

Union Institute & University

Safety and Security Report 2010

September 29, 2011

The Jeanne Cleary Disclosure of Campus Security Policy and Campus Crime Statistics Act, codified at 20 USC 1092(f) as part of the Higher Education Act of 1965, is a federal law that requires colleges and universities to provide information about campus crime statistics and security policies for the previous full calendar year. This report is for calendar year 2010. The Office of Institutional Research prepares the Crime and Security report each year, using information provided by each center of incidents reported to designated campus officials and/or local law enforcement agencies. The report can be found on the university Web site at <http://www.myunion.edu/about/doc/safety-security-report.pdf>. Print copies of the report may be obtained by contacting the Office of Institutional Research; prospective employees may also request a copy of the report from the human resources department. Readers will see from the report that UI&U centers and surrounding areas are safe places to work and visit—there were no criminal incidents in 2010 at any university facility.

Definitions used for this report:

- On-campus. Incidents are those that occurred inside buildings leased by the university and any exterior areas adjacent to those buildings, including parking lots serving the buildings.
- Public property incidents are those occurring in public spaces near UI&U centers, limited to public sidewalks, streets, and other areas immediately adjacent to the centers.

This report is only as comprehensive as the information provided—it is important that students, faculty, and staff inform the university about any incidents that have occurred. University policies on facilities access and use, reporting criminal incidents, drug and alcohol use, and timely warnings to the university community may be found on the university policies web page <http://www.myunion.edu/about/university-policies/index.html>, in the *University Catalog*, and (for policies specific to employees only) on the university's employee intranet. University policies related to safety and security are reviewed at least every other year. The policies as published were last reviewed in 2009-2010 (per effective dates on individual policy statements); a follow-up review is currently under way.

If you have comments, questions, or concerns about this report, please direct them to:

Office of Institutional Research
Union Institute & University
440 E. McMillan Street Cincinnati, Ohio 45206-1925
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**Annual Crime and Security Report
January 1, 2010 to December 31, 2010**

Union Institute & University (UI&U) is committed to providing a secure and crime-free environment for our students, employees, and visitors. The institution monitors and follows up on any crimes reported at any university location. Security awareness is important in all aspects of our lives. Students, faculty, and staff are encouraged to accept responsibility for their own safety and for the safety of other members of Union Institute & University's community. The tables below provide information about criminal incidents reported as occurring at Union Institute & University locations in 2010 and in the two preceding years. Some background information that may be helpful:

- All UI&U centers occupy leased space. University centers in California and Florida, and the Montpelier and Marlboro centers in Vermont are in facilities that house other tenants.
- Data reported for the Los Angeles center for 2010 are for the location at 12777 Jefferson Blvd., Suite #100, Los Angeles, CA 90066. The center moved to its current location (6701 Center Drive West, # 1200, Los Angeles, CA 90045) in mid-December 2010, at the end of the subject reporting period and prior to the start of the winter term in 2011.
- Security personnel at Union Institute & University's facilities do not have law enforcement authority. The university has no written agreements with local law enforcement agencies.
- Criminal incidents occurring at off-campus locations (course sites, academic residencies at hotels) are included with appropriate notations. These off-campus incidents, however, are included only when the incident involved a UI&U student or employee participating in a UI&U event. For example, the report does not include a criminal incident that might have occurred at a police station where UI&U students attend class unless that incident involve a UI&U student or employee participating in a class at the location.
- Changes in Clery Act reporting requirements mean that the tables for 2010 include information not collected or reported for previous years.

**Liquor and Drug Law Violations and Illegal Weapons Possession
Arrests by Local Police Agencies; Disciplinary Actions by the University**

January 1, 2010 – December 31, 2010						
Includes incidents on campus, off campus, and on public property surrounding UI&U facilities						
	Liquor Law Violations		Drug Law Violations		Illegal Weapons Possession	
	Arrests	Disciplinary Action	Arrests	Disciplinary Action	Arrests	Disciplinary Action
Main campus, Cincinnati, OH	0	0	0	0	0	0
Brattleboro center, VT	0	0	0	0	0	0
Los Angeles center, CA	0	0	0	0	0	0
Marlboro center, Brattleboro, VT	0	0	0	0	0	0
North Miami Beach center, FL	0	0	0	0	0	0
Montpelier center, VT	0	0	0	0	0	0
Sacramento center, CA	0	0	0	0	0	0

January 1, 2009 – December 31, 2009			
Includes incidents on campus, off campus, and on public property surrounding UI&U facilities			
	Liquor Law Violations	Drug Law Violations	Illegal Weapons Possession
Main campus, Cincinnati, OH	0	0	0
Brattleboro center, VT	0	0	0
Los Angeles center, CA	0	0	0
Marlboro center, Brattleboro, VT	0	0	0
Miami center, North Miami Beach, FL	0	0	0
Montpelier center, VT	0	0	0
Sacramento center, CA	0	0	0

