

CHARTER COLLEGE

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2015

**Annual Disclosure
Student Right-to-Know and Campus Security (Clery Act)
Annual Security Report
Alcohol & Substance Abuse Policy
Student Rights under FERPA
Unauthorized Distribution of Copyrighted Material**

**East Wenatchee, WA
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Campus Security and Drug-Free Campus/Workplace (Without Student Housing)

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CAMPUS SECURITY

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), originally known as the Campus Security Act, requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses.

Campuses are not permitted to take retaliatory action against anyone with respect to the implementation of any provision of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

GENERAL EMERGENCY RESPONSE and EVACUATION PLAN

Clear communication is essential during an emergency. Multiple methods must be used as no one system alone can transfer information. As decisions are made, appropriate communications must be developed and distributed in a timely manner to all key audiences: students, faculty, staff, Charter senior executives, and the general public.

Should an event occur, either on or off campus, which, in the judgment of the Campus Manager, constitutes a significant emergency or dangerous situation involving an immediate threat to the health or safety of the campus community (an “Emergency”), a campus-wide notification would be issued. A message notification is sent to employees, students, and designated persons in the larger community in the event of an Emergency. In the event of an Emergency, the Campus Manager would craft a notification containing a basic description of the time and form of the Emergency. In addition the Campus Manager may, if warranted, make an Emergency announcement over the College intercom system.

Prior to making an Emergency announcement, the Campus Manager will determine (1) whether, in his or her judgment, the information suggesting that an Emergency has occurred is credible, and (2) whether issuing a notification or making an announcement would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the Emergency. If the Campus Manager is unable to carry out the duties described above, they will be carried out by the ePod Admissions Assistant.

In the event that an Emergency announcement is made directing an evacuation, all persons on campus should exit the building immediately by way of the nearest exit, marked with a lighted red exit sign, and follow the signs, exiting to the outside and quickly proceeding to the parking lot in front of the building. If the nearest exit is blocked by smoke, individuals should use another exit. Please see posted evacuation routes for each office or classroom space. In the event of an Emergency, persons should *not* use any elevator while evacuating. It is the responsibility of all able staff to assist any persons with disabilities in descending the stairwell quickly and safely.

Those persons who exit the building first must position themselves far enough away from the street to enable everyone to stand clear of emergency vehicles. The street must be kept clear at all times, so as not to hamper the movement of emergency vehicles into the area.

Once outside the building, the Campus Manager or ePod Admissions Assistant will confirm that appropriate emergency personnel have been contacted, congregate all employees in the parking lot in front of the building and confirm that all employees and visitors are out of the building, and meet with emergency personnel at the front entrance to provide additional information. Staff members trained in CPR and rescue breathing should survey the individuals outside to determine if anyone is in need of first aid and provide such aid as needed.

Once outside, individuals should not re-enter the campus building for any reason until it is declared safe by the appropriate emergency personnel and the Campus Manager has agreed to permit persons to re-enter.

Should an Emergency occur, either on or off-campus, which, in the judgment of the Campus Manager, constitutes an ongoing or continuing concern, follow-up information would be issued to the campus community as needed. This information would be issued through the College's e-mail and text messaging system to students, faculty, and staff. Related information also would be posted in classrooms, campus library, student bulletin boards, and student lounges as appropriate.

A test of the College's Plan is publicized and conducted at least once annually. Documentation of any such test is maintained at the College, and includes a description of the exercise, the date and time at which it occurred, and whether it was announced or unannounced.

