

MEMPHIS  
THEOLOGICAL  
SEMINARY  
BIENNIAL REVIEW 2016  
DRUG-FREE SCHOOL  
AND COMMUNITIES  
ACT PROGRAM  
REPORT

## Memphis Theological Seminary Biennial Review 2016 Drug-Free Schools and Communities Act Program Report

### Introduction

The Drug Free Schools and Campuses Regulations (34 CFR Part 86) of the Drug-Free Schools and Communities Act (DFSCA) require an institution of higher education (IHE) such as Memphis Theological Seminary (“Seminary”) to certify it has adopted and implemented programs to prevent the abuse of alcohol and use or distribution of illicit drugs both by students and employees both on its premises and as a part of any of its activities.

The Seminary acknowledges its obligation to conduct a biennial review of compliance with the Drug-Free Schools and Communities Act, and authorized an administrative review to be conducted to determine if the Seminary fulfills the requirements of these Federal regulations. The Department of Student Services, together with Financial Aid and Academic Affairs, Human Resources, and the Department of Facilities & Safety, is responsible for conducting the review and reporting on the findings.

The intention of this document is to summarize and evaluate the effectiveness of the programs and activities related to alcohol and drug prevention during the 2015-2016 and 2016-2017 academic years.

### Review Committee Membership

Dr. Stan Wood, Vice President of Academic Affairs, Dean

Cassandra Price-Perry, Vice President of Operations, CFO

Dr. Barry Anderson, Director of Student Services (Absent)

John Stygles, Director of Financial Aid

Laurie Sharpe, Director of Human Resources

Gregory Spencer, Director of Facilities and Safety

Vella Powell, Facilities and Safety Administrative and Clergy Coordination Assistant

The following Seminary departments provide information for the biennial review:

- Academic Affairs
- Facilities & Safety
- Financial Aid
- Human Resources
- Operations
- Student Services

## **Compliance with Drug Free Schools and Communities Act**

In compliance with the Drug-Free Schools and Communities Act, Memphis Theological Seminary (“Seminary”) has implemented a program to prevent the unlawful possession, use, or distribution of illicit use of drugs and the abuse of alcohol by students and employees both on the Seminary’s campus and as part of any of its activities.

The Program requires the Seminary to distribute information annually to students and employees concerning the possession, use, or distribution of alcohol and illicit drugs at the Seminary. This information includes the Seminary’s standards of conduct relating to the unlawful possession, use, or distribution of illicit drugs and alcohol, health risks associated with the use of illicit drugs and alcohol abuse, resources for obtaining assistance with drug and alcohol abuse, and a summary of legal sanctions for violations of law the State of Tennessee and federal law, as well as Seminary disciplinary actions relating to the unlawful possession, use, or distribution of illicit drugs and alcohol.

This information is presented below and is available at <http://www.memphisseminary.edu/student-resources/campus-security/> this information is very important and we encourage the information be read carefully.

The Drug-Free Schools and Communities Act Program is intended to supplement and not limit the provisions of the Seminary’s Drug-Free Workplace policy applicable to Seminary employees. Standards of conduct relating to the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on Seminary property or as a part of Seminary-sponsored activities is prohibited. It is the Seminary’s intent to provide a drug-free, healthful, safe, and secure academic environment.

Annual notification is sent to students, faculty, and staff regarding the (1) standards of conduct; (2) possible legal sanction; (3) associated health risks; (4) programs available for drug and alcohol counseling, treatment or rehabilitation; and (5) disciplinary sanctions for violations of the standards of conduct. Additional, training modules through Safe Colleges are utilized to inform and educate on alcohol and drug abuse.

### **Seminary Student Alcohol Use Policies:**

Memphis Theological Seminary neither condones nor sanctions the use of alcohol. All Students are expected to observe the alcoholic beverage laws of the State of Tennessee. The Seminary strictly prohibits the use, consumption, possession, and distribution of alcohol by any student, regardless of legal age, within the student housing, on campus grounds, or at Seminary-sponsored activities.

### **Seminary Student Drug Use Policies:**

The unlawful possession, use, sale, or distribution of illegal drugs or controlled substances is prohibited within the student housing, on campus grounds, or at Seminary sponsored events. Drug paraphernalia is not permitted within the student housing, on campus grounds, or at Seminary-sponsored activities.

Students who hold part-time jobs within the Seminary are covered by both student and employee policies.