January 1, 2008 – December 31, 2008			
Includes incidents on campus, off campus, and on public property surrounding UI&U facilities			
	Liquor Law Violations	Drug Law Violations	Illegal Weapons Possession
Main campus, Cincinnati, OH	0	0	0
Brattleboro center, VT	0	0	0
Los Angeles center, CA	0	0	0
Marlboro center, Brattleboro, VT*	0	0	0
Miami center, North Miami Beach, FL	0	0	0
Montpelier center, VT ¹	0	0	0
Sacramento center, CA	0	0	0

Criminal Incidents

The criminal offenses reported in the following tables are listed using categories established by the Federal Bureau of Investigation's hierarchy of crimes² as established in the annual report of criminal incidents to the U.S. Department of Education. Reported crimes occurring on public property and off-campus (i.e. at a university course location or university sponsored event) are included in the data reported for the center to which the off-campus location is connected. None of the reported incidents were identified as hate (bias-motivated) crimes.

¹ For the first half of 2008, Union Institute & University owned the Montpelier center, which was then sold in to the Vermont College of Fine Arts. The university now leases the space in Montpelier

² Contact the Office of Institutional Research for definitions of the FBI hierarchy of crimes categories.

Criminal Offenses Reported to Local Police Agencies from Union Institute & University Locations January 1, 2010 – December 31, 2010							
	Cincinnati Campus	Brattleboro Center	Los Angeles Center	Marlboro Center	Montpelier Center	Miami Center	Sacramento Center
Murder and Non-negligent homicide	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0
Forcible sex offenses	0	0	0	0	0	0	0
Non-forcible sex offenses	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0

Criminal Offenses Reported to Local Police Agencies from Union Institute & University Locations January 1, 2009 – December 31, 2009							
	Cincinnati Campus	Brattleboro Center	Los Angeles Center	Marlboro Center	Montpelier Center	Miami Center	Sacramento Center
Murder and Non-negligent homicide	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0
Forcible sex offenses	0	0	0	0	0	0	0
Non-forcible sex offenses	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0
Burglary	1	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0

Criminal Offenses Reported to Local Police Agencies from Union Institute & University Locations January 1, 2008 – December 31, 2008							
	Cincinnati Campus	Brattleboro Center	Los Angeles Center	Marlboro Center	Montpelier Center	Miami Center	Sacramento Center
Murder and Non-negligent homicide	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0
Forcible sex offenses	0	0	0	0	0	0	0
Non-forcible sex offenses	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	1	0	1
Motor Vehicle Theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0

Applicable Policy Statements

As required for Clery Act reporting, Union Institute & University policy statements specifically relevant to student and employee safety are incorporated in this report.

Policies are available in the *University Catalog* and on the university's Web site at <http://www.myunion.edu/about/university-policies/index.html>. Policies specific to employees are available on the university's Intranet.

UI&U Policies - Use of University Facilities

Effective September 20, 2010

It is the policy of Union Institute & University that the safety of individuals using university facilities is paramount. To that end, the university has established procedures and standards for use of its facilities, including access, general standards for behavior, reporting of injuries and criminal incidents, and timely warnings of dangerous situations.

Union Institute & University Facilities

All university-operated centers occupy leased space—either in a stand-alone building (Cincinnati and Brattleboro) or suite(s) within a building having other tenants. As a general practice, students and employees have access to these facilities during normal business hours (typically 8 a.m. to 6 p.m., Monday through Friday). Some facilities are open on evenings and/or weekends for classes and/or academic residencies. Hours of operation are posted at each location. There may be facility-specific rules and restrictions, determined jointly by UI&U, the building's owner, and/or state and local regulations. Individuals having questions about access or use of a specific facility should contact the facilities director (Cincinnati center) or the responsible center administrator.

General Standards for Use of UI&U Facilities: Centers, Course Locations, and Temporary Off-Campus Locations

In addition to its permanent centers in Cincinnati, Ohio; North Miami Beach, Florida; Los Angeles and Sacramento, California; and Montpelier and Brattleboro, Vermont, UI&U also offers classes and holds academic meetings at other locations. These off-campus locations are considered to be university facilities during the times they are in use by UI&U. The following use standards apply to all university-operated facilities, permanent and temporary:

- Individuals using a university-operated facility shall behave appropriately at all times—they shall not engage in any behavior that is threatening, dangerous or harmful to self or others, disruptive to the learning or work environment, or damaging to university property or property of others.
- Students and visitors at UI&U facilities are expected to cooperate with university personnel as they carry out their duties, and to abide by any location specific requirements regarding access (such as wearing employee or visitor badges, front-desk check in and out, etc.)
- Personal property is not covered under Union Institute & University's insurance policy: Personal vehicles should be locked, and personal property secured in offices or desks.
- No firearms or other weapons may be brought onto university property; with the exception of students or employees who are commissioned police officers and required to carry a weapon while on or off duty.
- Tampering with wiring, electrical equipment, sprinkler systems, fire extinguishers, fire alarms or any other safety equipment is prohibited.
- Smoking is not permitted in any university facility, or within 30 feet of any exterior door of a university facility. (Smoking rules at off-campus facilities may vary.)