Emergency Communications

When an emergency condition exists, the Incident Commander (IC) will notify the necessary members of the Emergency Response Team (ERT) to respond to their areas of assignment. Notifications must be given in plain language. Code words should not be used. The methods of communication to be used are listed in descending order of preference:

- a. Intercoms
- b. Two-way radios
- c. Telephones
- d. Runners

SECURITY and ACCESS TO FACILITIES

- Each campus limits access to all campus facilities to authorized personnel, students, and visitors.
- Unauthorized persons will be considered “trespassers” and will be dealt with accordingly.
- Adequate lighting is provided at all campus locations, especially in outside areas. Certain school staff and faculty are always on campus during business hours.
- Only authorized vehicles are allowed to park in the designated parking areas.
- Persons employed as security personnel at each campus represent the campus and are instructed to enforce campus security policies.
- Security personnel is defined as campus police department, campus security department, or any individual who is responsible for monitoring entrance into campus property, an individual or organization specified in a campus security policy as an individual or organization to which students and employees should report criminal offenses, or an official of a campus who has significant responsibility for student and campus activities. The security personnel do not have powers of arrests.
- Such persons have the authority to evict unauthorized persons from the campus premises and will notify local authorities of all actual or suspected criminal activities, including trespassing.
- The campus maintains its relationship with local police through campus in-services and collection of statistical in-services. In addition, the campus works with local law enforcements as necessary to report or investigate crimes.

CRIME AWARENESS and PREVENTION

- All new campus employees and students are instructed on crime awareness during orientation, including the description of campus security measures and procedures for reporting any criminal activity or emergency. Students are required to follow campus security guidelines for their own personal and property safety, and are encouraged to report any suspicious activity.
- Prospective students and employees are provided with a summary of the campus measures to prevent crime on campus, with details for acquiring the complete policies and procedures package from the campus via the campus website or at the residential campus location. This information on crime awareness is readily available upon request, and will be updated and re-distributed to all existing students and staff on an annual basis.
- The campus conducts bi-annual in-service programs designed to heighten awareness of crime and its prevention. These in-service programs are conducted by local law enforcement or qualified officials twice a year.
- The campus does not maintain any off-campus student organizations.
- Students performing externship or off-campus clinical practice are expected to practice safety and security procedures as if the site were an extension of the campus.

Crime Prevention

Often people contribute to crimes of opportunity by needlessly placing themselves or their property at risk. Prevention efforts can be effective in reducing the opportunities for criminal activity. The following list is a compilation of tips devoted to crime prevention:

- Do not prop open campus doors.
- Do not leave personal property unattended.
- Report suspicious individuals to security.
- Keep your room locked at all times.
- At night, always walk in groups of at least two.
- Stay on main walkways.
- Remove valuables from your car and lock it.
- Engrave your initials into your valuables.
- Attend college-sponsored programs led by law enforcement officials.
- Always carry your picture ID.
- Be aware of your surroundings and what is going on around you.

If you assume responsibility for your own safety first and encourage others to do the same, the opportunities for crime are drastically reduced.

VOTER REGISTRATION

You can register to vote for federal, state, and local elections by mail, online; at any driver licensing office; or in person at any Secretary of State Branch office.

You must register at least 29 days before the election (or delivered in-person to the local voter registration office until 8 days before the election). For more information, you can visit <http://www.chartercollege.edu/voter-registration-info>.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974 (FERPA)

Based on the Family Education Rights and Privacy Act (FERPA), Charter College students (if under 18 years of age, their parents) may request to inspect their academic records by submitting a written request to the Education Department. Charter College will make records available for review within 45 days of receipt of the request. Students may then request amendment of their academic records by notifying the Education Department in writing. After evaluations of these requests, students will be notified in writing of the outcome.

In compliance with FERPA, Charter College will release “directory information” on all students. Directory information includes student names, student statuses, professional certifications, Charter College High School Scholarship awards, academic award and commencement information. Students may consent to release additional personally identifiable information in their academic records and/or decline release of directory information by completing the form titled Authorization to Release Information. Students who wish to decline to release directory information must complete a separate form.

