

NOTIFICATION TO CASE WESTERN RESERVE UNIVERSITY FACULTY AND STAFF

In accordance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989, this notification is being sent to each Case Western Reserve University faculty and staff member. The university prohibits the unlawful possession, use, or distribution of controlled substances, including marijuana, and alcohol by employees on-campus or within university-sponsored activities occurring off-campus. This notice serves as a reminder of the health risks associated with drug and alcohol abuse; of university policies related to the illegal possession, use or distribution of drugs, including marijuana, or alcohol; of the availability of treatment for drug or alcohol problems through the Employee Assistance Program; and of the internal sanctions and federal, state and local legal penalties

substances (see https://www.dea.gov/sites/default/files/2020-04/Drugs%20of%20Abuse%202020-Web%20Version-508%20compliant-4-24-20_0.pdf), some of which is included in the attached chart, marked as Appendix A.

UNIVERSITY POLICIES

Case Western Reserve University seeks to provide its students, employees and the public with a drug-free environment. The University also has an interest in promoting the highest possible standard of health and welfare among its students, faculty and staff. Therefore, it is the policy of Case Western Reserve University to discourage the unlawful use of controlled substances including marijuana and the misuse or abuse of alcohol by its students and employees at any time.

The unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, including marijuana, is prohibited on property owned or operated by Case Western Reserve University or as part of any of its activities. No university employee may report to or engage in University-related work while under the influence of illegal drugs, including marijuana or alcohol.

Any employee who is convicted of a violation of a criminal drug law as a result of an incident occurring in the workplace must notify the Office of Employee Relations in writing within five (5) days of his or her conviction. Such conviction will be grounds for mandatory evaluation and possible treatment for substance disorder, and for disciplinary action up to and including termination.

The university follows all federal, state and local laws regarding the sale, possession and consumption of alcoholic beverages. Under Ohio law, it is illegal to sell, provide and/or serve beer, wine or liquor to anyone who is under the age of 21. Servers of alcohol and sponsors of social events on campus or associated with a university-sponsored function must be aware of and comply with all state and local laws and with the university alcohol policies and procedures (see “Obtain Liquor Permits” at <https://case.edu/generalcounsel/general-counsel-services/obtain-liquor-permits>)

The link to the university Policy, Position Requirements – Alcohol and Controlled Substances Testing is <https://case.edu/hr/university-policies/staff-hr-policies/employment/position-requirements>. Federal, state and/or local laws and regulations regarding drug and alcohol testing and monitoring will be followed when applicable.

IMPACT Employee Assistance & Work/Life Program

The university's Employee Assistance Service (IMPACT) provides confidential counseling and community services for employees who need help in dealing with drug or alcohol problems or other problems. IMPACT utilizes licensed, credentialed counseling professionals including psychiatrists, psychologists, social workers and other trained counselors in many Northeast Ohio locations.

Where referral to IMPACT is the result of a job performance problem, a staff employee who receives treatment for chemical dependency may be required, as a condition of continued employment, to participate in some type of rehabilitation program.

IMPACT can be reached 24 hours a day, seven days a week by calling (800) 227-6007. Regardless of when you call (day or night), you will speak with a mental health professional who will provide you with support and guidance to navigate your present situation. For more information visit <https://case.edu/hr/worklife/employee-assistance-worklife-program>.

FEDERAL, STATE, AND LOCAL PENALTIES

Ohio law includes criminal provisions regarding the unlawful possession, use and distribution of drugs, intoxicating liquors and beer. The ordinances of the City of Cleveland and the City of Cleveland Heights

more than \$20,000. A misdemeanor conviction may lead to imprisonment for up to 6 months and/or a fine of up to \$1,000. Convictions for some offenses carry mandatory penalties, including the suspension of a driver's or commercial driver's license for a period ranging from 6 months to 5 years.

With regard to beer and intoxicating liquor, Ohio law provides that it is illegal for a person under 21 years of age to order, pay for, attempt to purchase, possess or consume beer or liquor, or furnish false information in order to effect a purchase. A person using a false or altered identification card to purchase beer or intoxicating liquors shall be fined not less than \$250 but not more than \$1,000 for a first offense and may be sentenced to a term of imprisonment of not more than 6 months. For a second offense involving the use of a false or altered identification card, the penalties include: a fine of not less than \$500 and not more than \$1,000, a sentence to a term of imprisonment of not more than 6 months, and the possibility of losing a driver's or commercial driver's license for a period not to exceed one year. For a third offense, the penalties include: a fine of not less than \$500 and not more than \$1,000, a sentence to a term of imprisonment of not more than 6 months, community service, and the loss of license for at least 90 days and can remain in effect until the offender attains age 21. If a person is convicted of the manufacture, sale, or distribution of false identification cards, then that person is guilty of a felony. Ohio law prohibits the possession of beer or liquor that was not lawfully purchased.

