Such revocation shall be administered upon sentencing, upon final judgment of any appeal or review, or upon the date that any probation is revoked. Such order of probation or sentence suspension shall also include, as conditions, the payment of a five-hundred-dollar fine and either confinement in the city or county jail for two days or the imposition of not less than one hundred twenty hours of community service. Neb. Rev. Stat. § 60-6.197.03 (Note increased penalties provided for higher concentration of alcohol and for subsequent offenses).

Local laws may also make it a crime to operate a motor vehicle under the influence of alcohol or to commit certain acts involving the consumption or possession of alcohol, e.g. "open container" laws.

Alliance, Nebraska Code of Ordinances

Sec. 4-5. Minors on premises prohibited.

It shall be unlawful for any person under the age of 21 years to be in or upon the premises occupied by the holder of any alcoholic liquor license wherein alcoholic beverages are consumed; provided, however, this prohibition shall not apply to the premises which are occupied by hotels, clubs, bona fide restaurants, supermarkets or convenience stores.
Sec. 4-6. Sale to minors prohibited.
No alcoholic liquor licensee, manufacturer, or distributor shall sell or give away any alcoholic liquor to any person who is less than 21 years of age, or to any person who is mentally incompetent. It shall be unlawful for any person who is not 21 years of age to represent that is more than 21 years of age for the purpose of purchasing or receiving alcoholic liquors.

Sec. 4-7. Sale and possession by minor prohibited.
(a) Except as provided in R.R.S. 1943, § 53-168.06, no minor may sell or dispense or have in his possession or physical control any alcoholic liquor in any tavern or in any other place including public streets, alleys, roads, highways, upon property owned by the state or any subdivision thereof, or inside any vehicle while in or on any other place including but not limited to the public streets, alleys, roads, highways, or upon property owned by the state or any subdivision thereof, except that a minor may possess or have physical control of alcoholic liquor in his permanent place of residence.
(b) The term minor shall mean any person, male or female, under 21 years of age; regardless of marital status.

Sec. 4-8. Consumption on premises.
It shall be unlawful to consume or permit to be consumed alcoholic liquors other than beer upon premises which are licensed to sell at retail beer only (class A license). Except as otherwise provided in R.R.S. 1943, § 53-123.04, it is unlawful to consume or permit to be consumed alcoholic liquor or beer on premises holding a class D alcoholic liquor license.

Scottsbluff, Nebraska Municipal Code
13-6-1. Alcoholic liquor; consumption; open containers; places unlawful.
It shall be unlawful for any person:
(1) to consume or have in his or her possession any open container of alcoholic liquor in the public streets, alleys, roads, highway or parking areas, or any other property owned by or under the control of the State or any governmental subdivision, except as provided in this Article; or
(2) to consume or have in his or her possession any open container of alcoholic liquor in any place of public resort or any place open to the general public (including parking areas or lots) except as permitted by a license issued for the premises pursuant to the Nebraska Liquor Control Act,
(3) to consume or have in his or her possession any open container of alcoholic liquor inside a motor vehicle unless the alcoholic liquor is located so that no occupant of the motor vehicle shall have access to it while the vehicle is in motion, or
(4) to consume any alcoholic liquor other than beer upon a premise licensed for the sale of beer at retail only.
A container of alcoholic liquor shall be considered an “open container” if the seal of the original package is broken. (Ord. 3641, 2000)
City of Sidney, Nebraska Codified Ordinances

434.01 Driving Under Influence of Alcohol or Drugs
No person shall operate or be in the actual physical control of any motor vehicle upon the streets or alleys or any public place within the City while under the influence of any alcoholic liquor or drug.
(1958 Code § 16.58)