**Employee Policies:**

The Seminary prohibits the manufacture, distribution, dispensation, sale, purchase, or transfer of any controlled substance by its employees on Seminary premises or while conducting Seminary business. The Seminary prohibits the unlawful possession or use of any controlled substance by its employees on Seminary premises or while conducting Seminary business. Employees may not report to work under the influence of an unauthorized controlled substance. Controlled substances include those drugs listed in the federal Controlled Substances Act.

The Seminary also prohibits the use, possession, distribution, transfer or sale of any drug paraphernalia on Seminary premises or while conducting Seminary business. In addition, the Seminary prohibits employees from reporting to work under the influence of, dispensing, possessing or using alcohol on Seminary premises or while conducting Seminary business.

## **Health risks associated with the abuse of alcohol and use of illicit drugs**

The U.S. Department of Justice provides information on the effects of alcohol and commonly used drugs. This information is provided below and can also be found on the U.S. Department of Justice's website at <http://www.justice.gov> and <http://www.justice.gov/dea/druginfo/factsheets.shtml> (last visited April 13, 2016).

### **Alcohol:**

Alcohol consumption causes a number of marked changes in behavior. Even a low amount can significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate amounts of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high amounts of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high amounts cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower amounts of alcohol will produce the effects described here. Repeated use of alcohol can lead to dependence.

Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly combined with poor nutrition, can also lead to permanent damage to vital organs, such as the brain and the liver.

Based on language from the Mayo Clinic Consuming alcohol during pregnancy increases the risk that the child may be born with fetal alcohol syndrome. Problems that may be caused by fetal alcohol syndrome include physical deformities, mental retardation, learning disorders, vision difficulties and behavioral problems.

Because alcohol affects many organs in the body, long-term heavy drinking puts people at risk for developing serious health problems, some of which are described below.

### **Alcohol-Related Liver Disease:**

More than 2 million Americans suffer from alcohol-related liver disease. Some drinkers develop alcoholic hepatitis, or inflammation of the liver, as a result of long-term heavy drinking. Its symptoms include fever, jaundice (abnormal yellowing of the skin, eyeballs, and urine), and abdominal pain. Alcoholic hepatitis can cause death if drinking continues. If drinking stops, this condition often is reversible. About 10 to 20 percent of heavy drinkers develop alcoholic cirrhosis, or scarring of the liver. Alcoholic cirrhosis can cause death if drinking continues.

### **Heart Disease:**

Moderate drinking can have beneficial effects on the heart, especially among those at greatest risk for heart attacks, such as men over the age of 45 and women after menopause. But long-term heavy drinking increases the risk for high blood pressure, heart disease, and some types of stroke.

**Cancer:**

Long-term heavy drinking increases the risk of developing certain forms of cancer, especially cancer of the esophagus, mouth, throat, and voice box. Women are at slightly increased risk of developing breast cancer if they drink two or more drinks per day. Drinking may also increase the risk for developing cancer of the colon and rectum.

**Pancreatitis:**

The pancreas helps to regulate the body's blood sugar levels by producing insulin. The pancreas also has a role in digesting ingested food. Long-term heavy drinking can lead to pancreatitis, or inflammation of the pancreas. This condition is associated with severe abdominal pain and weight loss and can be fatal.

**Drugs:**

You hear about drugs on TV and in the movies, on the radio, in books and magazines, on the Internet, and in daily conversation with friends and peers. Some of the information is accurate, but a lot of it is not.

Here are a few realities to consider:

- You can't predict the effect that a drug can have on you—especially if it's the first time you try it, and even if it's a small amount or dose.
- Everyone's brain and body chemistry are different.
- Everyone's tolerance for drugs is different.
- Using drugs can lead to abuse, addiction, serious health problems, and even death.
- Drugs that are legal—prescription and over-the counter (OTC) medications—can be just as dangerous as illegal drugs.

Find out as much as you can about illegal and legal drugs and their effects on your body and brain. The more informed you are, the more confidently you can make the right decision about drugs.

**Methamphetamine:** Methamphetamine releases high levels of the neurotransmitter dopamine which stimulates brain cells enhancing mood and body movement. It also appears to have a neurotoxic effect damaging brain cells that contain dopamine and serotonin, another neurotransmitter.

Over time, methamphetamine appears to cause reduced levels of dopamine, which can result in symptoms like those of Parkinson's disease, a severe movement disorder. Users may become addicted quickly and use it with increasing frequency and in increasing doses.