Charter College will honor requests by students to withhold certain information from parties requesting it, except where governed by law and/or regulation. Under FERPA, Charter College may release student information without student consent to school officials. This includes Charter College officials and those officials of other institutions who have a legitimate educational interest and need the information in order to fulfill their professional responsibilities. The College is also authorized to release student information to various federal and state agencies, accreditation

agencies and to appropriate parties when so ordered by a federal or state court. Additionally, in the event of an emergency, Charter College will release student information to protect the health and safety of students, staff and faculty. Charter College's responses to student requests for academic record amendments may be appealed in accordance with Charter's Career College Grievances and Appeals Policy. After exhausting all appeals, students who have a grievance regarding the release of their personally identifiable information may file a complaint with the U.S. Department of Education, Family Policy Compliance Office, 400 Maryland Avenue, S.W., Washington, D.C. 20202-4605.

UNAUTHORIZED DISTRIBUTION OF COPYRIGHTED MATERIALS

Charter College is required by Federal Law – H.R. 4137 to make an annual disclosure informing students, faculty and staff that illegal distribution of copyrighted materials may lead to civil and/or criminal penalties. Transmitting, downloading or copying any material that you do not have the right to make available and that infringes any patent, trademark, trade secret, copyright or other proprietary rights of any party is prohibited. Installing or distributing pirated or unlicensed software is also forbidden. Students, faculty or staff who violate federal copyright law do so at their own risk. Charter College takes steps to detect and punish users who illegally distribute copyrighted materials.

Charter College reserves the right to suspend or terminate network access to any campus user that violates this policy and network access may be suspended if any use is impacting the operations of the network. Violations may be reported to appropriate authorities for criminal or civil prosecution.

VIOLENCE AGAINST WOMEN ACT (VAWA) – Sexual Offense Awareness

On March 17, 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013 (VAWA) which amended the Jeanne Clear Disclosure of Campus Security Policy and Campus Crime Statistics Act (Cleary Act).

Charter College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking. Each of these offenses are defined as follows:

- **Domestic Violence -**
 - A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- **Dating Violence**
 - Violence committed by a person:
 - Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship

- The type of relationship
- The frequency of interaction between the persons involved in the relationship
- **Forcible Sexual Offense**
 - Any act directed against another person, forcible and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent and include: forcible rape, forcible sodomy, sexual assault with an object and forcible fondling.
- **Non-Forcible Sex Offense**
 - Unlawful, non-forcible sexual intercourse and includes incest and statutory rape.
- **Rape**
 - Sexual intercourse that is coerced through force or threats of forcibly, or with someone who is unconscious or incapable of giving consent.
- **Sexual Assault**
 - A forcible or non-forcible sexual offence that is physical contact of a sexual nature, which is with or without one's consent.
- **Stalking**
 - Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) fear for his/her safety or the safety of others; or (2) suffer substantial emotional distress.

Sexual activity requires consent, which is defined as positive, unambiguous, and voluntary agreement to engage in specific sexual activity throughout a sexual encounter. Consent cannot be inferred from the absence of a "no"; a clear "yes," verbal or otherwise, is necessary. Consent to some sexual acts does not imply consent to others, nor does past consent to a given act imply present or future consent. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Consent cannot be obtained by threat, coercion, or force. Agreement under such circumstances does not constitute consent. Consent cannot be obtained from someone who is asleep or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition. A person is mentally or physically incapacitated when that person lacks the ability to make or act on considered decisions to engage in sexual activity. Engaging in sexual activity with a person whom you know -- or reasonably should know -- to be incapacitated constitutes sexual misconduct.

Consent can only be accurately gauged through direct communication about the decision to engage in sexual activity. Presumptions based upon contextual factors (such as clothing, alcohol consumption, or dancing) are unwarranted, and should not be considered as evidence for consent. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and gauging consent, and you are thus urged to seek consent in verbal form. Talking with sexual partners about desires and limits may seem awkward, but serves as the basis for positive sexual experiences shaped by mutual willingness and respect.

Bystander Intervention

If you are the bystander to domestic violence, dating violence, sexual assault or stalking, below are some options for the bystander:

- If you witness sexual violence, get support from people around you. You do not have to act alone.