General Safety Suggestions

Union Institute & University does not have a police force or security department. Security personnel at UI&U facilities are not commissioned police officers—they have no authority to arrest; nor are they qualified to administer medical services. Security personnel are required to call 911 in an emergency situation and to report criminal activity to university officials and to local law enforcement offices.

All individuals visiting university facilities are expected to take reasonable steps to ensure their own safety. To that end, the university offers the following general safety suggestions:

- Avoid walking alone, particularly after dark. If walking alone is unavoidable, be aware of your surroundings. (At most university locations, security personnel are available during operating hours to escort students if requested.)
- Do not leave personal property unsecured or unattended.
- Keep your vehicle locked, and do not leave personal items in view.

- Offices, workstations, and classrooms should be locked when not in use.
- Be aware of suspicious persons and activities. If you observe someone or something suspicious, notify building security and/or local law enforcement authorities. In an emergency, dial 911.

Facilities Contact Information

If calling from any UI&U telephone, dial the extension number.

Center	Contact Person	Contact
Cincinnati Center	Facilities Director	Extension 1248; (513) 487-1248
Montpelier Center	Dean	Extension 8726, (802) 828-8500
Brattleboro Center	Director	Extension 8408, (802) 254-0152
Marlboro Center	Dean	Extension 8401; (802) 254-0152
North Miami Beach Center (including area course locations)	Dean	Extension 2104; (305) 653-7141
Los Angeles Center (including area course locations)	Dean	Extension 1722; (323) 926-8326
Sacramento Center (including area course locations)	Associate Dean	Extension 1511; (916) 564-3100

Reporting Injuries

Any injury that occurs to a UI&U employee while at a university facility or while conducting university business at any other location must be reported to the Human Resources office in Cincinnati, Ohio. If a student or guest is injured while participating in a university-sponsored activities, he or she should report the injury to the provost. The individual may be asked to submit a completed Accident/Incident report.

Reporting Criminal Incidents

In accordance with Federal regulations and in keeping with Union Institute & University's philosophy of concern for its students, faculty, staff, and visitors, any individual who is a victim of criminal activity or who observes such activity occurring at a university-operated facility or at a university sponsored event occurring off campus is strongly encouraged to report the incident to a university representative as well as to local law enforcement.

If an emergency situation exists, the victim or witness should call 911. In non-emergency situations, the victim or witness may elect to report the incident to a university administrator, who will, in turn, contact local law enforcement.

Criminal incidents and activities should be reported to the appropriate facilities contact, as listed above. Criminal activities may also be reported to security personnel at UI&U facilities, where applicable. Security personnel at UI&U facilities are not commissioned law enforcement officers; they have no authority to make arrests.

A written report of all criminal incidents should be filed with the chief financial officer (CFO) within forty-eight (48) hours of the occurrence. For criminal incidents occurring at university-sponsored events held off-campus (such as a seminar or reception), the university employee with on-site responsibility for the event (such as the faculty convener of a seminar) is responsible for filing the report to the CFO. The CFO, in consultation with the president and/or other appropriate personnel, will determine whether additional university investigation of the incident is necessary, whether any disciplinary actions against an employee or student are warranted, and/or if the incident is such as to call for a warning to the university community. University investigations and/or disciplinary actions are separate from actions that may be taken by law enforcement agencies.

Annual Campus Crime Report

In September of each year, the university publishes on the university's Web site a report of criminal incidents occurring in the previous calendar year. The report is available to employees, students, prospective employees, and prospective students.

Confidentiality

It is the policy of UI&U that the university will report, to the appropriate law enforcement agency, any alleged crimes of which it is made aware. Individuals reporting crimes to the university cannot be assured confidentiality in such reports.

Under the provisions of the Family Educational Rights and Privacy Act (FERPA), as amended in 2000, Union Institute & University has the discretionary authority to disclose to a victim of a crime of violence the final results of any disciplinary action taken by the university against the person accused of the crime. The victim may not disclose this information to any third party. The university may release certain information regarding the final results of a disciplinary hearing to the general public if the hearing was related to a crime of violence for which an individual was found to be in violation of university rules or policies regarding such crimes. If results are released by the university, only the individual's name, the violation committed, and the sanctions imposed by the university against the individual.

