



**Drug and Alcohol Abuse  
Prevention Program (DAAPP)**

**Updated August 2023**

# **Western Technical College**

The Drug Free Schools and Campuses Regulations (34 C.F.R. Part 86) of the Drug-Free Schools and Communities Act (DFSCA) requires an Institution of Higher Education (I.H.E.), such as Western Technical College, to certify that it has implemented programs to prevent the abuse of Alcohol and/or distribution of illicit drugs to both students and employees either on its premises and/or as a part of any of its activities. All I.H.E. must distribute the information in statements I – V in writing to all students and employees annually. Information in statements VI – VIII are additional supplemental information.

- I. Standards of conduct that clearly prohibit the unlawful possession, use, or distribution of illicit drugs and Alcohol by students and employees;
- II. A description of the legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;
- III. A description of the health risks associated with the use of illicit drugs and alcohol abuse;
- IV. A description of any drug or alcohol counseling, treatment, or rehabilitation, or reentry programs that are available to employees or students;
- V. A clear statement that the institution will impose sanctions on students and employees and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct or law;
- VI. Have information on education and prevention programs;
- VII. Include a clear statement that the school will annually distribute its DAAPP to all students and employees and a description of the methods or processes utilized to disseminate the DAAPP;
- VIII. Include a statement that the school will conduct a biennial review of its DAAPP to determine its effectiveness and implement changes to the program if they are needed and to make sure any disciplinary sanctions are consistently enforced. In addition, the biennial review must also include a determination as to the number of drug and Alcohol related violations and fatalities occurring on the campus or as a part of their activities that are reported to campus officials, and the number and types of sanctions imposed on students or employees as a result of such violations or fatalities.
- IX. A statement that a student or employee who violates the DAAPP is subject both to the institution's sanctions and to criminal sanctions provided by federal, state, and local law.

## **I. Standards of Conduct**

### **A. Standards of Conduct –Employees**

The College is committed to maintaining a drug-free learning and work environment. The College Board and employees recognize that the abuse of alcohol and other drugs interferes with a person's ability to learn and work and increases the risk of accidents and serious health problems.<sup>1</sup>

While on College premises, conducting College business, or participating in College-sponsored events or activities, no employee, student, partner or guest shall possess, consume, store, use, sell, distribute, solicit, purchase or manufacture drugs, drug paraphernalia, or Alcohol. This prohibition applies to all College sites and facilities, including leased property and clinical sites. All students and employees are prohibited from being under the influence of Alcohol or drugs while on College premises, conducting College business, or participating in College-sponsored events or activities.

Western Technical College prohibits the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees on any Western property or as part of any College related activities. For further detail of Western's Alcohol and Drug Policy for Employees and Students, refer to Appendix 1.

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<sup>1</sup> "Policies and Procedures." *C0105 Alcohol and Drug Policy for Employees and Students*, [info.westerntc.edu/sites/Policies/Pages/C0105.aspx](http://info.westerntc.edu/sites/Policies/Pages/C0105.aspx).

## **Notice of convictions**

An employee must notify the Human Resources Director or designee no later than five (5) days after the employee has received any criminal drug statute conviction based on a violation which occurred in the workplace. The College will report such convictions to the appropriate Federal agency within ten days. For the purposes of this notice requirement, a conviction includes a finding of guilt, a no contest plea, and/or an imposition of sentence by any judicial body for any violation of a criminal statute involving the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in the workplace.<sup>2</sup>

## **USE OF DRUGS AND ALCOHOL**

The College respects the personal lives of members of the campus community, on or off-campus, and their privacy. However, Western Security is responsible for reporting on and investigating violations of laws and College alcohol and drug policies. This includes assessing the potential harm to anyone or disruption to College operations created by any alleged abuse of alcohol or drugs.

The legal use of drugs prescribed by a medical professional for the employee is permitted on the job only if it does not impair an employee's ability to perform the essential functions of his or her job in a safe manner. The College may conduct drug or alcohol testing for students and employees at any given time with individualized suspicion, unless otherwise prohibited by federal or state law.

The advertising of alcoholic beverages is prohibited on College property and in College publications.

### **B. Standards of Conduct – Students**

Students are responsible for modeling behavior that represents the core values of Western and are expected to conduct themselves as responsible members of the Western community. Any student or student organization found to have committed or have attempted to commit any of the following misconduct is subject to the student conduct process:

- **Alcohol** - use, possession, or distribution of alcoholic beverages or paraphernalia, or being under the influence of Alcohol while on Western premises, conducting College business, or participating in College-sponsored events or activities except as expressly permitted by Western's alcohol policy;
- **Drugs** - use, possession, or distribution of illegal drugs and other controlled substances or drug paraphernalia, or being under the influence of illegal drugs or other controlled substances while on Western premises, conducting College business, or participating in College-sponsored events or activities except as expressly permitted by Western's drug and alcohol policy;
- **Violations of Law** - any conduct or action that violates any local, state or federal laws, when substantiated through Western's conduct investigative process.

Additionally, the Western Residence Hall is designated as a substance-free facility. Students residing in the residence hall are required to complete a Substance Free Housing Agreement which states, "The Western Residence Hall is a completely substance free community, in line with Western Technical College being a substance free College. All residents and their guests, regardless of age, are prohibited from using or possessing Alcohol, tobacco, or other drugs in the community. These policies of the College and residence hall are designed to encourage a positive community experience, enforce local, state, and federal law, and ensure a safe environment for all residents."

## **II. Legal Sanctions**

Consistent with local, state and federal laws, Western will impose disciplinary sanctions on students and employees who violate the standards of conduct related to the unlawful possession, use or distribution of illicit drugs and Alcohol on any

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<sup>2</sup> "Policies and Procedures." *C0104 Drug-Free Workplace Employee Policy*, [info.westerntc.edu/sites/Policies/Pages/C0104.aspx](http://info.westerntc.edu/sites/Policies/Pages/C0104.aspx).

Western property or as part of any college activities. College sanctions may include up to suspension or expulsion for students and, for employees, disciplinary action up to and including termination.

Additionally, there may be legal sanctions for violations of the standards of conduct. Any student convicted of the unlawful possession, use or distribution of illicit drugs or alcohol is subject to criminal penalties under local, state or federal law. These penalties range in severity from a fine of \$5.00 to \$250,000 or more and/or a prison sentence. The exact penalty assessed depends upon the nature and severity of the individual offense.

Students who have been convicted of drug-related offenses while receiving federal student aid (grants, loans, or work-study) may have their eligibility for federal student aid suspended. Student convicted of possession of illegal drugs while receiving financial aid are ineligible for federal student aid for 1 year from the date of conviction for a first offense, 2 years from the date of conviction for a second offense, or indefinite period of time for a third or higher offense. Students convicted of sale of illegal drugs or conspiring to sell drugs while receiving financial aid are ineligible for federal student aid for 2 years from the date of conviction for a first offense or indefinite period of time for a second or higher offense.

#### A. Federal Sanctions

The *Controlled Substance Act* and other federal laws provide criminal and civil penalties for unlawful possession or distribution of a controlled substance. A summary of penalties related to distribution or trafficking is available on the D.E.A. Resource Guide and in Appendix 2 of this DAAPP.<sup>3</sup> A separate summary of penalties and sanctions pertaining to trafficking Marijuana, also available online at the aforementioned link, and is included as Appendix 3 to this DAAPP.

Penalties related to illegal possession of a controlled substance are available online and is included as Appendix 4 to this DAAPP.<sup>4</sup>

#### B. State Sanctions

##### Alcohol

It is a violation of Wisconsin law for any person to procure for, sell, dispense or give away any alcohol beverages to any underage person not accompanied by his or her parent, guardian or spouse who has attained the legal drinking age. Furthermore, no adult may knowingly permit or fail to take action to prevent the illegal consumption of alcohol beverages by an underage person on property, including any premises, owned and occupied by the adult or occupied by the adult and under the adult's control.

Penalties for these violations may be:

- Required to forfeit not more than \$500 if the person has not committed a previous violation within 30 months of the violation.
- Fined not more than \$500 or imprisoned for not more than 30 days or both if the person has committed a previous violation within 30 months of the violation.
- Fined not more than \$1,000 or imprisoned for not more than 90 days or both if the person has committed 2 previous violations within 30 months of the violation.
- Fined not more than \$10,000 or imprisoned for not more than 9 months or both if the person has committed 3 or more previous violations within 30 months of the violation.<sup>5</sup>

Suspensions of license or permits issued under WI Chapter 125 for these violations include:

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<sup>3</sup> U. S. Department of Justice Drug Enforcement Administration. *Drugs of Abuse: A DEA Resource Guide*. 2022, [Drugs of Abuse \(dea.gov\)](https://www.dea.gov/drugs-of-abuse)

<sup>4</sup> "Title 21 United States Code (USC) Controlled Substances Act." Section 844, [www.deadiversion.usdoj.gov/21cfr/21usc/844.htm](http://www.deadiversion.usdoj.gov/21cfr/21usc/844.htm).

<sup>5</sup> Wisconsin Legislature: 125.07, [docs.legis.wisconsin.gov/statutes/statutes/125/l/07](http://docs.legis.wisconsin.gov/statutes/statutes/125/l/07).

- Not more than 3 days, if the court finds that the person committed a violation within 12 months after committing one previous violation;
- Not less than 3 days nor more than 10 days, if the court finds that the person committed a violation within 12 months after committing 2 other violations; or
- Not less than 15 days nor more than 30 days, if the court finds that the person committed the violation within 12 months after committing 3 other violations.<sup>6</sup>

It is also a violation of law for an underage person to: procure or attempt to procure alcohol beverages from a licensee or permittee; to enter, knowingly attempt to enter, or be on any premises of a licensee/permittee; to falsely represent his or her age for the purpose of receiving alcohol beverages from a licensee or permittee; or to otherwise knowingly possess or consume alcohol beverages.

Penalties for these violations include:

- First violation - fine of \$250-\$500, suspension of the person's driver's license/permit, and/or mandated participation in a supervised work program or other community service.
- Second or more violations - fines of up to \$1,000 in addition to possible suspension of the person's driver's license/permit and/or mandated participation in a supervised work program or other community service.<sup>7</sup>

### Illicit Drugs

State law penalties pertaining to the unlawful possession or distribution of controlled substances originate from the Wisconsin Uniform Controlled Substances Act.<sup>8</sup> This act stipulates that it is unlawful for any person to manufacture, distribute or deliver a controlled substance or controlled substance analog. It is also unlawful for any person to possess, with intent to manufacture, distribute or deliver, a controlled substance or a controlled substance analog. Penalties vary based on the schedule, type, and amount of the controlled substance at issue; whether the person possessed, manufactured, distributed, or delivered a controlled substance unlawfully (or intended to do so); and the number of previous offenses committed by a person. Specific penalties are contained in the "Offenses and Penalties" subchapter of the Wisconsin Uniform Controlled Substances Act.<sup>9</sup>

Generally, penalties for these offenses range from Class C felonies to Class I felonies, which carry the following penalties:

- For a Class C felony, a fine not to exceed \$100,000 or imprisonment not to exceed 40 years, or both.
- For a Class D felony, a fine not to exceed \$100,000 or imprisonment not to exceed 25 years, or both.
- For a Class E felony, a fine not to exceed \$50,000 or imprisonment not to exceed 15 years, or both.
- For a Class F felony, a fine not to exceed \$25,000 or imprisonment not to exceed 12 years and 6 months, or both.
- For a Class G felony, a fine not to exceed \$25,000 or imprisonment not to exceed 10 years, or both.
- For a Class H felony, a fine not to exceed \$10,000 or imprisonment not to exceed 6 years, or both.
- For a Class I felony, a fine not to exceed \$10,000 or imprisonment not to exceed 3 years and 6 months, or both.