612.04 Sales to Minors; Prohibitions and Misrepresentations.
(a) No person shall sell or give any alcoholic liquor to, or procure any such liquor for, or permit the sale or gift of any such liquor to, or the procuring of any such liquor for, any minor or any person who is mentally incompetent or any person who is physically or mentally incapacitated due to the consumption of such liquor.
(b) No minor shall represent that he or she is of age for the purpose of asking for, purchasing or receiving any alcoholic liquor from any person.
(1958 Code § 3.4)

612.08 Consumption in Public Places.
No person shall consume or drink alcoholic liquor on any public street in the City, upon property owned by the State or any governmental sub-division thereof, inside vehicles while upon a public street or in theaters, dance halls or any other place open to the public. No personal shall drink any alcoholic liquor other than beer upon any premises on or within which beer may be lawfully sold at retail, provided that nothing herein contained shall be construed to prohibit persons purchasing beer at retail upon premises on or within which beer is lawfully sold for consumption on the premises from drinking such beer on such premises. No person shall consume any alcoholic liquor, including beer, on unlicensed premises. No owner, proprietor, manager, employee or person in charge of unlicensed premises shall permit or allow any person thereon to consume any alcoholic liquor thereon. Unlicensed premises shall not be construed to mean any premises within the City used or employed exclusively by any person for the purpose of a dwelling or residence or any premises or parts of premises not open to the public.
(1958 Code § 3.10)

Federal Law: Drug Abuse Prevention and Control Act
21 USC 801 et seq., and more specifically 21 USC 841, states that it shall be unlawful for any person knowingly or intentionally:
1. To manufacture, distribute or dispense or possess with intent to manufacture, distribute or dispense a controlled substance; or to create, distribute or dispense or possess with the intent to distribute or dispense a counterfeit substance. The penalty for violating this federal law in case of controlled substances in Schedules I or II, shall be a term or imprisonment of not more than 15 years, a fine of not more than $25,000.00 or both.
2. In the case of any controlled substance in Schedule III, he shall be sentenced to a term of imprisonment of not more than three years, a fine of not more than $10,000.00 or both.
3. In the case of any controlled substance in Schedule IV, such person shall be sentenced to a term of imprisonment of not more than three years, a fine of not more than $10,000.00 or both.
4. In case of a controlled substance in Schedule V, such person shall be sentenced to a term of imprisonment of not more than one year, a fine of not more than $5,000.00 or both.
Information contained in this publication was correct and complete when submitted to the printer. This publication should not be considered a contract between Western Nebraska Community College and any student or employee. The college reserves the right to make changes in policies and procedures without notice or obligation.

### Federal Trafficking Penalties

<table>
<thead>
<tr>
<th>CSA*</th>
<th>Drug</th>
<th>Quantity</th>
<th>1st Offense</th>
<th>2nd Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Class I</strong></td>
<td></td>
<td></td>
<td>10 gures</td>
<td>1 gures</td>
</tr>
<tr>
<td><strong>Class II</strong></td>
<td></td>
<td></td>
<td>100 gures</td>
<td>10 gures</td>
</tr>
<tr>
<td><strong>Class III</strong></td>
<td></td>
<td></td>
<td>1 gures</td>
<td>1 gures</td>
</tr>
</tbody>
</table>

*The Controlled Substances Act (1970) allows all substances regulated under Federal laws to the schedule based on the substance's potential for abuse, risk to health, and potential for addiction liability.