Timely Warnings

A crime alert will be prepared whenever the university receives a report of a crime against a person or a particularly threatening crime against property that appears to represent an ongoing danger to the safety of students, faculty and staff. Alerts may result from reports from local law enforcement or from reports by members of the UI&U community. Every attempt will be made to distribute the alert within 12 hours of the time the incident is reported; however, the release is subject to the availability of accurate facts concerning the incident. Alerts are distributed to offices at the center and via email notification to students enrolled at the center and faculty who work off-site.

Alerts may ask for information that might lead to arrest and conviction of an offender when violent crimes against persons or major crimes against property have been reported to the police. An alert may include crime prevention tips, or information about special precautions to be taken until the specific crime has been resolved.

Each alert will include the following information.

1. A succinct statement of the incident, including date and location of the occurrence.
2. Possible connection to previous incidents, if applicable.
3. Physical description of the suspect.
4. Composite drawing of the suspect, if available.
5. Date and time the bulletin was released.
6. Other relevant and important information

UI&U Policies - Sexual Assault Policy

Effective June 1, 2011

Policy Statement

Union Institute & University (UI&U) is committed to providing a learning environment free from violence. UI&U will not tolerate any sexual offense(s) in the work or academic setting. This sexual assault policy is designed to specifically address the public well-being of students, faculty, and staff. The university prohibits any activity that constitutes sexual assault: offenders may be subject to disciplinary action and/or criminal proceedings.

Definitions:

Sexual Assault

The victim of sexual assault is never to blame for behavior of the perpetrator. For the purposes of this policy, sexual assault includes, but is not limited to, those activities described within the phrase "gross sexual imposition." See university policies on "Harassment Avoidance" (employees) and "Discriminatory and Sexual Harassment" (students). Gross sexual imposition involves:

- Sexual act(s) or contact(s) with another which involve compelling a person to submit by force or threat of force;
- use of intoxicants to substantially impair a person's power to give consent to sexual act(s) or contact(s); and/or
- engaging in sexual act(s) or contact(s) when there is reasonable belief that the other person suffers from a mental state which renders him or her incapable of understanding the nature of the contact.

Sexual assault encompasses a range of unwanted sexual contacts and acts, including, but not limited to: rape and attempted rape, child sexual abuse, sexual exploitation, exhibitionism, voyeurism, fondling, and obscene phone calls. While sexual assault can take many forms, it is important to remember that the loss of power and control that a victim of sexual assault experiences is a common thread. Both women and men can sexually assault; both can be sexually assaulted.

Consent

Mutually understandable consent is almost always an objective standard. Consent is mutually understandable when a reasonable person would consider the words or actions of the parties to have manifested an agreement between them to do the same thing, in the same way, at the same time, with one another.

- It is the responsibility of the initiator to make sure he or she has consent from the partner.
- Consent to some forms of sexual activity does not necessarily imply consent to other forms of sexual activity.
- Consent obtained through the use of fraud or force is ineffective consent.
- Consent may never be given by a minor to an adult.
- Consent may never be given by an incapacitated individual.
- Consent to sexual activity may be withdrawn at any time.
- Consent has an expiration date.

Rape

Rape is a violent form of sexual assault—an act of violence in which sex is used as a weapon. It includes any sexual intercourse with a person that occurs without his or her effective consent or when the person is unable to give consent. There are several different circumstances under which rape can occur.

- Stranger rape: the victim does not know the perpetrator.
- Acquaintance rape: the victim and the perpetrator are known to each other.
- Date rape: a type of acquaintance rape, when the assault occurs between two people who are dating partners.
- Marital rape: rape between husband and wife.

Prevention

UI&U strives to foster a safe learning and working environment, considering both physical surroundings and the university's response to allegations of sexual assault. The university monitors the physical surroundings of its centers to enhance security and safety through lighting, limited facilities access, security staff, etc. While charges of sexual assault at UI&U facilities and activities have been rare, the university also periodically reviews its responses to any allegations of sexual assault that have arisen.

While there is no absolute way to prevent a sexual assault, students can take simple precautions to minimize their risk. Students should be aware of their surroundings and not let alcohol or other drugs cloud their judgment. Other preventative actions include:

- Being assertive and always demonstrating control.
- Keeping doors and windows locked when leaving your home or your car.

- Not lending your keys or putting your name or address on your key ring.
- Always watching for unwanted visitors and reporting unknown intruders immediately.
- Staying away from isolated areas and walking with a companion or in a group.