- Practice with friends and family about what you would say and how you would say it.
- When intervening, be respectful, direct and honest.
- Contact your local sexual assault center to see if they offer resources or training on bystander intervention (www.nsvrc.org/organizations/state-and-territory-coalitions)
- If you see or hear something and you do not feel safe, contact the police.

Risk Reduction and Ongoing Awareness

Charter College provides risk reduction and ongoing awareness through orientation of new staff and perspective and ongoing students. In our orientation program, staff and students are provided information on general crime prevention, how to interrupt situations of harm and the appropriate notification system when an act occurs.

Sanctions

Students found responsible for violating any of the College's policies may receive disciplinary sanctions. The fundamental principle guiding the imposition of sanctions in the student discipline system is founded in the College's effort to balance upholding community standards with the educational development of its students in addressing individual behavior.

The sanctioning regimen is designed to reestablish order while considering the common good, which sometimes necessitates the temporary or permanent removal of the offender. Mechanism within which offenders can reflect upon their actions and their impact on both themselves and restoration of the offender to good standing within the community provided the safety of the community is not jeopardized by the individuals' presence or return. The sanctions listed below is not meant to be exhaustive.

- Suspension from campus
- Dismissal from the College

The final determination of the appropriate sanction is done by the Campus Leadership, in combination with the Corporate Office Leadership.

Employees found responsible for violating the College's policies may receive disciplinary sanctions that could include a written warning, final written warning and/or dismissal from employment depending on the specific violation of the College's policies. The final determination for employees is decided by the Human Resources department.

Procedures to Follow and Preserving Evidence after a Sexual Assault

Victims of a sexual assault or rape are strongly encouraged to report the incident in order to deter these assaults and to ensure that victims receive the services they need. Steps should be taken to help deal with the physical and emotional trauma:

- Go to a safe place; go somewhere to receive emotional support
- Report a sexual assault on campus to the Campus Manager
- Report the assault to the police. If requested, Charter College will assist with notification
- Preserve all physical evidence
- Go to the hospital for medical care. Injuries should be treated and an examination completed to document and collect physical evidence of the assault.

Evidence of a sexual assault should be preserved as soon as possible after the incident, even if the reporting student is unsure about reporting or filing criminal charges. A Sexual Assault Forensic Examination (SAFE) will preserve evidence and may be done up to 84 hours after an assault. A SAFE may be done regardless of whether or not the student receiving the examination wants to pursue criminal charges. The student does not need to provide his/her name to police to have the exam and for the evidence to be preserved. Preserving evidence, including from a SAFE, does not obligate the student to pursue criminal charges or appear in court. Steps to preserve evidence:

- Do not shower or douche
- Try not to urinate. Urinating may reduce the ability to detect “date rape” drugs
- If there was oral contact, do not smoke, eat, or brush teeth
- Do not change clothes. If you have already changed your clothes, place them in a paper bag (plastic may destroy evidence) If you haven’t changed, keep the original clothes on and bring an extra set to wear home from the hospital
- Go to a hospital with the capability of providing a SAFE exam and request the exam. The cost of a SAFE examination is paid for from a state fund

REPORTING CRIMES

1. Students and staff should report criminal acts to the Campus Manager at the campus or a member of the Campus Management staff.
2. Reporting crimes is on a voluntary, confidential basis.
3. The Campus Manager is responsible to document any criminal acts, as well as reporting crimes to the local authorities as required by law.
4. The campus is required to make timely warnings to members of the campus community regarding the occurrence of crimes. The campus community includes all campus buildings and grounds, all adjacent public property and externship sites.
5. Timely warnings to the campus community will be issued in a handout or flyer, and also posted on any notice boards within the campus.
6. If there is an ongoing investigation of a crime that occurred in, at, or on any of the locations listed above that would be jeopardized, cause the suspect to flee, risk the safety of an individual, or result in the destruction of evidence, the campus may delay the timely warning until any adverse effect is no longer likely to occur.
7. The statistics are collected centrally for each campus on a monthly basis and reported to the U.S. Department of Education annually.