### C. Local Sanctions

#### Alcohol

<sup>6</sup> Wisconsin Legislature: 125.07, [docs.legis.wisconsin.gov/statutes/statutes/125/I/07](http://docs.legis.wisconsin.gov/statutes/statutes/125/I/07).

<sup>7</sup> Wisconsin Legislature: 125.07(4), [docs.legis.wisconsin.gov/statutes/statutes/125/I/07/4](http://docs.legis.wisconsin.gov/statutes/statutes/125/I/07/4).

<sup>8</sup> Wisconsin Legislature: Chapter 961, [docs.legis.wisconsin.gov/statutes/statutes/961](http://docs.legis.wisconsin.gov/statutes/statutes/961).

<sup>9</sup> Wisconsin Legislature: 961.41, [docs.legis.wisconsin.gov/statutes/statutes/961/IV/41](http://docs.legis.wisconsin.gov/statutes/statutes/961/IV/41)

Wisconsin Legislature: 961.42, [docs.legis.wisconsin.gov/statutes/statutes/961/IV/42](http://docs.legis.wisconsin.gov/statutes/statutes/961/IV/42).

Wisconsin Legislature: 961.43, [docs.legis.wisconsin.gov/statutes/statutes/961/IV/43](http://docs.legis.wisconsin.gov/statutes/statutes/961/IV/43).

#### *Black River Falls*

In addition to the adoption and enforcement of Wis. Stat. 125.07, the City of Black River Falls Ordinance 9.12 prohibits the consumption of alcohol beverages on any public property, including buildings or structures owned/leased/operated by the City; public, private or parochial schools; public sidewalks; roadways and streets; playgrounds; parks; alleys; and public parking lots, whether publicly or privately owned.<sup>10</sup>

#### *Independence*

The City of Independence have no additional ordinances beyond adopting Wis. Stat. 125.07.

#### *La Crosse*

In addition to the adoption and enforcement of Wis. Stat. 125.07, the City of La Crosse Ordinances pertaining to Alcohol include:<sup>11</sup>

#### **Keg Registration (Sec. 4-111 City of La Crosse Ordinances):**

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Keg* means any container capable of holding four gallons or more of beer, which is designed to dispense fermented malt beverages (beer) directly from the container for purposes of consumption.

*Registration-seal* means any document, stamped declaration, seal, decal, sticker or device approved by the City Police Department, which is designed to be affixed to kegs, and which displays a registration number and such other information as may be prescribed by the City Police Department.

(b) Registration; seal requirement. No retail licensee of fermented malt beverages may sell fermented malt beverages in a keg without having registered the sale, on a form provided for by the City Police Department, and affixing a registration seal on the keg at the time of the sale.

(c) Registration-declaration. The registration-declaration shall contain the following:

(1) Require the purchaser of fermented malt beverages to sign a declaration and receipt for the keg or other container in substantially the form provided for in subsection (c)(3) of this section.

(2) Require the purchaser to provide two pieces of identification.

(3) Require the purchaser to sign a statement on the declaration that:

a. The purchaser is of legal age to purchase, possess, or use fermented malt beverages.

b. The purchaser will not allow any person, under the age of 21 years, unless authorized by State law, to consume the beverage.

c. The purchaser will not remove, obliterate, or allow to be removed or obliterated, the identification required under this article to be affixed to the container.

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<sup>10</sup> City of Black River Falls website: <https://blackriverfallswi.gov/wp-content/uploads/2023/05/Chapter-09-ORDERLY-CONDUCT.pdf>.

<sup>11</sup> [Chapter 4 - ALCOHOL BEVERAGES | Code of Ordinances | La Crosse, WI | Municode Library](#)

(4)Require the purchaser to provide their name and address.

(5)Such other information as may be required by the City Police Department.

(d)Keg return—Procedure to be followed by licensee. When a registered keg is returned to the licensee, the registration seal shall be removed or obliterated and note of such action shall be made on the registration records of the licensee.

(e)Seizure or forfeiture of keg. If a person is in possession of a keg used for or containing beer in violation of this article, then the keg and its contents shall be subject to seizure by the City of La Crosse Police Department.

(f)Responsibility to maintain records. All licensees of fermented malt beverages shall maintain a complete and accurate record of all registration forms and other documentation of the sale of kegs at the place of business selling kegs for a period of not less than two years. Such records regarding keg sales shall be open to inspection by the City Police Department at reasonable times.

(g)Limitation on number of kegs and gallons of fermented malt beverages.

(1)No licensee shall sell to any person or any address where consumed more than the number of kegs that exceed 31 gallons of fermented malt beverages within a 48-hour period, which kegs may contain 15.5 gallons of fermented malt beverages for a total of 31 gallons of fermented malt beverages.

(2)This prohibition limiting the number of kegs for a total of 31 gallons per address or location shall also apply to each address or location or those addresses that are simultaneously provided for a single event if said addresses are contiguous to each other with respect to the consumption of fermented malt beverages in containers totaling more than 31 gallons. Such occupants or owners of those addresses and locations shall be subject to the penalties for violating this article.

(h)Administration of keg registration. The City Police Department, by its Chief of Police, shall provide for the implementation of this section, which is intended to prevent the misuse of alcohol consumption, as well as provide for orderly, compatible, livable neighborhoods.

(i)A minimum deposit in the amount established by resolution is required for each keg, which will be returned to purchaser upon return of the keg.

(j)Kegs seized by the City of La Crosse Police Department in violation of this section must be registered. Persons possessing unregistered kegs shall be subject to a forfeiture of not less than \$1,000.00 plus penalty and costs.

(Code 1980, § 20.02(N))

**Cross reference**— General penalty for ordinance violations, [§ 1-7](#).

**State Law reference**— Keg identification, Wis. Stat. § 125.32(7).

#### **Sec. 32-103. - Public intoxication.<sup>12</sup>**

(a)Declaration of policy. It is the policy of the City of La Crosse to comply with Wis. Stats. ch. 51 as well as provide for the safety, welfare and health of the public while prohibiting certain harmful conduct of

intoxicated persons. Nothing within this article is meant to contradict those elements proscribed under Wis. Stats. ch. 51.

(b) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Intoxicated person* means a person who is presently impaired, mentally or emotionally, as a result of the presence of alcohol in the person's body. Also included is any person presently impaired, mentally or emotionally, as a result of a drug or controlled substance, as that term is defined by the Wisconsin Statutes, in the body or a combination of alcohol and such other drugs or controlled substances. Evidence of an intoxicated person shall include a combination of the following indicators:

- (1) Odor of intoxicants on the breath;
- (2) Bloodshot eyes;
- (3) Dilated pupils;
- (4) Stumbling or staggering;
- (5) Slurred speech;
- (6) Failure of Standard Field Sobriety Test.

*Public nuisance* means conduct by an individual which includes engaging in obnoxious behavior, being disoriented, falling, vomiting, public urinating, acting lewdly, loudly and/or combatively or being a danger to oneself or others.

*Public place* means and includes a building or place owned or controlled by the City, a school, a place of public worship, any public street, including public sidewalk, alley, walk, or other publicly owned lands. Public place excludes the premises of a licensed alcohol establishment.

(c) Intoxicated person in public place prohibited. No person in a public place shall conduct said person so as to be:

- (1) A danger to themselves or others; and/or
- (2) A public nuisance; and
- (3) Intoxicated or incapacitated by alcohol or drug or controlled substance as defined in subsection (b) of this section.

(d) No person shall be cited under this section without first having been offered and failed the Standard Field Sobriety Test; however, a person incapable and/or having refused the Standard Field Sobriety Test may still be cited under the criteria set forth in subsection (b) of this section. No individual actively seeking medical treatment for an alcohol or other drug-related overdose will be subject to discipline for the sole violation of using or possessing alcohol. This policy shall extend to another individual seeking help for an intoxicated individual.

(e) Penalties.

(1) Persons found in violation of this section for the first time shall be provided a written warning with conditions in lieu of a citation. The warning shall be conditioned on such person attending and successfully completing an evidence-based alcohol education program sponsored by the Police Department. The failure to timely complete the alcohol education program shall result in the issuance of a citation and the prosecution of the same in the municipal court by the City. Successful and timely completion of the alcohol education program shall result in no further enforcement of the violation giving rise to the warning.

(2) The penalty for the first conviction of this section shall be a forfeiture of not less than \$150.00 plus penalty, costs and assessments, including the cost of transporting the individual to an approved treatment facility as provided for in Wis. Stats. § 51.45(11) the individual voluntarily agrees to be transported or is incapacitated so as to require transport. The second and any subsequent offense within a 12-month period shall be not less than \$400.00 plus penalty, costs and assessments, along with the cost of transporting the individual to an approved treatment facility as provided for in Wis. Stats. § 51.45(11).

**Sec. 32-106. - Consumption or possession of alcohol beverages on streets.<sup>13</sup>**

(a) No person shall consume any intoxicating liquor or fermented malt beverage while in or upon any public street, alley, sidewalk or other public way, except when such street or public way or portion thereof is included within an area for which the Common Council has granted a street privilege permit and for which the area is part of the licensed premises as approved by the Common Council or except as provided in subsection [10-868\(o\)](#).

(b) All purchases of alcohol or fermented malt beverages by the glass or in open containers shall be consumed on the licensed premises where served and shall not be removed to thoroughfares, streets, or sidewalks in the City, except as permitted under subsection (a) of this section.

(c) No person shall be in possession of any open container containing alcohol or fermented malt beverages on any thoroughfare, street, sidewalk or other public way, except as permitted under subsection (a) of this section. No glass containers are allowed outside when a permit is granted under subsection (a) of this section.

(d) Street privilege permits under this section may only be granted by the Common Council during the period of Memorial Day through Labor Day. Said Street Privilege Permit shall only be granted in accordance with the terms and conditions approved by the Common Council. A permit fee in the amount established by resolution shall be paid.

(e) Street privilege permits under this section may be granted in accordance with the terms and conditions stated under article IV of [chapter 40](#) of the Code, approved by the Board of Public Works and City Clerk, and shall be subject to a permit fee established by resolution pursuant to [section 40-108](#).