The central nervous system (CNS) actions that result from taking even small amounts of methamphetamine include increased wakefulness, increased physical activity, decreased appetite, increased respiration, hyperthermia, and euphoria. Other CNS effects include irritability, insomnia, confusion, tremors, convulsions, anxiety, paranoia, and aggressiveness. Hyperthermia and convulsions can result in death.

Methamphetamine causes increased heart rate and blood pressure and can cause irreversible damage to blood vessels in the brain, producing strokes. Other effects of methamphetamine include respiratory problems, irregular heartbeat, and extreme anorexia. Its use can result in cardiovascular collapse and death.

**Cocaine:** Cocaine is a strong central nervous system stimulant that interferes with the reabsorption process of dopamine, a chemical messenger associated with pleasure and movement. Dopamine is released as part of the brain's reward system and is involved in the high that characterizes cocaine consumption.

The physical effects of cocaine use include constricted peripheral blood vessels, dilated pupils, and increased temperature, heart rate, and blood pressure. The duration of cocaine's immediate euphoric effects, which include hyper-stimulation, reduced fatigue, and mental clarity, depends on the route of administration. High doses of cocaine and/or prolonged use can trigger paranoia.

Smoking crack cocaine can produce a particularly aggressive paranoid behavior in users. When addicted individuals stop using cocaine, they often become depressed, which may lead to further cocaine use to alleviate depression. Prolonged cocaine snorting can result in ulceration of the mucous membrane of the nose and can damage the nasal septum enough to cause it to collapse. Cocaine-related deaths are often a result of cardiac arrest or seizures followed by respiratory arrest.

**Heroin:** Heroin abuse is associated with serious health conditions including fatal overdose, spontaneous abortion, collapsed veins, and infectious diseases, including HIV/AIDS and hepatitis. Mental functioning becomes clouded due to depression of the central nervous system.

Long-term effects of heroin appear after repeated use for some period of time. Chronic users may develop collapsed veins, infection of the heart lining and valves, abscesses, cellulitis, and liver disease. Pulmonary complications, including various types of pneumonia, may result from the poor health condition of the abuser, as well as from heroin's depressing effects on respiration.

**Marijuana:** Recent research findings indicate that long-term use of marijuana produces changes in the brain similar to those seen after long-term use of other major drugs of abuse. Someone who smokes marijuana regularly may have many of the same respiratory problems as tobacco smokers. These individuals may have daily cough and phlegm, symptoms of chronic bronchitis, and more frequent chest colds. Continuing to smoke marijuana can lead to abnormal functioning of lung tissue injured or destroyed by marijuana smoke.

**MDMA (Ecstasy):** MDMA causes injury to the brain, affecting neurons that use the chemical serotonin to communicate with other neurons. The serotonin system plays a direct role in regulating mood, aggression, sexual activity, sleep, and sensitivity to pain.

Many of the risks users face with MDMA use are similar to those found with the use of cocaine and amphetamines, such as: psychological difficulties including confusion, depression, sleep problems, drug craving, severe anxiety, and paranoia – during and sometimes weeks after taking MDMA; physical symptoms such as muscle tension, involuntary teeth clenching, nausea, blurred vision, rapid eye movement, faintness, and chills or sweating; and increases in heart rate and blood pressure, a special risk for people with circulatory or heart disease.

There is also evidence that people who develop a rash that looks like acne after using MDMA may be risking severe side effects, including liver damage, if they continue to use the drug.

**Rohypnol, GHB, and Ketamine:** Coma and seizures can occur following abuse of GHB and, when combined with methamphetamine, there appears to be an increased risk of seizure. Combining use with other drugs such as alcohol can result in nausea and difficulty breathing. GHB may also produce withdrawal effects, including insomnia, anxiety, tremors, and sweating.

In October, 1996, because of concern about Rohypnol, GHB, and other similarly abused sedative-hypnotics, Congress passed the “Drug-Induced Rape Prevention and Punishment Act of 1996.” This legislation increased federal penalties for use of any controlled substance to aid in sexual assault.

**LSD:** The effects of LSD are unpredictable. They depend on the amount taken; the user’s personality, mood, and expectations; and the surroundings in which the drug is used. Usually, the user feels the first effects of the drug 30 to 90 minutes after taking it. The physical effects include dilated pupils, higher body temperature, increased heart rate and blood pressure, sweating, loss of appetite, sleeplessness, dry mouth, and tremors.