Students and staff who report crimes will be provided with an explanation of your rights and options.

Sex Offenses

In order to prevent the occurrence of rape, acquaintance rape, and other forcible and non-forcible sex offenses, Charter’s policy includes the following:

- In conjunction with the campus security bi-annual in-services, the campus will address awareness and prevention of rape and sex offenses. In-service programs are conducted by local law enforcement officials twice a year. Notice of the programs is given to faculty, employees, and students by bulletins posted at the campus.
- If a sex offense occurs, the victim should immediately notify the campus authorities and

local police. Any evidence that may support the offense should be meticulously preserved for police identification. To preserve evidence, you should not bathe or change clothes or do any cleaning up in any manner prior to receiving medical assistance.

- Students have the option to report rape or sex offenses to the proper law enforcement authorities. The campus staff will assist the student in reporting these offenses at the student's request.
- The campus provides and assists students with on-campus advising and referral to off-campus counseling, mental health services, and other student services for victims of sex offenses. Information may be obtained from the Campus Manager.
- Upon request by a victim of a sex offense, the campus will change that victim's academic schedule if the change is reasonably available. Also, if the victim is living in living quarters, these quarters will be changed to other lodgings on the request of the victim if the request can be reasonably filled. If the victim wishes to move from living quarters, the campus will help the victim locate alternate living quarters at their own expense, provided that alternate living quarters are reasonably available.
- The campus has adopted a Procedure for Processing Complaints of Unlawful Discrimination and Other Grievances (the "Grievance Procedure") which applies in the event of an accusation of a sex offense. Copies of the Grievance Procedure may be obtained from the Campus Manager. As provided in the Grievance Procedure, the accuser and the accused are entitled to the same opportunities to have others present during any proceedings that take place. Both the accused and the accuser will be notified of the results of the proceedings as stated in the Grievance Procedure. Decisions reached during the proceedings, other than referral to legal authorities, may be appealed using the campus Grievance Procedure. Documentation of any sex offense proceedings is required by Charter College and must be kept on file indefinitely by the campus. Upon final determination of an institutional disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offense, Charter College will impose sanctions against the offender, including, but not limited to dismissal from their program.

Disciplinary Proceedings

The Higher Education Opportunity Act (HEOA) requires colleges to disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the results of any disciplinary hearing related to the offense conducted by the campus against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, the campus must provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

SEX OFFENDERS

The Campus Sex Crimes Prevention Act requires colleges and universities to disclose to its students the location of sex offender registries and the campus community where state law enforcement agency information concerning registered sex offenders may be obtained. The act also requires registered sex offenders to provide a notice of any campus of higher education in which the offender is employed, carries on a vocation, or is a student to state officials.

Students who are subject to an involuntary civil commitment, after completing a period of incarceration for a forcible or non-forcible sexual offense, are ineligible to receive a Federal Pell

Grant.

Any member of the campus community who wishes to obtain further information regarding sexual offenders in the area may refer to <http://www.sexoffender.com> for the national registry or <http://icrimewatch.net/washington.php> for the Washington sex offender registry.

CRIME STATISTICS

The federal law requires that colleges and universities disclose statistics on crimes that may occur on-campus, on non-campus property, or on public property adjacent to the campus. For the purposes of the Clery Act, any building that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student facility even if the building itself is owned or controlled by a third party, as classified by the FBI Uniform Crime Report.

Campus specific statistics are attached as an addendum and may be obtained by students and/or employees (current and perspective) via the campus website or at the residential campus location.

DRUG-FREE CAMPUS AND WORKPLACE

ALCOHOL and DRUG POLICY

The campus is designated as “Drug-Free.” The campus will provide to each student upon enrollment a separate, clear and conspicuous written notice with information on the penalties associated with drug-related offenses. The possession, sale or the furnishing of alcohol on campus is governed by the Code of Student Conduct found in the catalog. The Code of Student Conduct states that students will be held accountable for “the use of alcoholic beverages or controlled substances on College or externship property, including the purchase, consumption, possession, or sale of such items.” The National Minimum Drinking Age Act of 1984 required all states to raise their minimum purchase and public possession of alcohol to age 21.