(Code 1980, § 7.02(E); [Ord. No. 5151, § I, 7-30-2020](#) ; [Ord. No. 5152, § II, 9-10-2020](#) ; [Ord. No. 5219](#), § VI, 5-12-2022)

**Cross reference—** Alcohol beverages, [ch. 4](#); persons indebted to City not to be issued permit, license or lease, [§ 2-292](#).

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<sup>13</sup> [Chapter 32 - OFFENSES AND MISCELLANEOUS PROVISIONS | Code of Ordinances | La Crosse, WI | Municode Library](#)

*Mauston*

In addition to the adoption and enforcement of [Wis. Stat. 125.07](#), the City of Mauston Ordinances pertaining to alcohol include:

**Sec. 26-35. - Drinking in public places.<sup>14</sup>**

No person shall consume any alcohol beverage or carry any open can, bottle or other container of alcohol beverage on the premises of any public place unless:

(1)Such beverage has been obtained from a person who has an appropriate license or permit to sell, dispense or give away such beverage in the public place; and

(2)The beverage is being consumed in the location authorized by said license or permit. As used in this section, the term "public place" includes, but is not limited to, public buildings, streets, sidewalks or parks.

(Code 1991, § 11.208)

**Sec. 1-71. - Forfeiture and continuing violations.<sup>15</sup>**

Except as otherwise provided by law or ordinance:

(1)*First offense.* Any person who commits a violation of this Code shall be subject to a forfeiture in the amount established by the city, and in default of payment of such forfeiture shall be imprisoned in the county jail until such forfeiture is paid, but not exceeding 90 days.

(2)*Second offense.* Any person found guilty of violating a violation of this Code, who has previously been convicted of the same violation within one year, shall be subject to a forfeiture in the amount established by the city, and in default of payment of such forfeiture shall be imprisoned in the county jail until such forfeiture is paid, but not exceeding six months.

(3)*Maximum fine.* In no case shall the forfeiture imposed for a violation of any provision of this Code exceed the maximum fine for the same offense under the laws of the state.

(4)*Joint prosecution.* Prosecution of two or more offenses committed by the same violator may be joined into one action, and the prosecution of two or more violators for the same offense may be joined into one action except as otherwise provided by law or ordinance.

(5)*Continuous violations.* With respect to violations of this Code that are continuous with respect to time, each day that the violation of this Code occurs, continues and/or remains present constitutes a separate offense.

(6)*Violations that are not continuous.* With respect to violations of this Code that are not continuous with respect to time, each violation is a separate offense.

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<sup>14</sup> Chapter 26 - OFFENSES AND MISCELLANEOUS PROVISIONS | Code of Ordinances | Mauston, WI | Municode Library

<sup>15</sup> [Chapter 1 - GENERAL PROVISIONS | Code of Ordinances | Mauston, WI | Municode Library](#)

## *Sparta*

In addition to the adoption and enforcement of [Wis. Stat. 125.07](#), the City of Sparta Ordinances that pertain to alcohol include:

### **Sec. 9-7. - Intoxicating liquor on public property prohibited.<sup>16</sup>**

No person shall possess, consume, sell or convey any fermented malt beverage or intoxicating liquor in or upon any public street, alley, sidewalk or public way or property, building or other structure which is owned by or under the control of the city or the school district school board, except in such places as may be designated by the city or the school board.

(Prior Code, § 9.08)

### **Sec. 9-181. - Prohibited acts.<sup>17</sup>**

It is unlawful for any persons to host or allow an event or gathering at any residence, premises or on any other private or public property where alcohol or alcoholic beverages or product are present when the person knows that an underage person may, or does, consume any alcohol or alcoholic beverage or product; or possess any alcohol or alcoholic beverage or product with the intent to consume it; and the person fails to take reasonable steps to prevent possession or consumption by the underage persons.

(1) In addition, a person violates this division if the person intentionally aids, advises, hires, counsels or conspires with or otherwise procures another to commit any prohibited act.

(2) A person who hosts an event or gathering does not have to be present at the event or gathering to be responsible.

(Prior Code, § 9.089(2))

### **Sec. 25-11. - General penalties.<sup>18</sup>**

(a) *General penalty.* Except where otherwise specifically provided in this Code, any person who shall violate any of the provisions of this Code shall, upon conviction of the violation, be subject to a penalty, which shall be as follows:

(1) *First offense; penalty.* Any person who shall violate any provision of this Code shall, upon conviction thereof, forfeit not less than \$5.00 or more than \$500.00, together with the costs of prosecution and in default of payment of the forfeiture and costs of prosecution shall be paid, but not exceeding 90 days.

(2) *Second offense; penalty.* Any person found guilty of violating any ordinance or part of an ordinance of this Code who shall previously have been convicted of a violation of the same ordinance within one year shall, upon conviction thereof, forfeit not less than \$10.00 nor more than \$500.00 for each such offense, together with costs of prosecution and in default of payment of the forfeiture and costs may be imprisoned in the county jail until such forfeiture and costs of prosecution are paid, but not exceeding six months. The city may use tax intercept or a city-approved collection agency to recover such forfeiture and costs of prosecution.

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<sup>16</sup> [Chapter 9 - OFFENSES | Code of Ordinances | Sparta, WI | Municode Library](#)

<sup>17</sup> [Chapter 9 - OFFENSES | Code of Ordinances | Sparta, WI | Municode Library](#)

<sup>18</sup> [Chapter 25 - GENERAL PROVISIONS | Code of Ordinances | Sparta, WI | Municode Library](#)

(b) *Continued violation.* Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this Code shall preclude the city from maintaining any appropriate action to prevent or remove a violation of any provision of this Code.

(c) *Execution against defendant's property.* Whenever any person fails to pay any forfeiture and costs of prosecution upon the order of any court for violation of any ordinance of the city, the court may, in lieu of ordering imprisonment of the defendant, or after the defendant has been released from custody, issue an execution against the property of the defendant for such forfeiture and costs.

(Prior Code, § 25.04)

*Tomah*

The City of Tomah have no additional ordinances beyond adopting Wis. Stat. 125.07.

*Viroqua*

The City of Viroqua have no additional ordinances beyond adopting Wis. Stat. 125.07.

Illicit Drugs

*Black River Falls*

The City of Black River Falls Ordinances prohibit possession of marijuana as defined in Section 961.01(14), Wis. Stats., in the amount of 25 grams or less, possession of drug paraphernalia, and manufacture or delivery of drug paraphernalia. City Ordinance 25.04 includes the following penalty provisions:

(1) **GENERAL PENALTY.** Except as provided in sub. (2) below, whenever so provided in this Code, any person who shall violate any of the provisions of this Code shall, upon conviction of such violation, be subject to a penalty, which shall be as follows:

(a) **First Offense, Penalty.** Any person who shall violate any provision of this Code subject to a penalty shall, upon conviction thereof, forfeit not less than \$5 nor more than \$500, together with the costs of prosecution and, in default of payment of such forfeiture and costs of prosecution, shall be imprisoned in the County Jail until said forfeiture and costs are paid, but not exceeding 90 days.

(b) **Second Offense, Penalty.** Any person found guilty of violating any ordinance or part of an ordinance of this Code who shall previously have been convicted of a violation of the same ordinance shall, upon conviction thereof, forfeit not less than \$10 nor more than \$1,000 for each such offense, together with the costs of prosecution and, in default of payment of such forfeiture and costs, shall be imprisoned in the County Jail until said forfeiture and costs of prosecution are paid, but not to exceed 6 months.

(2) **PENALTY FOR MINORS.** In the event proceedings are commenced against children aged 16 or older for violations of ch. 7 of this Code, or children 14 years of age or older for other violations of this Code, except ch. 7, the provisions of §§48.17(2), 48.237, 48.37, 48.343 and 48.344, Wis. Stats., shall be applicable.

(3) **CONTINUED VIOLATIONS.** Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this Code shall preclude the City from maintaining any appropriate action to prevent or remove a violation of any provision of this Code.

(4) **EXECUTION AGAINST DEFENDANT'S PROPERTY.** Whenever any person fails to pay any forfeiture and costs of prosecution upon the order of the court for violation of any ordinance of the City, the court may, in lieu of ordering imprisonment of the defendant, or after the defendant has been released from custody, issue an execution against the property of the defendant for said forfeiture and costs.

### *Independence*

The City of Independence have no additional ordinances beyond adopting Wis. Stat. 961.<sup>19</sup>

### *La Crosse*

The City of La Crosse Ordinances prohibits:

- a) the possession of 25 grams or less of marijuana as defined in 961.01(4) Wis. Stats and subject to the exceptions in the Wis. Stats. § 961.41(3g)(intro), is prohibited and shall be punishable as a violation of this chapter, except that any person charged with possession of more than 25 grams of marijuana, or who is previously or currently charged with possession of any amount of marijuana in the State of Wisconsin, shall not be charged under this subsection.
- (b) Drug paraphernalia. No person shall violate the provisions of Wis. Stats. § 961.573(1) or (2), 961.574(1) or (2), or 961.575(1) or (2).
- (c) Synthetic cannabinoid. No person shall possess a controlled substance specified in Wis. Stats. § 961.14(4)(tb)—(4)(ty), except that any person who is charged with possession of a controlled substance specified in Wis. Stats. § 961.14(4)(tb)—(4)(ty) following a conviction for possession of a controlled substance in this State shall not be prosecuted under this subsection.
- (d) Money collected. Any money received through enforcement of this section shall be split 50/50 between the General Fund and the DARE Program to educate and deter youth against drug and substance abuse.

If the violation of the Code is designated a:

- (1) Class A offense or Class A forfeiture:
  - a. For the first offense, a forfeiture which shall be paid to the City of not less than \$100.00 nor more than \$1,000.00, together with the costs of prosecution.
  - b. For the violation of the same provision within 24 months after committing a previous violation, a forfeiture which shall be paid to the City of not less than \$200.00 nor more than \$5,000.00 together with the costs of prosecution.
- (2) If the violation of this Code is a Class B offense or Class B forfeiture, a forfeiture of not less than \$50.00 nor more than \$1,000.00 and the costs of prosecution.
- (3) If the violation of this Code is a Class C offense or Class C forfeiture, a forfeiture of not less than \$50.00 nor more than \$500.00 and the costs of prosecution.
- (4) In the absence of a specific forfeiture or designation, a violation of this Code is a Class A offense or Class A forfeiture.

The City of La Crosse Ordinances prohibits an intoxicated person in a public place where the person is a danger to themselves or others; and/or a public nuisance; and intoxicated or incapacitated by alcohol or drug or controlled substance (Sec. 32-103 City of La Crosse Ordinances).<sup>20</sup>

### *Public Intoxication*

(a) Declaration of policy. It is the policy of the City of La Crosse to comply with Wis. Stats. ch. 51 as well as provide for the safety, welfare and health of the public while prohibiting certain harmful conduct of intoxicated persons. Nothing within this article is meant to contradict those elements proscribed under Wis. Stats. ch. 51.