Federal law forbids the illegal possession of controlled substances including marijuana. A person convicted for the first time of possessing (without the intent to distribute) a controlled substance may be sentenced to up to 1 year in prison and fined a minimum of \$1,000. A second conviction carries a prison term of at least 15 days but not more than 2 years, and a minimum fine of \$2,500. A third conviction carries a prison term of at least 90 days but not more than 3 years, and a minimum fine of \$5,000. In addition to the above sanctions, a person convicted of possessing a controlled substance may be punished by forfeiture of property used to possess or facilitate possession or property derived from any proceeds obtained directly or indirectly from the violation, if the offense is punishable by more than one year in prison; forfeiture of any conveyance used to transport or conceal a controlled substance; denial of Federal benefits, such as student loans, for up to one year for a first Federal or State possession conviction and for up to five years for a subsequent Federal or State possession conviction; ineligibility to receive or purchase a firearm; and a civil penalty of up to \$10,000.

Federal law also prohibits illegal trafficking or manufacturing of a controlled substance including marijuana. If a person violates this section, he is subject to the specified imprisonment, fine or both. Federal trafficking penalties are set forth in the attached chart, marked Appendix B. The penalties set forth in the attached chart can, under certain circumstances, be enhanced by a multiple of two or three if such offenses are committed at or near a public or private school, college or university, or if the drugs were sold to persons under the age of 21. In addition, if convicted of a drug trafficking offense, a person could lose Federal benefits (including school loans) for up to 5 years for a first offense, up to 10 years for a second offense, and for life for a third or subsequent offense. Federal law also prohibits the sale of drug paraphernalia. The penalty for violating this law is imprisonment for up to 3 years and a fine.

Violation of these laws may also be a violation of university policies and could result in civil liability.

This information is provided as a general summary of the major applicable laws. While it is believed to be accurate at the time of issuance, keep in mind that laws frequently are amended and reinterpreted, that the application of law to specific situations generally requires an analysis of all the facts and

For more information:

Ohio Drug Laws: <https://codes.ohio.gov/ohio-revised-code/chapter-2925>; <https://codes.ohio.gov/ohio-revised-code/chapter-3719>

Cleveland Codified Ordinances Chapter 607 Drug Abuse Control:

https://codelibrary.amlegal.com/codes/cleveland/latest/cleveland_oh/0-0-0-31725

Cleveland Heights Codified Ordinances Chapter 513 Drug Abuse Control:

https://codelibrary.amlegal.com/codes/clevelandhths/latest/clevelandhths_oh/0-0-0-7002#JD_Chapter513

Drug Offense Quick Reference Guide:

<https://www.supremecourt.ohio.gov/Boards/Sentencing/resources/judPractitioner/drugQuickRef.pdf>

MARIJUANA

While state and municipal laws (including Ohio law) may permit the use of marijuana under certain circumstances, Cannabis is still a Schedule I Controlled Substance under the federal Controlled Substances Act. As a recipient of federal funding, Case Western Reserve University must comply with current federal drug laws which still classify marijuana as a controlled substance. Non-compliance with this act could make Case Western Reserve University ineligible for any financial assistance, including federally funded or guaranteed student loan programs. For this reason, the University continues to prohibit the growth, manufacture, distribution, dispensation, possession, sale or use of marijuana on university property or in connection with university activities.

ADDITIONAL RESOURCES

APPENDIX A

CONTROLLED SUBSTANCES -- USES AND EFFECTS

Drugs	Physical Dependence	Psychological Dependence	Possible Effects	Effects of Overdose	Withdrawal Syndrome
NARCOTICS					
Heroin	High	High	<ul style="list-style-type: none"> • Euphoria • Drowsiness • Slowed breathing or respiratory depression • Constricted pupil 		

APPENDIX A (CONTINUED)

HALLUCINOGENS

LSD	None	Unknown	<ul style="list-style-type: none">• Illusions and hallucinations• Altered perception of time and distance• Increased heart rate• Increased blood pressure• Dilated pupils	<ul style="list-style-type: none">• Longer,
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APPENDIX B

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

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