Reporting and Response

Victims of sexual assault are strongly encouraged to tell someone about the incident and to seek medical attention. A UI&U student, faculty or staff member, or visitor reporting a sexual assault has several options—there is no single plan of action. Options include any/all of the following:

- Discussing the assault with friend, counselor, etc.
- Pursuing medical treatment.
- Pursuing counseling services with an appropriate agency.
- Initiating a university complaint.
- Initiating a criminal complaint.
- Confidential or anonymous reporting of the incident.

UI&U will respond to all allegations of sexual assault from students, faculty, staff, and visitors. The university's response to a report of sexual assault may involve a number of individuals and organizations. The victim may be presented with options about how s/he wants to pursue the complaint.

Reporting to UI&U

For the safety of the university community, individuals who have been sexually assaulted are strongly encouraged to report the assault to the university and/or law enforcement. If the victim chooses to report an assault to university authorities, he or she may do so by contacting the provost or vice president for human resources, or by reporting the incident to any UI&U employee, asking her or him to make the report. Individuals reporting a sexual assault to the university should be aware that UI&U must report the incident to the appropriate law enforcement agency. Victims of sexual assault can be assured that, when they provide assault information with university officials, confidentiality will be preserved insofar as is possible within the framework of university policies and applicable state and federal regulations. (See the university procedure for reporting criminal incidents.)

Reporting to Law Enforcement

UI&U encourages all members of its learning community who believe they are victims of sexual assault to immediately report the incident to the police agency of jurisdiction. Although reporting is not required, it is strongly encouraged. Reporting the assault to police can empower the victim by exercising her/his legal rights; it can also help protect others from similar assaults. The victim can report the assault directly, or request that the university make the report. In the event of a medical and/or police emergency resulting from a sexual assault, medical response personnel and/or police should be contacted by calling 911. The victim is also encouraged to seek medical attention—a medical exam will result in treatment of physical problems resulting from the assault, and to avoid destroying evidence by bathing, douching, changing clothes, or cleaning up in any way. Any additional evidence should be preserved by storing items in a paper bag.

Anonymous Reporting

If the victim decides report the assault directly to police, he or she has the option of making a “blind” report to the police—notifying the police that a sexual assault has occurred, but giving no names or other identification. The victim may also choose to report the incident at a later date, but should be aware that such delays may hinder the criminal justice system's efforts to locate and/or prosecute the perpetrator.

Investigating a Complaint

Individuals who believe they are victims of sexual assault may also choose to file a complaint with the university against the perpetrator. Note that reporting an assault to university administration does not constitute a complaint. Complaints from students should be submitted to the provost; complaints from employees should be submitted to the Vice President for human resources.

- The university investigation of a student complaint of sexual assault will be conducted by the provost; investigation of a complaint from an employee will be conducted by the vice president of human resources; a complaint from a visitor will be investigated by either the Provost or Vice President of human resources, as assigned by the President.
- If the alleged sexual assault involves a student and an employee (regardless of which is the complainant and which is the alleged perpetrator), the investigation will be conducted jointly by the provost and vice president of human resources. If the complainant is a student, the procedure will follow that outlined in the “Student Complaints and Appeals” policy. If the complainant is an employee, the procedure will follow the “Conduct and Working Environment” policy outlined in the Human Resources Policy Manual.

While a university investigation is under way, the Provost and/or Vice President of human resources may do any/all of the following:

- Provide escort services to the complainant.
- Alter the complainant's academic schedule and/or coordinate arrangements with instructors to assist in offsetting potential academic problems.
- Direct the accused person to have no contact with the victim, asserting that failure to adhere to this by the accused may result in further disciplinary action.
- Ban the accused person from UI&U facilities and university-sponsored activities.
- If the accused person is an employee, he or she may be suspended, with or without pay.
- Other disciplinary measures as deemed appropriate.

During an investigation of a complaint of sexual assault, UI&U will respect the rights of both the complainant and the accused. Disciplinary action taken by the university against an employee or student found to be guilty of sexual assault will depend on the severity of the case, up to and including termination of employment (employees) and dismissal from the university (students). Any individual who is found to have intentionally filed a false report of sexual assault will be subject to disciplinary action, up to and including termination of employment (employees) and dismissal from the university (students).

Under the provisions of the Family Educational Rights and Privacy Act (as amended in 2000), UI&U has the discretionary authority to disclose to a victim of an alleged crime of violence the final results of disciplinary action taken by the university against the individual found to be the perpetrator of that crime. The victim may not disclose this information, but the university may choose to release certain information regarding the final results of a disciplinary hearing, if the hearing was related to an alleged crime of violence for which an individual was found to be in violation of university rules or policies. Information released will include only the perpetrator's name, the violation committed, and the sanctions imposed by the university against the individual.

The Role of Alcohol and Drugs in Sexual Assault

The use of alcohol or drugs by a victim will not adversely affect his or her report of sexual assault or rape or status with UI&U.