A student committing this violation shall receive a written warning concerning the misconduct and is subject to disciplinary action up to and including immediate suspension or dismissal, criminal prosecution, fine and/or imprisonment. Students dismissed for conduct violations will not be readmitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws.

In conjunction with the campus security bi-annual in-services, the campus will address the Drug and Alcohol Prevention program that was implemented to determine the following:

1. The number of drug and alcohol-related violations and fatalities that occur on the campus or as part of any of the campus activities must be reported to campus officials, and
2. The number and type of sanctions that are imposed by the campus as a result of drug and alcohol-related violations and fatalities on the campus or as part of any of the campus activities.

Note: Additional information is available within the Employee Handbook for campus personnel.

The campus must provide a timely notice to each student who has lost eligibility for any grant, loan, or work-study assistance as a result of penalties in a separate clean, and conspicuous written notice that notifies the student of the loss of eligibility and advises the student of the ways in which to regain eligibility. If the student successfully passes two unannounced drug tests conducted by a drug rehabilitation program that complies with criteria established by the Secretary he may be eligible to regain eligibility of Federal funds.

DESCRIPTION OF HEALTH RISKS ASSOCIATED WITH ALCOHOL

Alcohol (at .08 Blood Alcohol Concentration & Above)

Impaired motor abilities; reduced judgment; sleepiness; increased sexual desire but reduced ability to perform; nausea, vomiting; liver disorders-alcoholic hepatitis, alcoholic cirrhosis; cancer of the tongue, mouth, throat, esophagus, liver, breast; fetal alcohol syndrome (most common symptom is mental retardation).

TABLE OF WASHINGTON DRUG AND ALCOHOL PUNISHMENT

For the possession of the following substances, the punishment is imprisonment in the state prison and a fine of \$1,000 to \$50,000:

Opiates, opium, opium derivatives, cocaine base, mescaline, peyote, PCP and synthetic cannabis, diazepam, anabolic steroids, hallucinogenic, and all Schedule III, VI and V narcotics.

Washington classifies crimes into five degrees, misconduct in the first-degree being the most serious. Sale or distribution involves degrees one through five.

Delivery is a felony is imprisonment of five to 99 years and a fine of up to \$500,000.

In Washington, it is illegal to drink or possess alcohol if you are less than 21 years of age. Violating this law for the first time may result in probation, community service, and a fine of up to \$600. You may also have to attend alcohol counseling or treatment.

The second time you violate this law the penalties are more serious and may include the following:

- a fine of up to \$1,000
- 48 hours of community service
- suspension of your driver's license for three months

The court can suspend up to \$500 of the fine and place you on probation for a year or until you turn 21. If you violate this law two or more times, you will be considered a habitual offender and charged with a Class B misdemeanor offense. The penalties may include the following:

- up to 90 days in jail
- a fine of up to \$2,000
- 96 hours of community service
- suspension of your driver's license for six months

It is illegal to serve alcohol to anyone under the age of 21.

The penalties for furnishing minors with alcohol can be severe. For example, repeat offenders or if the minor causes serious injury while under the influence of alcohol can result in being charged with a Class C felony offense. The penalties include a fine of up to \$50,000 and up to five years in prison.

MARIJUANA LAWS

Possession for Personal Use

Use or display of any amount or possession of less than one ounce of marijuana is a Class B misdemeanor punishable by up to 90 days imprisonment and/or a fine up to \$2,000. However, if the use, display, or possession was for personal use and occurred in the confines of the offender's private residence, there is no penalty and this act is protected under the Washington constitutional right to privacy. It is Class A misdemeanor punishable by up to one year imprisonment and/or a fine up to \$10,000 to possess one ounce or more but less than four ounces of marijuana. However, if the possession was for personal use and occurred in the confines of the offender's private residence, there is no penalty and this act is protected under the Washington constitutional right to privacy. Possession of four or more ounces of marijuana is a Class C felony punishable by up to five years imprisonment and/or a fine up to \$50,000.