LSD is not considered an addictive drug since it does not produce compulsive drug-seeking behavior as do cocaine, amphetamine, heroin, alcohol, and nicotine. However, like many of the addictive drugs, LSD produces tolerance, so some users who take the drug repeatedly must take progressively higher doses to achieve the state of intoxication they had previously achieved.

This is an extremely dangerous practice, given the unpredictability of the drug. The National Institute on Drug Abuse (NIDA) is funding studies that focus on the neurochemical and behavioral properties of LSD. This research will provide a greater understanding of the effects of the drug.

### **Drug or alcohol counseling, treatment or rehabilitation or re-entry programs that are available to students and employees**

The Seminary provides information regarding programs available for drug and alcohol counseling, treatment or rehabilitation services for students.

In addition, employees are provided services through our Employee Assistance Program.

The Seminary disseminates informational materials, education programs and referrals regarding the use of alcohol and/or a controlled substance.

Memphis Theological Seminary’s Student Affairs Office provides an overall coordination of the Drug-Free Schools and Communities Act Program.

However, some services are the responsibility of other Seminary departments and staff. These include:

- **Alcohol and Drug Education:** Student Activities, Orientation, Employee Assistance Program, Team Meetings
- **Counseling Referrals:** Student Access and Wellness, Employee Assistance Program
- **Seminary Student Disciplinary Actions:** Director of Student Services, Vice President of Academic Affairs/Dean, Director of Facilities & Safety
- **Employee Disciplinary Actions:** Human Resources

**Hotlines/Help Lines:**

The following national toll-free telephone numbers are provided to assist any member of the Seminary who may require assistance in dealing with a drug or alcohol problem:

- American Council on Alcoholism (800) 527-5344: Addresses alcoholism as a treatable disease through public education, information, intervention, and referral.
- Al-Anon (888) 425-2666: Helps families and friends of alcoholics recover from the effects of living with the problem drinking of a relative or friend.
- The National Institute on Drug Abuse Hotline (877)-643-2644: Provides information, support, treatment options, and referrals to local rehab centers for any drug or alcohol problem.
- 24 Hour National Alcohol & Substance Abuse Information Center (800) 784-6776

**Regional Assistance**

Tennessee's Confidential  
Addiction Helpline  
(800) 889-9789

Serenity Recovery Center Inc.  
[www.serenityrecovery.org](http://www.serenityrecovery.org)  
1094 Poplar Ave  
Memphis, TN 38105  
(901) 521-1131

The Oaks at La Paloma  
[theoakstreatment.com](http://theoakstreatment.com)  
1248 LaPaloma Street  
Memphis, TN 38114  
(901) 505-6518

Synergy Treatment Center  
[www.synergytc.org](http://www.synergytc.org)  
2305 Airport Interchange Ave  
Memphis, TN 38132  
(901) 332-2227

Harbor House Alcohol/Drug  
[www.harborhousememphis.org](http://www.harborhousememphis.org)  
1979 E Alcy Rd  
Memphis, TN 38114  
(901) 743-1836

Grace House Inc  
[www.gracehouseofmemphis.org](http://www.gracehouseofmemphis.org)  
329 North Bellevue Street  
Memphis TN 38105  
(901) 722-8460

BHG Memphis Mid-Town  
Treatment Center  
[memphis-mid-town.bhgrecovery.com/](http://memphis-mid-town.bhgrecovery.com/)  
1734 Madison Ave  
Memphis, TN 38104  
(901) 722-9420

Cocaine Alcohol Awareness  
[www.caapincorporated.com](http://www.caapincorporated.com)  
4023 Knight Arnold Rd  
Memphis, TN 38118  
(901) 367-7550

American Drug Care  
3401 Getwell Road  
Memphis TN 38118  
(901) 375-4633

Delta Medical Center  
[www.deltamedcenter.com](http://www.deltamedcenter.com)  
3000 Getwell Street  
Memphis TN 38118  
(901) 369-8100

Lakeside Behavioral Health  
System  
[lakesidebhs.com](http://lakesidebhs.com)  
2911 Brunswick Road  
Memphis TN 38133  
(800) 232-5253

Memphis Recovery Centers Inc.  
[www.memphisrecovery.com](http://www.memphisrecovery.com)  
219 North Montgomery Street  
Memphis TN 38104  
(901) 272-7751

Veterans Affairs Medical Center  
[www.memphis.va.gov](http://www.memphis.va.gov)  
1030 Jefferson Avenue  
Memphis TN 38104  
(901) 523-8990

## **Applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol**

The following summary sets forth the legal sanctions under local, state or federal law for the unlawful possession or distribution of illicit drugs and alcohol. Please note that a student or employee who violates the Seminary's policies relating to the possession or distribution of illicit drugs and alcohol is subject both to the Seminary's sanctions as well as any applicable criminal sanctions provided by local, state or federal law.