However, UI&U is concerned about the role that drugs and alcohol often play in cases of sexual assault. Alcohol consumption and certain drugs may reduce inhibitions and impair judgment, making individuals more vulnerable to assault. Individuals should also be aware of the so-called "rape drugs" (rohypnol, GHB, etc.), which may be given to an intended victim without her or his knowledge, resulting in loss of control or consciousness and inability to remember what happened while under the influence of the drug. For this reason, no one should accept an open drink from another person, nor should drinks be left unattended. Individuals who suspect that they have been given a drug should seek medical assistance immediately, not only to decrease medical risks but to allow for a blood test that will confirm the presence of a drug.

Anti-Retaliation

UI&U prohibits retaliation against individuals who report rape or sexual assault. Victims of sexual assault should immediately report any form of retaliation. Students, faculty or staff found to have engaged in retaliation against a victim will be subject to disciplinary action as provided in UI&U's applicable policies

UI&U Policies - Policy on Student Use of Alcohol and Controlled Substances

Effective March 1, 2009

On August 16, 1990, the Department of Education issued the final regulations implementing amendments to the Drug-Free Schools and Communities Act enacted on December 12, 1989 in the Federal Register. The goal of the amendments is to require each institution of higher education to certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. Note that no distinction is made in the Act between full-time and part-time or permanent and temporary students or employees. Under these amendments, each institution of higher education must have a drug and alcohol abuse prevention program including annual distribution of a report to every employee and to any student taking one or more classes for any type of academic credit (except continuing education units). The report is required to include:

- Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on an institution's property or as part of any of its activities;
- A description of the applicable legal sanctions under local, state, or federal law for the unlawful possession, use, or distribution of illicit drugs and alcohol;
- A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
- A description of any drug or alcohol counseling, treatment, rehabilitation, or reentry programs that are available to employees or students; and
- A clear statement that the institution will impose disciplinary sanctions on students and employees (consistent with local, state, and federal laws) for violations of published standards of conduct, and a description of those sanctions, up to and including expulsion or termination of employment.

This policy statement is specific to Union Institute & University students. It has been adapted from the policy for employees as published on the university's Intranet.

The use, sale, transfer or possession of alcohol or controlled substances by students creates a potential for harm and is not permitted on Union Institute & University (UI&U) property or at any university sponsored learning activity or events, except as specifically authorized by this policy.

UI&U encourages students who have problems with alcohol or use of controlled substances to make use of available internal and external resources to help control or resolve their problem.

UI&U supports rehabilitative efforts and will assist if requested to do so.

If a student has a medical condition or a substance addiction and has reason to believe the condition may impair attendance or performance, he/she are expected to notify his/her faculty advisor or dean. However, students should be aware that providing information about a medical condition or substance addiction for the first time during a disciplinary proceeding will not negate the disciplinary action from continuing.

UI&U may assist individuals who have violated this policy through referral to a rehabilitation program, but is under no obligation to do so beyond the information provided in the statement on Drug and Alcohol Abuse Prevention.

If the student's use of a controlled substances is related to a condition that qualifies as a disability under the Americans with Disabilities Act (ADA), he or she may also apply for accommodation to the university's ADA coordinator, in accordance with published procedures.

Requests for ADA accommodation and/or rehabilitation assistance do not preclude any disciplinary action for violations of this or any other university policy.

Standards and Consequences

- UI&U permits the legal use of medication or drugs prescribed by a licensed practitioner or purchased over-the-counter provided that such usage does not endanger the safety of others. Students who are legally taking medications that may impair performance are expected to inform their faculty advisor or dean.
- Alcohol may occasionally be served at university-sponsored events held at university centers or locations outside the university. Students and/or employees may consume alcohol in moderation at such events; individuals whose behavior is impaired due to alcohol consumption may be required to leave the event and/or be subject to disciplinary action.
- The illegal use, sale, transfer or possession of controlled substances or alcohol by a student or employee during a university-sponsored learning activity or on university property is forbidden. Such activity is grounds for dismissal.

Definitions:

CONTROLLED SUBSTANCE – any narcotic, drug or drug-like substance for which the sale, use, or possession is either unlawful or is being utilized outside of prescribed medical treatment. Controlled substances include, but are not limited to, marijuana, amphetamines, opiates, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration.

ILLEGAL USE – illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs.

LEGAL DRUGS –A legally prescribed drug means that an individual has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. It must include the patient's name, the name of the substance, quantity/ amount to be taken, and the period of authorization.

MODERATION – when referring to consumption of alcohol at university sponsored events, moderation is defined not by the quantity of alcohol consumed but by resulting behavior.