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<sup>19</sup> Wisconsin Legislature: Chapter 961, docs.legis.wisconsin.gov/statutes/statutes/961.

<sup>20</sup> [Chapter 32 - OFFENSES AND MISCELLANEOUS PROVISIONS | Code of Ordinances | La Crosse, WI | Municode Library](#)

(b) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:  
Intoxicated person means a person who is presently impaired, mentally or emotionally, as a result of the presence of alcohol in the person's body. Also included is any person presently impaired, mentally or emotionally, as a result of a drug or controlled substance, as that term is defined by the Wisconsin Statutes, in the body or a combination of alcohol and such other drugs or controlled substances. Evidence of an intoxicated person shall include a combination of the following indicators:

- (1) Odor of intoxicants on the breath;
- (2) Bloodshot eyes;
- (3) Dilated pupils
- (4) Stumbling or staggering;
- (5) Slurred speech;
- (6) Failure of Standard Field Sobriety Test.

*Public nuisance* means conduct by an individual which includes engaging in obnoxious behavior, being disoriented, falling, vomiting, public urinating, acting lewdly, loudly and/or combatively or being a danger to oneself or others.

*Public place* means and includes a building or place owned or controlled by the City, a school, a place of public worship, any public street, including public sidewalk, alley, walk, or other publicly owned lands. Public place excludes the premises of a licensed alcohol establishment.

(c) Intoxicated person in public place prohibited. No person in a public place shall conduct said person so as to be:

- (1) A danger to themselves or others; and/or
- (2) A public nuisance; and
- (3) Intoxicated or incapacitated by alcohol or drug or controlled substance as defined in subsection (b) of this section.

(d) No person shall be cited under this section without first having been offered and failed the Standard Field Sobriety Test; however, a person incapable and/or having refused the Standard Field Sobriety Test may still be cited under the criteria set forth in subsection (b) of this section. No individual actively seeking medical treatment for an alcohol or other drug-related overdose will be subject to discipline for the sole violation of using or possessing alcohol. This policy shall extend to another individual seeking help for an intoxicated individual.

(e) Penalties.

(1) Persons found in violation of this section for the first time shall be provided a written warning with conditions in lieu of a citation. The warning shall be conditioned on such person attending and successfully completing an evidence-based alcohol education program sponsored by the Police Department. The failure to timely complete the alcohol education program shall result in the issuance of a citation and the prosecution of the same in the municipal court by the City. Successful and timely completion of the alcohol education program shall result in no further enforcement of the violation giving rise to the warning.

(2) The penalty for the first conviction of this section shall be a forfeiture of not less than \$150.00 plus penalty, costs and assessments, including the cost of transporting the individual to an approved treatment facility as provided for in Wis. Stats. § 51.45(11) the individual voluntarily agrees to be transported or is incapacitated so as to require transport. The second and any subsequent offense within a 12-month period shall be not less than \$400.00 plus penalty, costs and assessments, along with the cost of transporting the individual to an approved treatment facility as provided for in Wis. Stats. § 51.45(11).

(Code 1980, § 7.02(S))

#### *Mauston*

The City of Mauston Ordinances define the use of any place or premise for the purpose of consuming drugs or other illegal substances in violation of state law a public nuisance and violation under city ordinances. The penalty for violation of the ordinance is a forfeiture in the amount established by the city, and non-payment

may be punishable but up to 90 days in County Jail for a first offense and up to 6 months for second or more offenses (Sec. 24-25 and Sec. 1-71 City of Mauston Ordinances).

*Sparta*

The City of Sparta have no additional ordinances beyond adopting Wis. Stat. 961.

*Tomah*

The City of Independence have no additional ordinances beyond adopting Wis. Stat. 961.

*Viroqua*

The City of Viroqua specifically addresses the possession of drug paraphernalia under Chapter 9.41.030<sup>21</sup> - (1) No person may use, or possess with the primary intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance or controlled substance analog in violation of this chapter. Any person who violates this subsection may be required to forfeit not more than \$500 together with the costs of prosecution. (2) No person may use, or possess with the primary intent to use, drug paraphernalia to manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack or store methamphetamine or a controlled substance analog of methamphetamine in violation of this chapter. Any person who violates this subsection may be required to forfeit not more than \$500 together with the costs of prosecution. [ Ord 489, 1999; Ord 06OR006]

According to Chapter 9.41.040 - 9.41.050 the City of Viroqua prohibits the manufacture or delivery of drug paraphernalia. (1) No person may deliver, possess with intent to deliver, or manufacture with intent to deliver, drug paraphernalia, knowing that it will be primarily used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance or controlled substance analog in violation of this chapter. Any person who violates this subsection may be required to forfeit not more than \$1,000 together with the costs of prosecution. (2) No person may deliver, possess with intent to deliver, or manufacture with intent to deliver, drug paraphernalia, knowing that it will be primarily used to manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack or store methamphetamine or a controlled substance analog of methamphetamine in violation of this chapter. Any person who violates this subsection may be required to forfeit not more than \$1,000 together with the costs of prosecution. [ Ord 489, 1999; Ord 06OR006 ]

9.41.050 Delivery of drug paraphernalia to a minor. (1) Any person 17 years of age or over who violates 9.41.040 by delivering drug paraphernalia to a person 17 years of age or under who is at least 3 years younger than the violator may be required to forfeit not more than \$2,000 together with the costs of prosecution. [ Ord 489, 1999; Ord 06OR006 ]

### **III. Health Risks**

#### **A. Health Risks of Drugs**

The information in this section is taken from the U.S. Department of Justice Drug Enforcement Administration publication, *Drugs of Abuse*. Student and employees are strongly encouraged to review this publication for more detailed information regarding the health risks associated with illicit drug use and abuse.<sup>22</sup>

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<sup>21</sup> <https://viroqua-wisconsin.com/wp-content/uploads/2017/11/Viroqua-Municipal-Code-with-Zoning.pdf>

<sup>22</sup> U. S. Department of Justice Drug Enforcement Administration. *Drugs of Abuse: A DEA Resource Guide*. 2022, [Drugs of Abuse \(dea.gov\)](http://www.dea.gov)

The *Drugs of Abuse* document includes the Controlled Substance Act (C.S.A.), which regulates five classes of drugs: narcotics, depressants, stimulants, hallucinogens, and anabolic steroids. Each class has distinguishing properties, and drugs within each class often produce similar effects. However, all controlled substances, regardless of class, share a number of common features. The C.S.A. also places all substances which were in some manner regulated under existing federal law into one of five schedules. The schedule placement is based upon the substance's medical use, potential for abuse, and safety or dependence liability. Below are detailed description of the five classes of drugs:

#### **Schedule I**

- The drug or other substance has a high potential for abuse.
- The drug or other substance has no currently accepted medical use in treatment in the United States.
- There is a lack of accepted safety for use of the drug or other substance under medical supervision.
- Examples of Schedule I substances include heroin, gamma hydroxybutyric acid (GHB), lysergic acid diethylamide (LSD), marijuana, and methaqualone.

#### **Schedule II**

- The drug or other substance has a high potential for abuse.
- The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions.
- Abuse of the drug or other substance may lead to severe psychological or physical dependence.
- Examples of Schedule II substances include morphine, phencyclidine (P.C.P.), cocaine, methadone, hydrocodone, fentanyl, and methamphetamine.

#### **Schedule III**

- The drug or other substance has less potential for abuse than the drugs or other substances in Schedules I and II.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence.
- Examples of Schedule III substances are anabolic steroids, codeine products with aspirin or acetaminophen, and some barbiturates are examples of Schedule III substances.

#### **Schedule IV**

- The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule III.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III.
- Examples of drugs included in Schedule IV are alprazolam, clonazepam, and diazepam.

#### **Schedule V**

- The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule IV.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substances may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule IV.
- Examples of Schedule V include Cough medicines with codeine are examples of Schedule V drugs.

The next section is a table displaying controlled substances along with its schedule, medical use, trade or other names, physical and psychological dependency, methods of abuse, effects on the mind and body, and overdose effects.

<b>Drugs C.S.A. Schedules</b>	<b>Medical Uses</b>	<b>Trade or Other Names</b>	<b>Physical Dependency</b>	<b>Psychological Dependency</b>	<b>Methods of Abuse</b>	<b>Effects on the Mind</b>	<b>Effects on Body</b>	<b>Overdose effects</b>
<b>NARCOTICS</b>								
<b>Fentanyl</b> II	Pain Relief	Apache, China Girl, China Town, Dance Fever, Friend, Goodfellas, Great Bear, He-Man, Jackpot, King Ivory, Murder 8, and Tango & Cash			Injected, snorted, smoked, oral, and spiked into blotter paper		Relaxation, euphoria, pain relief, sedation, confusion, drowsiness, dizziness, nausea, vomiting, urinary retention, pupillary constriction, and respiratory depression	Stupor, pupillary size change, cold and clammy skin, cyanosis, coma & respiratory failure leading to death
<b>Heroin</b> I	None	Big H, Black Tar, Chiva, Hell Dust, Horse, Negra, Smack & Thunder	High	High	Injected, snorted & smoked		Drowsiness, respiratory depression, constricted pupils, nausea, a warm flushing of the skin, dry mouth & heavy extremities	Slow and shallow breathing, blue lips and fingernails, clammy skin, convulsions, coma, and possible death
<b>Hydromorphone</b> II	Pain Relief	D, Dillies, Dust, Footballs, Juice, and Smack	High	High	Ingested or injected	Euphoria, relaxation, sedation & reduced anxiety, possible changes in mood, nervousness, and restlessness	Constipation, pupillary constriction, urinary retention, nausea, vomiting, respiratory depression, dizziness, impaired coordination, loss of appetite, rash, slow or rapid heartbeat and changes in blood pressure	Respiratory depression, drowsiness progressing to stupor or coma, lack of skeletal muscle tone, cold and clammy skin, constricted pupils, and reduction in blood pressure and heart rate
<b>Methadone</b> II	Pain Relief	Chocolate Chip Cookies, Fizzies, Maria, Pastora, Salvia, & Water	High	High - Low	Oral & injected	Psychological dependency with abuse	Sweating, itchy skin, or sleepiness	Slow and shallow breathing, blue lips, stomach spasms, clammy skin, convulsions, weak pulse, coma, and possible death
<b>Morphine</b> II	Pain Relief, Antitussive	Dreamer, First Line, God's Drug, M.S., Mister Blue, Morf, and Unkie	High	High	Oral, ingested & injected	Euphoric and pain relief	Pain relief, decrease in hunger, and inhibition of the cough reflex	Cold and clammy skin, lowered blood pressure, sleepiness, slowed breathing, slow pulse rate, coma, and possible death
<b>Opium</b> II, III, IV, V	Pain Relief, Antidiarrheal	Aunti, Aunti Emma, Big O, Black Pill, Dove's Powderder, Gee, God's Medicine, Midnight Oil, O, O.P, Ope, Pox, Toxy, Toys, & Ze	High	High	Smoked, injected & ingested	Euphoric rush, relaxation and pain relief	Constipation, dry mouth, mucous membranes in nose	Slow breathing, seizures, dizziness, weakness, loss of consciousness, coma, and possible death
<b>Oxycodone</b> II	Pain relief	Hillbilly Heroin, Kicker, OC, Ox, Roxy, Perc, and Oxy			Oral, intravenous, snuffed, injected, & inhale	Euphoric and relaxation	Pain relief, sedation, respiratory depression, constipation, pupillary constriction, and cough suppression. Chronic use can lead to liver damage	Extreme drowsiness, muscle weakness, confusion, cold and clammy skin, pinpoint pupils, shallow breathing, slow heart rate, fainting, coma, and possible death