### **Legal Sanctions**

Various federal, state, and local statutes make it unlawful to manufacture, distribute, dispense, deliver, sell, or possess with intent to manufacture, distribute, dispense, deliver, or sell controlled substances. The penalty imposed depends upon many factors, including the type and amount of the controlled substance involved, the number of prior offenses, if any, whether death or serious bodily injury resulted from the use of such substance, and whether any other crimes were committed in connection with the use of the controlled substance.

### **SCHEDULE OF DRUGS**

Schedule I: High potential for abuse; and no accepted medical use in the US or lacks accepted safety for use in treatment under medical supervision. Specific drugs refer to TCA 39-17-406

Schedule II: High potential for abuse; than 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.

Schedule III: 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).

Schedule IV: Low potential for abuse relative to substances in Schedule III; the substance has currently accepted medical 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

Schedule V: 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 substance in Schedule IV. Specific drugs refer to TCA 39-17-414.

Schedule VI: 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

Schedule VII: Substance not included in Schedules I through VI, the controlled substances includes is Butlynitrate and any isomer thereof. Class X: Designated amounts of certain drugs within multiple Schedules Amounts refer to TCA 39-17-417 2)(j)(1-13).

**"Mega Drug" Offense:** Designated amounts of certain drugs within multiple Schedules. Amounts refer to TCA 39-17-417 (2)(j)(1-13). Deliver or sale of a Schedule I-V to a minor under the age of 12 yrs.

**Federal Trafficking Penalties**

Narcotics Penalties & Enforcement Act of 1986

<b>Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)</b>				
<b>Schedule</b>	<b>Substance/Quantity</b>	<b>Penalty</b>	<b>Substance/Quantity</b>	<b>Penalty</b>
II	Cocaine 500-4999 grams mixture	<p><b>First Offense:</b> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.</p>	Cocaine 5 kilograms or more mixture	<p><b>First Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 20 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p> <p><b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>
II	Cocaine Base 28-279 grams mixture		Cocaine Base 80 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	
<b>Substance/Quantity</b>		<b>Penalty</b>		
Any Amount Of Other Schedule I & II Substances		<p><b>First Offense:</b> Not more that 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.</p>		
Any Drug Product Containing Gamma Hydroxybutyric Acid				
Flunitrazepam (Schedule IV) 1 Gram				
Any Amount Of Other Schedule III Drugs		<p><b>First Offense:</b> Not more than 10 yrs. If death or serious bodily injury, not more that 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.</p>		
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)		<p><b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.</p>		
Any Amount Of All Schedule V Drugs F		<p><b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p><b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>		

<b>Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances</b>	
Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants	<p><b>First Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.</p> <p><b>Second Offense:</b> Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.</p>
Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants	<p><b>First Offense:</b> Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.</p> <p><b>Second Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50million if other than an individual.</p>
Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants	<p><b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.</p>
Hashish More than 10 kilograms	<p><b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</p>
Hashish Oil More than 1 kilogram	
Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)  1 to 49 marijuana plants	<p><b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.</p> <p><b>Second Offense:</b> Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.</p>
Hashish 10 kilograms or less	
Hashish Oil 1 kilogram or less	

## **Alcohol**

### Under 21 Possession Laws

A person under the age of 21 should not buy, possess, transport or consume alcoholic beverages, including wine or beer. It is also unlawful for any adult to buy alcoholic beverages or provide them for any purpose to anyone less than 21 years of age. These offenses are classified as Class A misdemeanors punishable by up to 11 months and 29 days in prison and/or a fine up to \$2,500.

### *Class A Misdemeanors*

People older than 18, but younger than 21, convicted with Class A misdemeanors relating to alcohol violations will have their license suspended and possibly be mandated to do community service.

### Marijuana Possession

If you are charged with simple possession or casual exchange of marijuana you will face Class A misdemeanor penalties. You could serve up to one year in jail and face fines up to \$2,500. If this is your second or greater conviction under this law you will face Class E felony charges which carry a potential sentence of 1-6 years and fines up to \$3,000.