UNIVERSITY PROPERTY Any university owned, leased, or rented building, grounds, office, classroom or other facility. Includes off-campus course and degree sites, and off-campus facilities, such as hotel and conference center space, used by the university for learning activities.

UI&U Policies - Drug and Alcohol Abuse Prevention

Drug abuse affects all aspects of American life. It threatens the workplace as well as our homes, our schools, and our community. The U.S. Department of Education requires institutions of higher education to implement a drug- prevention and awareness program for their students and employees. UI&U has a “Zero-Tolerance” policy regarding the unlawful use, sale, possession and/or distribution of illegal drugs and alcohol.

The UI&U community must adhere to a code of conduct that recognizes that the unlawful manufacture, sale, delivery, unauthorized possession, or use of any illicit drug is prohibited on property owned or otherwise controlled by UI&U. If an individual associated with UI&U is apprehended for violating any drug or alcohol related law when on university property, or participating in a university activity, the university will fully support and cooperate with federal and state law enforcement agencies.

The materials that follow are intended to help inform the entire University community of the standards of conduct required with regard to illicit drugs and alcohol and the possible consequences of inappropriate behavior.

Alcohol and Drug Prevention and Counseling Services

The following national toll-free telephone numbers are provided to assist any member of the university community who may have a drug or alcohol problem. These various agencies can provide guidance and assistance in identifying a counseling, treatment, or rehabilitation program that meets individual needs.

- ◆ Al-Anon 1-800-356-9996
- ◆ American Council on Alcoholism 1-800-527-5344
- ◆ National Council On Alcoholism 1-800 NCA-Call (622-2255)
- ◆ National Institute On Drug Abuse Hotline 1-800-662-HELP (662-4357)
- ◆ National Institute on Drug Abuse Helpline 1-800-843-4971

Health Risks of Alcohol and Other Drugs

Health risks of using alcohol or other drugs include both physical and psychological effects. The health consequences of drugs depend on the frequency, duration, and the intensity of use. For all drugs, there is a risk of overdose. Overdose can result in coma, convulsions, psychosis, or death. Combinations of certain drugs, such as alcohol and barbiturates, can be lethal. The purity and strength of doses of illegal drugs are uncertain. Continued use of substances can lead to tolerance (requiring more and more of a drug to get the same effect), dependence (physical or psychological need), or withdrawal (a painful, difficult and dangerous symptom when stopping the use of drugs). Long-term chronic use of drugs can lead to malnutrition, organic damage to the body, and psychological problems. The risk of AIDS and other diseases increases if drugs are injected. The consumption of alcohol or drugs by pregnant woman may cause abnormalities (such as Fetal Alcohol Syndrome, the third leading cause of birth defects) in babies.

Physical and Psychological Dependence and Effects of Specific Drugs

DRUGS OF ABUSE/Uses and Effects U.S. Department of Justice Drug Enforcement Administration				
	Dependence			
Drugs	Physical	Psychological	Possible Effects	Effects of Overdose
Narcotics				
Heroin	High	High	Euphoria, drowsiness, respiratory depression, constricted pupils, nausea	Slow and shallow breathing, clammy skin, convulsions, coma, possible death
Morphine	High	High		
Hydrocodone	High	High		
Hydro-morphone	High	High		
Oxycodone	High	High		
Codeine	Moderate	Moderate		
Other Narcotics	High-Low	High-Low		
Depressants				
<i>gamma</i> Hydroxybutyric Acid	Moderate	Moderate	Slurred speech, disorientation, drunken behavior without odor of alcohol, impaired memory of events, interacts with alcohol	Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death
Benzodiazepines	Moderate	Moderate		
Other Depressants	Moderate	Moderate		
Stimulants				
Cocaine	Possible	High	Increased alertness, excitation, euphoria, increased pulse rate & blood pressure, insomnia, loss of appetite	Agitation, increased body temperature, hallucinations, convulsions, possible death
Amphetamine/ Meth-amphetamine	Possible	High		
Methylphenidate	Possible	High		
Other Stimulants	Possible	Moderate		
Hallucinogens				
MDMA and Analogs	None	Moderate	Heightened senses, teeth grinding and dehydration	Increased body temperature, electrolyte imbalance, cardiac arrest
LSD	None	Unknown	Illusions and hallucinations, altered perception of time and distance	(LSD) Longer, more intense "trip" episodes
Phencyclidine and Analogs	Possible	High		Unable to direct movement, feel pain, or remember
Other Hallucinogens	None	None		
Cannabis				
Marijuana	Unknown	Moderate	Euphoria, relaxed inhibitions, increased appetite, disorientation	Fatigue, paranoia, possible psychosis
Tetrahydrocannabinol	Yes	Moderate		
Hashish and Hashish Oil	Unknown	Moderate		
Anabolic Steroids				
Testosterone	Unknown	Unknown	Virilization, edema, testicular atrophy, gynecomastia, acne, aggressive behavior	Unknown
Other Anabolic Steroids	Unknown	Yes		
Inhalants				
Amyl and Butyl Nitrite	Unknown	Unknown	Flushing, hypotension, headache	Methemo-globinemia
Nitrous Oxide	Unknown	Low	Impaired memory, slurred speech, drunken behavior, slow onset vitamin deficiency, organ damage	Vomiting, respiratory depression, loss of consciousness, possible death
Other Inhalants	Unknown	High		
Alcohol	High	High		