<u>Drugs C.S.A. Schedules</u>	<u>Medical Uses</u>	<u>Trade or Other Names</u>	<u>Physical Dependency</u>	<u>Psychological Dependency</u>	<u>Methods of Abuse</u>	<u>Effects on the Mind</u>	<u>Effects on Body</u>	<u>Overdose effects</u>
<b>STIMULANTS</b>								
<b>Amphetamines II</b>	Treat ADHD	Bennies, Black Beauties, Crank, Ice, Speed, and Uppers	Possible	High	Oral, injected & smoked	Chronic abuse produces psychosis that resembles schizophrenia, paranoia, picking at the skin, hallucinations, violent and erratic behavior	Increase blood pressure and pulse rates, insomnia, loss of appetite & physical exhaustion	Agitation, increased body temperature, hallucinations, convulsions & possible death
<b>Cocaine II</b>	Local anesthetic	Coca, Coke, Crack, Flake, Snow, and Soda Cot	Possible	High	Snorted, injected, & smoked		Increase blood pressure and heart rates, insomnia, loss of appetite & dilated pupils	Cardiac arrhythmias, ischemic heart conditions, sudden cardiac arrest, convulsions, strokes, and death
<b>Khat I, IV</b>	None	Abyssinian Tea, African Salad, Catha, Chat, Kat, and Oat			Chew, smoked & ingested	Grandiose delusions, paranoia, nightmares, hallucinations, hyperactivity, & depression	Increase in blood pressure and heart rate, stain teeth, insomnia, and gastric disorders along with physical exhaustion	Delusions, loss of appetite, difficulty with breathing, and increases in both blood pressure and heart rate
<b>Methamphetamine II</b>	Treat ADHAD and Obesity	Batu, Chalk, Chicken Feed, Crank, Crystal, Glass, Ice, Meth, Tina, Trash	...		Ingested, snorted, injected, & smoked	Violent behavior, anxiety, confusion, insomnia, paranoia, aggression, hallucinations, blood disturbances and delusions	Increase wakefulness, increased physical activity, decreased appetite, rapid breathing and heart rate, irregular heartbeat, increased blood pressure, and hyperthermia	death from stroke, heart attack, or multiple organ problems
<b>DEPRESSANTS</b>								
<b>Barbiturates II, III, IV</b>	Central nervous system depression, sedatives, hypnotics, anesthetics, and anticonvulsants	Barbs, Christmas Trees, Goof Balls, Pinks, Red Devils, Reds & Blues, and Yellow Jackets	High - Moderate	High - Moderate	Ingestion, & injection	Mild euphoria, lack of inhibition, relief of anxiety and sleepiness	Slow down the central nervous system and causes sleepiness	Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, and possible death
<b>Benzodiazepines IV</b>	Relieve anxiety and muscle spasms, and reduce seizures	Benzos and Downers	Low	Low	Oral, & snorted	Amnesia, hostility, irritability, and vivid or disturbing dreams	Slow down the central nervous system and may cause sleepiness	Shallow respiration, clammy skin, dilated pupils, week and rapid pulse, coma and possible death
<b>GHB I, III</b>	Body building, fat loss, baldness, improved eyesight, and combat aging, depression, drug addiction and insomnia	Easy Lay, G, Georgia Home Boy, G.H.B., Goop Grievous Bodily Harm, Liquid Ecstasy, Liquid X, and Scoop	...			Euphoria, drowsiness, decreased anxiety, confusion and memory impairment	Unconsciousness, seizures, slowed heart rate, greatly slowed breathing, lower body temperature, vomiting, nausea, coma, and death. Regular use can cause insomnia, anxiety, tremors, increased heart rate and blood pressure, and occasional psychotic thoughts	Overdose can cause death
<u>Drugs C.S.A. Schedules</u>	<u>Medical Uses</u>	<u>Trade or Other Names</u>	<u>Physical Dependency</u>	<u>Psychological Dependency</u>	<u>Methods of Abuse</u>	<u>Effects on the Mind</u>	<u>Effects on Body</u>	<u>Overdose effects</u>

<b>Rohypnol</b>	<b>IV</b>	Outside of the U.S., used for anti-anxiety, muscle relaxant and treating insomnia	Circles, Forget Pill, La Rocha, \$2, Rynolds, Roach, Roofies, Ropies, Wolfies	...		Ingested, snorted, injected, & smoked	Drowsiness, sleep, decreased anxiety, and amnesia	Slurred speech, loss of motor coordination, weakness, headache, and respiratory depression	Sedation, unconsciousness, slow heart rate, and suppression of respiration that may result in death
<b>HALLUCINOGENS</b>									
<b>Ecstasy/MDMA</b>	<b>I</b>		Adam, Beans, E, Ecstasy, Eve, Go, Lover's Speed, MDMA, Peace, S.T.P., X, & XTC	...		Ingestion, snorted, & smoked	Confusion, anxiety, depression, paranoia, sleep problems, and drug craving	Muscle tension, tremors, involuntary teeth clenching, muscle cramps, nausea, faintness, chills, sweating, and blurred vision	Increased body temperature resulting in liver, kidney, and cardiovascular system failure, and death
<b>Ketamine</b>	<b>III</b>	Anesthetic	Cat Tranquilizer, Cat Valium, Jet K, Kit Kat, Purple, Special K, Super K, & Vitamin K	Moderate - Low	High	Snorted, smoked, & injected	Hallucinations, distorts perceptions of sight and sound	Initial increase heart rate and blood pressure, involuntarily rapid eye movement, dilated pupils, salivation, tear secretions, and stiffening of the muscles	unconsciousness and dangerously slowed breathing
<b>LSD</b>	<b>I</b>	None	Acid, Blottter Acid, Dots, Mellow Yellow, and Window Pane			Ingested	Hallucination, impaired depth and time perception, distorted perception of shape and size of objects, movements, colors, sound, touch and own body image	Dilated pupils, higher body temperature, increased heart rate and blood pressure, sweating, loss of appetite, sleeplessness, dry mouth and tremors	Longer, more intense episodes, psychosis, and possible death
<b>Peyote &amp; Mescaline</b>	<b>I</b>	None	Buttons, Cactus, Mesc, and Peyoto			Chewed, ingestion, & smoked	Illusions, hallucinations, altered perception of space and time, and altered body image	Intense nausea, vomiting, dilating of pupils, increased heart rate, increased blood pressure, a rise in body temperature, headaches, muscle weakness, and impaired motor coordination	
<b>Psilocybin</b>	<b>I</b>	None	Magic Mushrooms, Mushrooms, and Shrooms	Low	Low	Ingested	Hallucinations, inability to discern fantasy from reality, panic reactions and psychosis in large dose	Nausea, vomiting, muscle weakness, and lack of coordination	Longer, more intense episodes, psychosis, and possible death
<b>MARIJUANA/CANNABIS</b>									
<b>Marijuana Concentrates</b>	<b>I, III</b>	None for I, III use for control of nausea and vomiting in aids patients		Unknown	Moderate	Smoked and mixed with food or brewed as tea	Effects memory, distorted perception, difficulty in thinking and problem-solving, and loss of coordination. Enhanced sensory perception, disinhibition, relaxation, dizziness, time distortions	Sedation, bloodshot eyes, increased heart rate, coughing from lung irritation, increased appetite, and decreased blood pressure	No deaths from overdose of marijuana have been reported

<b>Drugs C.S.A. Schedules</b>	<b>Medical Uses</b>	<b>Trade or Other Names</b>	<b>Physical Dependency</b>	<b>Psychological Dependency</b>	<b>Methods of Abuse</b>	<b>Effects on the Mind</b>	<b>Effects on Body</b>	<b>Overdose effects</b>
<b>Marijuana Concentrates THC</b>		710 (the word "OIL" flipped and spelled backwards), wax, ear wax, honey oil, budder, butane hash oil, butane honey oil (BHO), shatter, dabs (dabbing), black glass, and errl			Mixing it with food and drink, & smoked	Long term effects of marijuana concentrate use are not yet fully known	Paranoia, anxiety, panic attacks, and hallucinations. Additionally, the use of plant marijuana increases one's heart rate and blood pressure, although prolonged use can produce hypotension. Plant marijuana users may also experience withdrawal and addiction problems	
<b>STEROIDS</b> III	treat testosterone deficiency, delayed puberty, low red blood cell count, breast cancer, and tissue wasting from AIDS	Arnolds, Juice Pumpers, Roids, Stackers, and Weight Gainers	Yes	Yes	Ingested, injected or applied to skin	Cause mood or behavior effects	A wide range of adverse effects is associated with the use or abuse of anabolic steroids. These effects depend on the following factors: age, sex, the steroid used, amount used, and duration of use.	Anabolic steroids are not associated with overdoses. The adverse effects is from use over time
<b>VAPING</b>		E-cigs, e-hookahs, mods, vape pens, vapes, tank systems, and Juuls or Juuling (after the Juul brand of vaping devices).				Vaping is not considered safe, especially for teens and young adults, since the adolescent brain is still developing and inhaling any substance through these devices may be harmful.	Burns or other injuries, if the device explodes. Release of a number of potentially toxic substances including metals and volatile organic compounds from the devices and solvents used. Some of these have been linked to cell and DNA damage. Inhaling the heated air and contents has been shown to burn lung tissue.	
<b>INHALANTS</b>		Gluey, Huff, Rush, and Whippets			Inhalants are breathed in through the nose or mouth	Inhalant abuse can cause damage to the parts of the brain that control thinking, moving, vision, and hearing. Cognitive abnormalities can range from mild impairment to severe dementia.	Inhaled chemicals are rapidly absorbed through the lungs into the bloodstream and quickly distributed to the brain and other organs. Nearly all inhalants produce effects similar to anesthetics, which slow down the body's function. Depending on the degree of abuse, the user can experience slight stimulation, feeling of less inhibition, or loss of consciousness.	Because intoxication lasts only a few minutes, users try to prolong the high by continuing to inhale repeatedly over the course of several hours, which is a very dangerous practice. With successive inhalations, users may suffer loss of consciousness and/or death.