### State Penalties

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>First Offense</th>
<th>Second Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marijuana</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Methamphetamine</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Heroin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cocaine</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>LSD</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Methadone</td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: There are only Federal penalties and sanctions. Additional State penalties and sanctions may apply.
<table>
<thead>
<tr>
<th>Drug type</th>
<th>Name</th>
<th>Immediate effects</th>
<th>Most common complications/long-term effects</th>
<th>Risk of dependence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stimulants</td>
<td>Amphetamines*</td>
<td>euphoria, increased alertness, excitation, decreased appetite, insomnia, restlessness</td>
<td>nervousness, paranoia, hallucinations, dizziness, tremors, decreased mental ability, impotence, insomnia, skin disorders, malnutrition, delusions, psychosis, seizures, death, in addition to above, crystal meth causes severe acne with scarring, severe damage to teeth and gums</td>
<td>psychological— high, physical— high</td>
</tr>
<tr>
<td></td>
<td>Cocaine*</td>
<td>brief euphoria, increased energy, intense exhilaration</td>
<td>tremors, nasal bleeding and inflammation, toxic psychosis, seizures, damage to nasal septum and blood vessels, death from overdose (heart or respiratory failure)</td>
<td>psychological— high, physical (esp. crack)— moderate</td>
</tr>
<tr>
<td></td>
<td>Nicotine</td>
<td>relaxation, increased confidence, increased metabolism</td>
<td>high blood pressure, emphysema, bronchitis, heart and lung disease, cancer, death</td>
<td>psychological— high, physical— high</td>
</tr>
<tr>
<td></td>
<td>Caffeine</td>
<td>increased mental alertness, increased blood pressure and respiration</td>
<td>nervousness, insomnia, dehydration, stomach irritation, fatigue</td>
<td>psychological— high, physical— high</td>
</tr>
<tr>
<td>Depressants</td>
<td>Alcohol*</td>
<td>muscle relaxation, intoxication, depression, impaired motor control, impaired memory and judgment</td>
<td>dehydration, hangover, obesity, impotence, psychosis, ulcers, malnutrition, liver and brain damage, delirium tremens, overdose or mixing with other depressants can cause respiratory failure, death</td>
<td>psychological— high, physical— moderate</td>
</tr>
<tr>
<td></td>
<td>Tranquilizers*</td>
<td>relief of tension and anxiety, drowsiness</td>
<td>hangover, menstrual irregularities, increases or decreases effect of other drugs, especially dangerous with alcohol, destroys blood cells, jaundice, coma, death</td>
<td>psychological— moderate, physical— moderate</td>
</tr>
<tr>
<td></td>
<td>Barbiturates*</td>
<td>euphoria, relief of anxiety, loss of inhibition, muscle relaxation, loss of motor control, drowsiness, especially dangerous with alcohol</td>
<td>lethargy, hangover, blurred vision, nausea, depression, seizures, excessive sleepiness, confusion, irritability, severe withdrawal sickness, can be fatal if mixed with alcohol or other depressants</td>
<td>psychological— high, physical— high</td>
</tr>
<tr>
<td></td>
<td>Narcotics*</td>
<td>euphoria, drowsiness (pain killer)</td>
<td>respiratory and circulatory depression, dizziness, vomiting, sweating, dry mouth, lowered libido, lethargy, constipation, weight loss, temporary sterility and impotence, withdrawal sickness, stupor, death</td>
<td>psychological— high, physical— high</td>
</tr>
<tr>
<td></td>
<td>Inhalants*</td>
<td>lowered blood pressure, relaxation of sphincter muscles, feeling of heightened sexual arousal</td>
<td>headaches; dizziness; accelerated heart rate; nausea; nasal irritation; cough; impotence; hallucinations; liver, kidney, bone marrow and brain damage; death</td>
<td>psychological— high</td>
</tr>
<tr>
<td>Psychedelics</td>
<td>Cannabis*</td>
<td>relaxation; altered sense of hearing, time, vision; euphoria; increased heart rate and appetite; dilated pupils; memory impairment</td>
<td>impaired driving ability, possible lung damage, reduced sperm count and sperm motility, damage from impure dose; possible brain damage</td>
<td>psychological— moderate</td>
</tr>
<tr>
<td></td>
<td>LSD, psilocybin, MDA, peyote, DMT, STP</td>
<td>hallucinations; altered sense of time, space and visual perception; nausea; disorientation</td>
<td>depression, paranoia, physical exhaustion after use, psychosis (&quot;freaking out&quot;)—temporary or permanent, death</td>
<td>psychological— low</td>
</tr>
</tbody>
</table>

* impairs driving ability