Federal Sanctions - Illicit Drug Laws

Pursuant to federal law, the United States Sentencing Guidelines establish mandatory minimum penalties for categories of drug offenses and provide for penalty enhancements in specific cases. Under these federal guidelines, courts can sentence a person for up to 6 years for unlawful possession of a controlled substance, including the distribution of a small amount (less than 250 grams) of marijuana; a sentence of life imprisonment can result from a conviction of possession of a controlled substance that results in death or bodily injury; and, possession of more than 5 grams of cocaine can

For additional details about Federal illicit drug laws:

- U.S. Drug Enforcement Agency www.dea.gov
- Controlled Substances Act US Department of Justice

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 - 4999 gms mixture	First Offense: 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 \$2 million if an individual, \$5 million if not an individual Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$4 million if an individual, \$10 million if not an individual	5 kgs or more mixture	First Offense: 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 \$4 million if an individual, \$10 million if not an individual. Second Offense: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$20 million if not an individual. 2 or More Prior Offenses: Life imprisonment
Cocaine Base (Schedule II)	5-49 gms mixture		50 gms or more mixture	
Fentanyl (Schedule II)	40 - 399 gms mixture		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10 - 99 gms mixture		100 gms or more mixture	
Heroin (Schedule I)	100 - 999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1 - 9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5 - 49 gms pure or 50 - 499 gms mixture		50 gms or more pure or 500 gms or more mixture	
PCP (Schedule II)	10 - 99 gms pure or 100 - 999 gms mixture		100 gm or more pure or 1 kg or more mixture	
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	First Offense: Not more that 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. Second Offense: Not more than 30 yrs. If death or		

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Flunitrazepam (Schedule IV)	1 gm or more	serious injury, not less than life. Fine \$2 million if an individual, \$10 million if not an individual		
Other Schedule III drugs	Any amount	First Offense: Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual		
Flunitrazepam (Schedule IV)	30 to 999 mgs	First Offense: Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.		
All other Schedule IV drugs	Any amount	First Offense: Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.		
Flunitrazepam (Schedule IV)	Less than 30 mgs	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		
All Schedule V drugs	Any amount	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

DRUG	QUANTITY	1 st OFFENSE	2 nd OFFENSE
Marijuana	1,000 kg or more mixture; or 1,000 or more plants	<ul style="list-style-type: none"> Not less than 10 years, not more than life If death or serious injury, not less than 20 years, not more than life Fine not more than \$4 million if an individual, \$10 million if other than an individual 	<ul style="list-style-type: none"> Not less than 20 years, not more than life If death or serious injury, mandatory life Fine not more than \$8 million if an individual, \$20 million if other than an individual
Marijuana	100 kg to 999 kg mixture; or 100 to 999 plants	<ul style="list-style-type: none"> Not less than 5 years, not more than 40 years If death or serious injury, not less than 20 years, not more than life Fine not more than \$2 million if an individual, \$5 million if other than an individual 	<ul style="list-style-type: none"> Not less than 10 years, not more than life If death or serious injury, mandatory life Fine not more than \$4 million if an individual, \$10 million if other than an individual
Marijuana	more than 10 kgs hashish; 50 to 99 kg mixture more than 1 kg of	<ul style="list-style-type: none"> Not more than 20 years If death or serious injury, not less than 20 years, not more than life 	<ul style="list-style-type: none"> Not more than 30 years If death or serious injury, mandatory life

DRUG/SCHEDULE		QUANTITY	PENALTIES	QUANTITY	PENALTIES
	hashish oil; 50 to 99 plants		<ul style="list-style-type: none"> • Fine \$1 million if an individual, \$5 million if other than an individual 		<ul style="list-style-type: none"> • Fine \$2 million if an individual, \$10 million if other than individual
Marijuana	1 to 49 plants; less than 50 kg mixture		<ul style="list-style-type: none"> • Not more than 5 years • Fine not more than \$250,000, \$1 million other than individual 		<ul style="list-style-type: none"> • Not more than 10 years • Fine \$500,000 if an individual, \$2 million if other than individual
Hashish	10 kg or less				
Hashish Oil	1 kg or less				