<u>Drugs C.S.A. Schedules</u>	<u>Medical Uses</u>	<u>Trade or Other Names</u>	<u>Physical Dependency</u>	<u>Psychological Dependency</u>	<u>Methods of Abuse</u>	<u>Effects on the Mind</u>	<u>Effects on Body</u>	<u>Overdose effects</u>
<b>DESIGNER DRUGS</b>								
<b>Bath Salts</b>		Bliss, Blue Silk, Cloud Nine, Drone, Energy-1, Ivory Wave, Lunar Wave, Meow Meow, Ocean Burst, Pure Ivory, Purple Wave, Red Dove, Snow Leopard, Stardust, Vanilla Sky, White Dove, White Knight, White Lightning			ingested by sniffing/snorting. They can also be taken orally, smoked, or put into a solution and injected into veins	These synthetic substances are abused for their desired effects, such as euphoria and alertness. Other effects that have been reported from the use of these drugs include psychological effects such as confusion, acute psychosis, agitation, combativeness, aggressive, violent, and selfdestructive behavior; as well as paranoia, hallucinations, and delusions.	Adverse or toxic effects associated with the abuse of cathinones, including synthetic cathinones, include rapid heartbeat; hypertension; hyperthermia; prolonged dilation of the pupil of the eye; breakdown of muscle fibers that leads to release of muscle fiber contents into bloodstream; teeth grinding; sweating; headaches; palpitations; seizures.	In addition to effects above, reports of death from individuals abusing drugs in this class indicate the seriousness of the risk users are taking when ingesting these products.
<b>K2/SPICE</b>		"Spice, K2, Blaze, RedX Dawn, Paradise, Demon, Black Magic, Spike, Mr. Nice Guy, Ninja, Zohai, Dream, Genie, Sence, Smoke, Skunk, Serenity, Yucatan, Fire, Skooby Snax, and Crazy Clown		yes	smoking (using a pipe, a water pipe, or rolling the drug-laced plant material in cigarette papers)	Acute psychotic episodes, dependence, and withdrawal are associated with use of these synthetic cannabinoids. Some individuals have suffered from intense hallucinations. Other effects include severe agitation, disorganized thoughts, paranoid delusions, and violence	tachycardia (elevated heart rate), elevated blood pressure, unconsciousness, tremors, seizures, vomiting, hallucinations, agitation, anxiety, pallor, numbness, and tingling.	Severe adverse effects have been attributed to the abuse of synthetic cannabinoids, including nausea, vomiting, agitation, anxiety, seizures, stroke, coma, and death by heart attack or organ failure. Acute kidney injury requiring hospitalization and dialysis
<b>SYNTHETIC OPIOIDS</b>					Tablets that mimic pharmaceutical opioids.		relaxation, euphoria, pain relief, sedation, confusion, drowsiness, dizziness, nausea, vomiting, urinary retention, pupillary constriction, and respiratory depression.	stupor, changes in pupillary size, cold and clammy skin, cyanosis, coma, and respiratory failure leading to death
<b>DRUGS of CONCERN</b>								
<b>DXM</b>	Cough suppressant	CCC, Dex, DXM, Poor Man's PCP, Robo, Rojo, Skittles, Triple C, and Velvet			Syrup, tablets, capsules, or powder	Confusion, inappropriate laughter, agitation, paranoia, euphoria, and hallucinations	Over-excitability, lethargy, loss of coordination, slurred speech, sweating, hypertension, nausea, vomiting, and involuntary spasmodic movement of the eyeballs	

<u>Drugs C.S.A. Schedules</u>	<u>Medical Uses</u>	<u>Trade or Other Names</u>	<u>Physical Dependency</u>	<u>Psychological Dependency</u>	<u>Methods of Abuse</u>	<u>Effects on the Mind</u>	<u>Effects on Body</u>	<u>Overdose effects</u>
Kratom					Tablet, capsule, or extract. Ingested as a tea or chewed.	increased alertness, physical energy, and talkativeness.	nausea, itching, sweating, dry mouth, constipation, increased urination, tachycardia, vomiting, drowsiness, and loss of appetite.	
Salvia Divinorum		Maria Pastora, Sally-D, and Salvia			Chewed, smoked or vaporized.	Psychic effects include perceptions of bright lights, vivid colors, shapes, and body movement, as well as body or object distortions. Salvia divinorum may also cause fear and panic, uncontrollable laughter, a sense of overlapping realities, paranoia, and hallucinations.	<b>Loss of coordination, dizziness, and slurred speech</b>	

## **B. Health Risks of Alcohol**

Alcohol affects every organ in the body and can lead to many immediate and long-term health risks. Intoxication can impair brain function and motor skills; thus immediate health risk can range from a simple fall to overdose on Alcohol. Research has shown that heavy long-term use can increase the risk of certain cancers, stroke, and liver disease. It can also lead to alcoholism or alcohol dependence, a pattern of drinking that results in harm to one's health, interpersonal relationships, or ability to work.

The short-term and long-term alcohol health risks below are taken directly from the Centers for Disease Control.

### **Short-Term Health Risks**

Excessive alcohol use has immediate effects that increases the risk of many harmful health conditions. These are most often the result of binge drinking and include the following:

- Injuries, such as motor vehicle crashes, falls, drownings, and burns.
- Violence, including homicide, suicide, sexual assault, and intimate partner violence.
- Alcohol poisoning, a medical emergency that results from high blood alcohol levels.
- Risky sexual behaviors, including unprotected sex or sex with multiple partners. These behaviors can result in unintended pregnancy or sexually transmitted diseases, including H.I.V.
- Miscarriage and stillbirth or fetal alcohol spectrum disorders (FASDs) among pregnant women.

### **Long-Term Health Risks**

Over time, excessive alcohol use can lead to the development of chronic diseases and other serious problems including:

- High blood pressure, heart disease, stroke, liver disease, and digestive problems.
- Cancer of the breast, mouth, throat, esophagus, liver, and colon.
- Learning and memory problems, including dementia and poor school performance.
- Mental health problems, including depression and anxiety.
- Social problems, including lost productivity, family problems, and unemployment.
- Alcohol dependence, or alcoholism.<sup>23</sup>

By not drinking too much, you can reduce the risk of these short- and long-term health risks.

For more information on how Alcohol effects your body, visit the National Institute on Alcohol Abuse and Alcoholism website.<sup>24</sup>

## **IV. Drugs and Alcohol Programs and Resources**

**Self-Assessment Tool, Online Tool for Alcohol Screening** is a free resource that helps individuals assess their own alcohol consumption patterns to determine if their drinking is likely to be harming their health or increasing their risk for future harm.<sup>25</sup>

Employees and/or students seeking assistance in dealing with Alcohol or other substance use/abuse are encouraged to use resources available to them, such as seeking the assistance from the Employee Assistance Program (605-775-4780

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<sup>23</sup> "CDC - Fact Sheets-Alcohol Use And Health - Alcohol." *Centers for Disease Control and Prevention*, Centers for Disease Control and Prevention, [www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm](http://www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm).

<sup>24</sup> "Alcohol's Effects on the Body." *National Institute on Alcohol Abuse and Alcoholism*, U.S. Department of Health and Human Services, 6 June 2019, [www.niaaa.nih.gov/alcohols-effects-body](http://www.niaaa.nih.gov/alcohols-effects-body).

<sup>25</sup> "Alcohol Screening." *AlcoholScreening.org | How Much Is Too Much?*, [www.alcoholscreening.org/Home.aspx](http://www.alcoholscreening.org/Home.aspx).

or 800-327-9991) for employees or Counseling and Case Management Services for students. Private and confidential short-term counseling for students is free of charge and available at all campuses and is available to assist with referrals to an appropriate resources or rehabilitation program, if desired.<sup>26</sup>

Although the college has no relationship with the following resources, the following is a partial list of community alcohol and drug resources and services for Western students and employees:

- **Human Services Department** – La Crosse County
  - 608-784-HELP (785-4357) – A 24 hour crisis line that connects individuals to emergency resources
- **Gundersen Health Systems Behavioral Health** – Tomah, WI
- **Gundersen Health Systems Behavioral Health** – Viroqua, WI
- **County Health Department** – Monroe County
- **Department of Human Services** – Juneau County
- **NAMILaCrosseCounty.org** – A non-profit dedicated to not only improving the lives of individuals and mental illness but the entire family
- **Area 75** – Alcoholics Anonymous in Southern Wisconsin
- **Rave\* Recovery Avenue** – Emphasizing the power of self. Rave is an accepting place staffed by peers who are in mental health recovery.
- **Coulee Council on Addictions** (La Crosse) – Provides confidential assistance, information, education, and services to people of all ages dealing with substance abuse and other addictions
- **Driftless Recovery Services** – Provides compassionate and confidential therapy solutions, from individual and group therapy to outpatient care and intervention services
- **Hiawatha Valley Mental Health Center** – Strives to bring exceptional behavioral health support to the community
- **Tellurian, Inc.** – A non-profit agency providing services relating to substance abuse, addictions and mental illness
- **Innervisions Counseling & Consulting Center** – Baraboo, WI – A client centered agency focused on exploring, expanding and developing client's inner strengths in order to manage life's challenges
- **Al-Anon** – 12-step support groups for family members of alcoholics
- **Alcoholics Anonymous** – 12-step support groups for people who want to quit drinking. These steps focus in part on the acceptance of powerlessness over the substance (or behavior), and on the idea of turning to a higher power for direction and support.
- **Faces and Voices of Recovery** – Advocacy for people in recovery
- **Marijuana Anonymous** – 12-step support groups for people who want to quit use of marijuana
- **Narcotics Anonymous** – 12-step support groups for people who want to quit drug use
- **Self-Management and Recovery Training** – Secular alternative to 12-step groups that focuses on distinguishing between rational and irrational thoughts and feelings. This approach does not refer to a higher power, does not use steps, and does not expect any particular number of meetings to attend.
- **Recovery.org** – Resource site about different aspects of addiction and recovery

To find support services outside of the Western area, visit the National Institute on Alcohol Abuse and Alcoholism website.

## **V. Disciplinary Sanctions**

Western Technical College will impose disciplinary sanctions on students and employees (consistent with local, state and federal law) for violations of the standards of conduct described in the Standards of Conduct section. Sanctions range from verbal warning up to and including expulsion for students or termination for employees. Sanctions may also include referral for prosecution or referral to an appropriate rehabilitation program.

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<sup>26</sup> "Employee Assistance Program (EAP)." *Gundersen Health System*, [www.gundersenhealth.org/eap](http://www.gundersenhealth.org/eap).

To ensure a safe and effective learning and work environment, the College may conduct drug or alcohol testing for students and employees at any given time with individualized suspicion, unless otherwise prohibited by federal or state law.