### Fake Identification

A person commits the offense of using a false identification who, for the purpose of obtaining goods, services or privileges to which the person is not otherwise entitled or eligible, uses a false identification. A violation of this section is a Class C misdemeanor.

### Public Intoxication

A person commits the offense of public intoxication who appears in a public place under the influence of a controlled substance or any other intoxicating substance to the degree that (1) The offender may be endangered; (2) There is endangerment to other persons or property; or (3) The offender unreasonably annoys people in the vicinity. It is a Class C misdemeanor punishable by imprisonment of not more than 30 days or a fine of not more than \$50, or both.

### Open Container Law

No driver shall consume any alcoholic beverage or beer or possess an open container of alcoholic beverage or beer while operating a motor vehicle in this state. "Open container" means any container containing alcoholic beverages or beer, the contents of which are immediately capable of being consumed or the seal of which has been broken. Violations are a Class C misdemeanor punishable by a fine.

### Implied Consent Laws

When you drive in TN you have given your consent to be tested to determine the alcohol or drug content in your blood. The test is administered at the request of a law enforcement officer who has grounds to believe you have been driving under the influence. Refusal to submit a Blood Alcohol Concentration (BAC) will result in a suspended license for 12 months. Also, there is still a possibility of being convicted of a DUI.

### Driving Under the Influence (DUI)

Drivers are considered to be under the influence of alcohol if their BAC is .08 or more. DUI also covers driving under the influence of other drugs, so one can blow a .00 and still be convicted of a DUI. Underage drivers may not drive or be in control of a motor vehicle while their BAC is more than .02.

Driving under the Influence (DUI) continued:

*First Offense*

- 48 hours to 11 months, 29 days of jail for offenders under the age of 21.
- 24 hours to 11 months, 29 days of jail for offenders 21 and over
- .20 BAC or greater minimum jail time 7 consecutive days
- License revocation for 1 year
- You will be ordered to participate in a DUI school
- Pay restitution to any person suffering physical injury or personal loss
- \$350-\$1,500 Fine
- With towing, bail, attorney, high risk insurance, court costs, school, and reinstatement fees, your first offense average costs could add up to \$4,900.
- Judge can order you to install a vehicle Ignition Interlock Device at your expense. Minimum 1st year cost \$810 [55-10-412d]
- If two (2) convictions of DUI in 5 years, Ignition Interlock Device required for 6 months after reinstatement at your expense.
- Drug and Alcohol Treatment may be required at the judge's discretion.

*Second Offense*

- 45 days to 11 months, 29 days of jail
- \$600-\$3,500 mandatory fine
- License revocation for 2 years/Restricted License available after first year
- Subject to .08 BAC
- Subject to vehicle seizure/forfeiture
- You will be ordered to attend a DUI school
- The judge can order you to install a vehicle Ignition Interlock Device at your expense.
- If two (2) convictions of DUI in 5 years, Ignition Interlock Device required for 6 months after reinstatement at your expense.
- Pay restitution to any person suffering personal injury or loss

*Third Offense*

- 120 days to 11 months, 29 days in jail
- \$1,100 to \$10,000 mandatory fines
- License revocation for 3-10 years/NO restricted license available
- Subject to .08 BAC
- Subject to vehicle seizure/forfeit
- DUI school
- Judge could order an Ignition Interlock Device installed at your expense
- If two (2) convictions of DUI in 5 years, Ignition Interlock Device required for 6 months after reinstatement at your expense.

*DISCLAIMER: The information in this document is for information purposes only. Laws continually change, making this material potentially outdated and not 100% accurate. The document should not be considered legal advice or the law itself.*

**Disciplinary sanctions the Seminary may impose for violations of the standards of conduct related to the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees.**

Memphis Theological Seminary seeks to uphold Seminary drug- and alcohol-related policies and laws, and will impose disciplinary sanctions against those students and/or employees who violate said policies and laws consistent with local, State or Federal law. Such sanctions could lead to a student being suspended or expelled from the Seminary. Employees will be disciplined, up to and including termination. Students, faculty or employees who violate related laws may also be referred to law enforcement for prosecution. As part of the disciplinary process, the Seminary may also request that the student complete a rehabilitation program.