#### A. Employee Sanctions

Western Technical College will impose disciplinary sanctions on employees for violations of Western's code of conduct. College employees will be subject to disciplinary sanctions, up to and including termination from employment, for violation of these provisions occurring on College property or the work site or during work time. In addition to discipline, or in lieu of it, employees may be referred to appropriate counseling or treatment programs. Referral for prosecution under criminal law is also possible.

Employees convicted of any criminal drug statute violation occurring in the workplace must notify their dean, director, supervisor or designee within five days of the conviction if they are employed by the college at the time of the conviction.

For violations of Western's policies and procedures, an employee shall be subject to sanctions up to and including termination. More than one sanction may be imposed for any single violation. Sanctions are progressive in nature. Disciplinary action for the same or different offenses shall progress in the following manner:

1. **Verbal warning:** Verbal statement to employee that he/she has violated a policy and/or regulation and that such violation may not continue.
2. **Written reprimand:** Formal notification in writing to employee that he/she has violated a policy and/or regulation.
3. **Performance Improvement Plan:** Formal documentation stating any recurring performance issues along with goals that an employee needs to achieve in order to regain good standing at the company (along with specific timeline to complete the plan).
4. **Suspension:** Loss of work and wages for a specific number of hours or days, but not for more than one work week, depending on the severity of the offense. Notice of suspension is provided to the employee in writing.
5. **Administrative Leave:** Temporary leave from a job assignment, with pay and benefits intact.
6. **Termination:** The employer/employee relationship is severed.
7. **Other Sanctions:** Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Director of Human.

#### B. Student Sanctions

Sanctions that may be imposed for violations of the standards of conduct for students align with the Student Code of Conduct Procedure (E0700p). Sanctions may be imposed upon any student or student organization found responsible for any violation of the Student Code of Conduct including use, possession, or distribution of alcoholic beverages, drugs, controlled substances or paraphernalia; or being under the influence of Alcohol or drugs while on Western premises, conducting College business, or participating in College-sponsored events or activities. More than one sanction may be imposed for any single Code violation. Sanctions are not progressive in nature.

1. **Warning:** an official written notice stating the responding party has violated Western policies and/or rules, and that more severe conduct action will result should the person or organization be involved in other violations while enrolled at Western.
2. **Non-academic Probation:** a designated period of time in which the respondent is not considered in good standing with the College, and subsequent policy violations may result in more severe student conduct actions, up to and including suspension or expulsion from Western. Additional restrictions on membership in organizations or activities may apply for those on probationary status.

3. **Restriction:** revocation or restriction of privileges of participation in activities or use of some but not all Western facilities for a specified period of time. The parameters of the restriction will be outlined in the student conduct decision.
4. **Restitution:** compensation for the loss, damage, or injury caused by the respondent which may take the form of appropriate service, monetary compensation, or material replacement. This is not a fine but, rather, a repayment for labor costs and/or value of property destroyed, damaged, consumed or stolen.
5. **Community Service:** completion of a specified number of hours of service to a specific Western service or approved community partner.
6. **Fines:** reasonable fines may be imposed.
7. **Behavioral Requirement:** formal written agreement regarding behavior and/or interventions.
8. **Administrative Referral:** a mandatory referral to another campus office/department or off campus resource to address concerns regarding a particular behavior or need and /or assessments.
9. **Confiscation of Prohibited Property:** items whose possession or presence is a violation of College or residence hall policies may be confiscated. Prohibited items may be returned to the owner at the discretion of the Dean of Students or Student Life Coordinator.
10. **Educational Program:** requirement to attend, present and/or participate in a program or activity related to the violation.
11. **Residence Hall Probation:** a designated period of time in which a student that is housed in the Western Residence Hall is considered not in good standing and subsequent policy violations may result in more severe sanctions, up to and including cancellation of housing contract.
12. **Housing Reassignment:** reassignment to another space within the residence hall.
13. **Residence Hall Suspension:** removal from Western Residence Hall for a specified period of time after which the student is eligible to return. Conditions for re-admission may be specified and may include restrictions.
14. **Cancellation of Housing Contract:** permanent removal from Western Residence Hall. This sanction may include a trespass action.
15. **Suspension from College:** separation from Western for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfactory completion of specific conditions noted at the time of suspension. This sanction may be enforced with a trespass and/or no contact action.
16. **Expulsion:** permanent separation from Western Technical College. Respondent is banned from College property and is prohibited from attending any College sponsored activity or event. This sanction may be enforced with a trespass and/or no contact action.
17. **Eligibility Restriction:** student is deemed "not in good standing" with the College for a specified period of time. The Dean of Students may grant specific limitations or exceptions. Terms of this conduct sanction may include, but are not limited to, the following:
  - a. Ineligibility to hold any office in any student organization recognized by Western or hold an elected or appointed office at Western Technical College; or
  - b. Ineligibility to represent Western to anyone outside the College community in any way including: participating in the study abroad program, attending conferences, or representing Western at an official function, event or intercollegiate competition as a player, manager or student coach, etc.
18. **Other Sanctions:** additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Dean of Students or designee.

Parental Notification:

Western reserves the right to notify parents or guardians of students when the students have committed serious or repeated violations of College policies, local, state and/or federal laws related to the drug and alcohol codes of conduct. Parental notification may be utilized discretionarily by administrators when permitted by FERPA or consent of the student.

Outcomes of any student conduct action is part of the educational record of the responding party and is protected from release under FERPA, except under certain conditions. As allowed by FERPA, Western will inform the impacted party in writing of the results of any action involving allegations that constitute a "crime of violence" or sexual misconduct. Such

notifications may include the name of the responding student, the violation committed, and the sanction(s) assigned (if applicable).

## **VI. Education & Prevention Programs**

### **New Student Orientation (Welcome Week)**

A general overview of alcohol facts and consequences are presented along with Western's Alcohol and Other Drug policies and resources.

### **Social Norming Posters**

#### *Offered All Year*

- “*You Wouldn’t Leave Your Cell Phone, Don’t Leave Your Friend*” posters were posted throughout the college.
- NCHA data used in a Social Norms campaign to correct misperceptions about Western students’ drug and alcohol use.

#### *Posters*

- Provided by Safe La Crosse Campaign, featuring the reminder slogan “*You Wouldn’t Leave Your Cell Phone, Don’t Leave Your Friend*.”

### **Community Assistant Training**

#### *Late August*

Provide overview of role as AODA educator and opportunities for partnership for AODA related programming for residence hall students. Also provided community assistants a list of upcoming events for the year, AODA resources on campus and within the community.

### **Oktoberfest Program**

#### *Late September*

The week leading up to and the week of Oktoberfest, a fun video full of different clips and songs regarding the consumption of Alcohol gets played around the lunch hour in the Student Union. The video uses humor, facts, and emotions to inform, educate, and remind students about the consequences of high-risk drinking behavior with a message focusing on personal responsibility and safety for friends and oneself.

### **Tap-a-Keg Program**

#### *Late September*

Offer free root beer and soft pretzel for students. Promote E-Check-Up-To-Go at Western.

### **Oktoberfest 3<sup>rd</sup> Street Aid Station**

#### *Late September*

AODA Specialist works with Western’s Operation River Watch Volunteer Coordinator to organize Students to volunteer at the 3<sup>rd</sup> Street Aid Station during the first weekend of Oktoberfest to keep the community safe.

### **Beer, Brats with the Baseball Team**

#### *Late September/Early October*

Collaborated with Western’s Baseball Team to offer free root beer and hotdogs for students. Promoted E-Check-Up-To-Go at Western and promoted Alcohol Awareness Month educational programs.

### **Wellness Fair**

#### *Mid October*

AODA Committee stations a booth at the Wellness and Involvement Fair. The AODA booth includes a display board with educational pamphlets and resources for all Western students and staff who come through the Wellness Fair. There is an effort to consider keynote speakers who can address AODA topics.

## **Alcohol Awareness Week Program**

### *Third Week of October*

Alcohol facts and message gets posted on whiteboard in the Student Union all week. Educational tri-fold, educational pamphlets, pens, water bottles, and Sam Spadey safety cards are on display and provided for distribution.

Interactive programs provided during Alcohol Awareness Week include:

- Spin the Bottle: Sex, Lies & Alcohol video
- Goggle Games
- Poster Series
- Alcohol Screening

## **Holiday Social**

### *First Week of December*

Students and staff enjoy holiday drinks and desserts and get a chance to relax and hangout with other people. AODA Trivia and games are offered for students to participate and learn. The following educational materials is available:

- Brochures with safety tips regarding responsible hosting ideas for planning safe and enjoyable parties during the holiday.
- Dangers of drunk driving.
- Dealing with family members who are in recovery during the holidays.

## **Safe Drinking Program for Residence Hall**

### *Offered every Fall Term and Spring Term*

Worked with Resident Assistant to present a program on healthy and safe drinking tips for Western's residence hall students. Had students use the drunk goggles to simulate blurred vision as they played Mario Cart. In addition, pizza was provided for dinner, blood alcohol content level and effects were displayed around the room for students to view and AODA educational brochures were handed out.

## **Something Tasty with Campus Safety**

### *Fall Term*

The AODA Committee organized an informal meet and greet event for staff and students to get to know Western's Campus Security staff and ask questions. Donuts were served.

## **Operation River Watch**

### *Offered All Year*

Operation River Watch meets multiple times each semester to organize volunteer weekends between UW-La Crosse, Viterbo University, and Western Technical College. The student leaders/coordinators continue to divide up the weekend dates more evenly amongst the three schools.

Western Operation River Watch Volunteer Coordinator, a Western student, works with the AODA Specialist, the AODA Committee, and Student Government to get out the word and organize student volunteers for Western's weekend nights.

## **Classroom Presentations by AODA Specialist**

### *Offered All Year*

Provided upon request of faculty and staff. The consistent classes that have requested presentations are the first year seminar, Foods Program, and the Health and Wellness Today classes. Historically, there are three to five classroom presentations per term.

## Tobacco Free Work Group

### Ongoing Work Group

The work group meets bi-monthly to do educational programs, promote cessation resources, do policy reminders and address issues and concerns that arise. The group's main project during the fall term was putting on the "Great American Smoke-Out" program where we had a photo essay contest and handed out cessation resources. During the spring term, the group planned an all campus clean-up day, which other regional learning locations also took part in. Volunteers who helped picked up cigarette butts were given a free t-shirt. The tag line and theme changes year-to-year base on the student group.

## E-Check-Up-To-Go at Western

### Consistent Online Program/Assessment Opportunity

E-Check-Up is an online survey that provides personalized feedback to each student, and provides feedback about their own:

- Individual Drinking Patterns
- Specific Health & Personal Consequences
- Unique Personal & Family Risk Factors
- Campus & Community Support and Emergency Services

The Program's primary goals are to:

- Reduce levels of dangerous and destructive drinking on college campuses with a special focus on two high-risk groups.
- Strengthen a culture of safety & health by reducing harm and providing customized links and information about your campus and local community resources.

## Heroin & Illicit Drug Display

### Consistent Community Workgroup

Displayed information regarding Heroin and Illicit Drugs. Highlighted community statistics and local resources were provided about where to get help. The display is a passive program that is put out once per term.

## Campus Resources

<b>Well Rounded</b> <ul style="list-style-type: none"><li>▪ 608-789-6276</li></ul>	<b>Counseling Services</b> <ul style="list-style-type: none"><li>▪ 608-785-9553</li></ul>
<b>Student Health Center</b> <ul style="list-style-type: none"><li>▪ 608-785-8558</li></ul>	<b>Veterans Services</b> <ul style="list-style-type: none"><li>▪ 608-785-9436</li></ul>
<b>Access Services</b> <ul style="list-style-type: none"><li>▪ 608-785-9875</li></ul>	<b>Project PROVEN</b> <ul style="list-style-type: none"><li>▪ 608-785-9267</li></ul>

## VII. DAAPP Distribution Methods and Process

Western's DAAPP is distributed to all employees and enrolled students annually through a variety of distribution methods, including: 1) to employees at initial hire; 2) to all employees via college email or in person to remaining employees who do not have email access; and 3) to currently enrolled students each term via official student e-mail notification, or in person to students who do not have email access.

Care is taken in the distribution to ensure that access to this information is afforded to all employees and staff. The DAAPP is also available for review online at Western's website and a direct link is provided in the Student Handbook (available both online and in hard copy format). Hard copies of the DAAPP and Biennial Review may be obtained at the Student Life Office (Room 100 in the Kumm Center) or by calling 608-785-9445.

## **VIII. Western's Biennial Review**

In the summer of 2022 Western was able to conduct an official Biennial Review of Western's DAAPP as outlined by the federal requirements.

Western's biennial review of our Drug and Alcohol Abuse Prevention Program (DAAPP) was done with the following objectives:

- To determine the effectiveness of our *Drug-Free Campus* program and to implement any recommended changes from the review process. Which involves the review of policies, programs, and educational efforts;
- To assess the process of distribution of Western's DAAPP; and
- To assess whether sanctions were enforced consistently.

The following information was examined for the biennial review:

- Western's Alcohol and drug policies and information that were provided to students and staff within Western's DAAPP and the sanctions imposed for those violations
  - C0104 Drug-Free Workplace Employee Policy
  - C0105 Alcohol and Drug Policy for Employees and Students
  - C0105p Alcohol Serving and Use on Campus
  - E0708 Student Drug and Alcohol Testing Policy
  - E0708p Procedures for Implementing Student Drug and Alcohol Testing
  - F0400 Tobacco Free Environment
  - F0400p Procedures for Implementing and Maintaining Tobacco-Free Campus
  - Residence Hall AODA Policies
  - Student Organization Handbook
  - Student Handbook (Student Planner)
  - Annual Securities Report from 2021
- Data and other Documents
  - Drug and alcohol Incident by Western students that were reported to the college and local law enforcement
    - AODA incidents and sanctions from Western Residence Hall, 2020-2022
    - AODA incidents and sanctions from all students (Non-Residence Hall), 2020-2022
  - Drug and alcohol Incident by Western employees that were reported to the college's Human Service department
  - E0700 Student Code of Conduct
  - Western's Sanctioning Guidelines (within E0700p Student Code of Conduct Procedure)
  - Residence Hall Sanctioning Guidelines
  - Western's 2020 NCHA data and Executive Summary
  - Western Counseling Department's AODA Intake Question results
  - Western's 2020-2022 E-check-up-to-go Alcohol Data
- College and community resources available to students and employees regarding drug and alcohol abuse
- Western's DAAPP distribution process and practice

Under the guidance of the Dean of Students from the Student Life Office, Western's Alcohol and Other Drug (AODA) Workgroup organized personnel from appropriate departments within the college to act as the review body. Student leaders from Student Government were also invited to join the review body.

**The Biennial Review Committee for 2022 consisted of the following individuals:**

Kari Reyburn, Interim Vice-President of Student Services & Engagement

Shelley McNeely, Dean of Students

De Anne Otto, Manager of Purchasing & Accounts Payable (Risk Management)

Jerome Martin, Security Coordinator

Ryan Monroe, Wellness Center Manager / Athletic Director

Megan Hoffman, Manager - Employment, Compensation & Compliance (Human Resource)

Katrina Rotar, Non-Clinical Case Manager (Counseling)

Leah Durnin-Hoover, Student Life Specialist / Residence Hall Director

Perla Donjuan-Gonzales, Student Body President

David Jesus Gonzales, Student Vice-President

Sally Fieber, Student Press-Secretary

Ge Vang, Student Activities / AODA Specialist (AODA Workgroup / Biennial Review Chair)

This biennial review report covers 2020-2022. The next biennial review is scheduled for 2024. For copies of the report, submit written request to:

*Student Life Office  
Western Technical College  
400 North Seventh St.  
La Crosse, WI 54601*

## **IX. Penalty for Violations**

### **Employee**

Compliance with this policy is a condition of continued employment. If an employee violates any aspect of this policy, the College will take appropriate disciplinary action, up to and including discharge. Furthermore, the employee may be required to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purpose by federal, state or local health, law enforcement, or other appropriate agency.<sup>27</sup>

### **Students**

Students who violate Western's DAAPP policy may be subject to disciplinary action and/or referral to law enforcement officials for prosecution under specific state, federal, or local laws.

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<sup>27</sup> "Policies and Procedures." *C0104 Drug-Free Workplace Employee Policy*, [info.westerntc.edu/sites/Policies/Pages/C0104.aspx](http://info.westerntc.edu/sites/Policies/Pages/C0104.aspx).

## **Appendix 1**

# **C0105 Alcohol and Drug Policy for Employees and Students**

The College is committed to maintaining a drug-free learning and work environment. The College Board and employees recognize that the abuse of Alcohol and other drugs interferes with a person's ability to learn and work, and increases the risk of accidents and serious health problems.

While on College premises, conducting College business, or participating in College-sponsored events or activities, no employee, student, partner or guest shall possess, store, use, sell, distribute, solicit, purchase or manufacture drugs, drug paraphernalia, or Alcohol. This prohibition applies to all College sites and facilities, including leased property and clinical sites. All students and employees are prohibited from being under the influence of Alcohol or drugs while on College premises, conducting College business, or participating in College-sponsored events or activities.

For the purposes of this policy, the term "drugs" means any controlled substances and any other substances that cause or result in intoxication or discernibly altered states of mood or mind, including unregulated substances intentionally used in order to produce intoxication or discernibly altered states of mood or mind. The term "drugs" includes any "look alike" substances which are intended to resemble or be mistaken for drugs, as defined by this policy. The term "drugs" does not include substances possessed or used by an employee or student pursuant to the employee's or student's valid prescription.

The legal use of drugs prescribed by a medical professional for the employee is permitted on the job only if it does not impair an employee's ability to perform the essential functions of his or her job in a safe manner. The College may conduct drug or alcohol testing for students and employees at any given time with individualized suspicion, unless otherwise prohibited by federal or state law.

Employees and/or students seeking assistance in dealing with Alcohol or other substance use/abuse are encouraged to use resources available to them, such as seeking the assistance from the Western Alcohol and Drug Abuse counselor, Employee Assistance Program, or referral to an appropriate rehabilitation program where possible.

The College and the Wisconsin Technical College System Board policy forbid the expenditure of tax dollars and/or student activity fees for alcoholic beverages. The advertising of alcoholic beverages is prohibited on College property and in College publications.

Exceptions to this policy may be made by the College President or his/her designee only. Violators of this policy may be subject to disciplinary action and/or referral to law enforcement officials for prosecution under specific state, federal, or local laws.

This policy is adopted in accordance with the 1989 Wisconsin Act 121, the Drug-Free Schools and Community Acts Amendments of 1989 (Public Law 101-226), and Wisconsin State Statute, Chapter 961, Uniform Controlled Substances Act.

*Revised January 17, 2012*

*Revised June 21, 2005*

*Reviewed December 21, 2004*

*Reviewed March 11, 1993*

*Adopted September 18, 1990*

Reference Procedure: **C0105p Alcohol Serving and Use on Campus**

Reference Procedure: **C0105p2 Implementing Co-worker Drug and Alcohol Testing Procedure**

## Appendix 2

### FEDERAL TRAFFICKING PENALTIES

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	<b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.	5 kgs or more mixture	<b>First Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture	<b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment.  Fine of not more than \$8 million if an individual, \$50 million if not an individual.	50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		100 gm or more pure or 1 kg or more mixture	<b>2 or More Prior Offenses:</b> Not less than 25 years. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<b>First Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual.  <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.		
Flunitrazepam (Schedule IV)	1 gram			
Other Schedule III drugs	Any amount	<b>First Offense:</b> Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.  <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.		
All other Schedule IV drugs	Any amount	<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.		
Flunitrazepam (Schedule IV)	Other than 1 gram or more	<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.		
All Schedule V drugs	Any amount	<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.  <b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

Source: [Drugs of Abuse \(dea.gov\)](http://www.dea.gov)

## Appendix 3

### FEDERAL TRAFFICKING PENALTIES—MARIJUANA

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	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 life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 15 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.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	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 life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	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, \$50 million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not less 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.	Not less than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kg marijuana (except 50 or more marijuana plants regardless of weight); 1 to 49 marijuana plants;	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual
Hashish (Schedule I)	10 kg or less	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual
Hashish Oil (Schedule I)	1 kg or less	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual

\*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is not less than 25 years imprisonment and a fine up to \$20 million if an individual and \$75 million if other than an individual.

Source: [Drugs of Abuse \(dea.gov\)](http://www.dea.gov)

## **Appendix 4**

### **FEDERAL PENALTIES AND SANCTIONS FOR ILLEGAL POSSESSION OF A CONTROLLED SUBSTANCE**

#### **A. Sentencing Provisions under 21 U.S.C. 844(a):**

- a. 1st conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.
- b. After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.
- c. After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both.
- d. Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000, or both, if:
  - 1st conviction and the amount of crack possessed exceeds 5 grams.
  - 2nd crack conviction and the amount of crack possessed exceeds 3 grams.
  - 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

#### **B. Forfeitures of Property under 21 U.S.C. 853(a)(2), 21 U.S.C. 881(a)(4), 844A, and 21 U.S.C. 881(a)(7)**

- A. Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack, above) 21 U.S.C. 853(a)(2) and 881(a)(7)
- B. Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance. 21 U.S.C. 881(a)(4)
- C. Civil fine of up to \$10,000. 21 U.S.C. 844A

#### **D. Denial of Benefits under 21 U.S.C. 862**

First Offense	Denial of federal benefits such as student loans, grants, contracts, and licenses (professional and/or commercial) up to one year
Second or more Offense	Denial of federal benefits such as student loans, grants, contracts, and licenses (professional and/or commercial) up to 5 years

#### **E. Firearms Restrictions under 19 U.S.C. 922(g)**

- Ineligible to purchase, receive, or transport a firearm