Employees may self-refer or have a Seminary referral to the Employee Assistance Program for assistance in dealing with the use of alcohol or a controlled substance. A criminal conviction is not necessary to find that a student/employee has violated the Seminary Student Community Standards or the provisions of the Employee Handbook, and the Seminary need not, and ordinarily will not, defer its own actions and sanctions pending the outcome of any criminal proceeding.

Students should refer to the Student Handbook. Employees should refer to the Employee Handbook.

Memphis Theological Seminary will impose the appropriate sanction(s) on any employee or student who fails to comply with the terms of this policy.

Employees — As a condition of continued employment, all employees must abide by the terms of this policy 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.

A conviction includes a finding of a federal judicial body. Upon receiving notice that an employee is in violation, or that an employee has been convicted of a violation of a criminal drug statute or alcohol abuse occurring on campus or as a part of Seminary activities, the Seminary will take appropriate disciplinary action against the employee. Any employee who fails to report a conviction will be subject to disciplinary sanctions.

Disciplinary sanctions for failure to comply with this policy, including failure to notify of conviction, may include one or more of the following:

1. Termination
2. Suspension
3. Mandatory participation and satisfactory completion of a drug/alcohol abuse program or rehabilitation program
4. Recommended for Professional Counseling
5. Referral for prosecution
6. Letter of warning
7. Probation

**Disciplinary sanctions the Seminary may impose for violations of the standards of conduct related to the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees. Continued:**

Students— As a condition of continued enrollment, students must abide by the terms of this policy and must notify the Director of Student Services of any criminal drug statute conviction for a violation occurring on the Memphis Theological Seminary campus or at Seminary functions at off-campus locations no later than five days after such conviction.

A conviction includes a finding of guilt, a plea of nolo contendere, or imposition of a sentence by any state, local, or federal judicial body.

Upon receiving notice that a student is in violation of these procedures, or that said student has been convicted of a violation of a criminal drug statute or alcohol abuse occurring on campus or as a part of Seminary activities, the Seminary will take appropriate disciplinary action.

Disciplinary sanction for failure to comply with this policy, including failure to notify of conviction, may include one or more of the following:

1. Expulsion
2. Suspension
3. Mandatory participation and satisfactory completion of a drug/alcohol abuse program or rehabilitation program
4. Recommendation to professional counseling
5. Referral for prosecution
6. Probation
7. Warning
8. Reprimand

### **Biennial Review**

The Seminary conducts biennial reviews of its Drug-Free Schools and Communities Act Program to: (a) determine the Program's effectiveness and implement changes to the Program if changes are needed; (b) determine the number of drug and alcohol-related violations and fatalities that— (i) occur on the Seminary's campus, or as part of any of the Seminary's activities; and (ii) are reported to campus officials; (c) determine the number and type of sanctions that are imposed by the Seminary as a result of drug and alcohol-related violations and fatalities on the Seminary's campus or as part of any of the Seminary's activities; and (d) ensure that the sanctions are consistently enforced.

### **Violations**

No drug or alcohol-related violations occurred on campus or as any part of the Seminary's activities in 2013, 2014, or 2015.

No drug or alcohol-related fatalities occurred on campus or as any part of the Seminary's activities in 2013, 2014, or 2015.

No drug or alcohol-related sanctions were imposed in 2013, 2014, or 2015.

### **AOD Program**

MTS provides an alcohol-free and drug-free environment through events and activities on and off campus, service and volunteer opportunities, the student center, and by offering alcohol-free beverages.

MTS offers housing to students that is alcohol-free, smoke-free, and drug-free

Seminary Faculty are encouraged to engage in high levels of contact with students. Students also have opportunities to mentor other students.

Students, Faculty, and Staff at MTS are educated about misconceptions associated with alcohol and substance abuse.

The Seminary requires that all on-campus functions be registered. IDs are checked at on-campus functions, and on-site security patrols observe on-campus functions.

**Memphis Theological Seminary strives to (1) Articulate and consistently enforce clear policies that promote an educational environment free from substance use/abuse. (2) Provide ongoing education for members of the Seminary community for the purpose of preventing alcohol abuse and other drug use. (3) Provide a reasonable level of care for substance abusers through counseling, treatment, and referral. (4) Implement campus activities that promote and reinforce health, responsible living, respect for community and campus standards, individual responsibility on the campus, and intellectual, social, emotional, spiritual or ethical, and physical well-being of the members. (5) Be vocal and visionary in combating the negative issues surrounding alcohol and other drug use and abuse on campus.**