Possession within 500 feet of school grounds, a recreation or youth center, or on a school bus is a Class C felony punishable by up to five years imprisonment and/or a fine up to \$50,000. It is an affirmative defense to this charge that the violation occurred entirely within the confines of a personal residence.

Possession with Intent to Distribute

It is a Class A misdemeanor punishable by up to one year imprisonment and/or a fine up to \$10,000 to possess with intent to distribute less than one ounce of marijuana. Possession with intent to distribute an ounce or more of marijuana is a Class C felony punishable by up to five years imprisonment and/or a fine up to \$50,000.

Sale/Delivery

It is a misdemeanor punishable by up to one year imprisonment and/or a fine up to \$10,000 to deliver with or without compensation less than one ounce of marijuana. Delivery with or without compensation of an ounce or more of marijuana is a Class C felony punishable by up to five years imprisonment and/or a fine up to \$50,000.

Delivery to a person under the age of 19 by a person at least three years his senior is a Class B felony punishable by up to 10 years imprisonment and/or a fine up to \$100,000.

Cultivation

Cultivation of less than 25 plants of marijuana for personal use in a private residence is protected under the right to privacy of the Washington constitution. Cultivation of 25 plants or more is a Class C felony punishable by up to five years imprisonment and/or a fine up to \$50,000.

FEDERAL SANCTIONS

Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

- First Conviction: Up to one year imprisonment and fined at least \$1,000 but not more than \$100,000 or both
- After one prior drug conviction: At least 15 days in prison, not to exceed two years, and fined at least \$2,500 but not more than \$250,000, or both
- After two or more drug convictions: At least 90 days in prison, not to exceed three years, and fined at least \$5,000 but not more than \$250,000 or both
- Special sentencing provisions for possession of crack cocaine: Mandatory at least five years in prison, not to exceed 20 years, and fined up to \$250,000, or both if:
 - First convictions and amount of crack possessed exceeds five grams.
 - Second crack conviction and the amount of crack possessed exceed three grams.
 - Third or subsequent crack conviction and the amount of crack possessed exceeds one gram.
- Forfeiture of personal and physical property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one year of imprisonment. (See special sentencing provisions re: crack).
- Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.
- Civil fine of up to \$10,000 (pending adoption of final regulations).
- Denial of federal benefits such as student loans, grants, contracts, and professional and commercial licenses, up to one year for first offense, and up to five years for second and subsequent offenses.
- Ineligible to receive or purchase a firearm.
- Revocation of certain federal licenses and benefits (e.g. pilot licenses, public housing tenancy, etc.) are vested within the authorities of individual federal agencies.

Federal Trafficking Penalties for Illegal Distribution of a Controlled Substance

- Methamphetamine (10-99 gm, or 100-199 gm mixture)
- Heroin (100-999 gm mixture)
- Cocaine/Cocaine Base (500-4,999 gm mixture (Cocaine)/5-49 gm mixture (Cocaine Base))
- Phencyclidine (PCP) (10-99 gm or 100-999 gm mixture)
- LSD (1-10 gm mixture)

- Fentanyl/Fentanyl Analogue (40-399 gm mixture (Fentanyl)/10-99 gm mixture (Fentanyl Analogue))
- Marijuana (Mixture containing **detectable quantity**)(**100-1,000 kg; or 100-999 plants**)
 1. First Offense: Not less than five years and not more than 40 years. If death or serious injury not less than 20 years and not more than life. Fine of not more than \$2 million for individuals, \$5 million other than an individual.
 2. Second Offense: Not less than 10 years and not more than life. If death or serious injury not less than life. Fine of not more than \$4 million for individuals, \$10 million other than an individual.

- Methamphetamine (100 gm or more, or 1 kg or more mixture)
- Heroin (1 kg or more mixture)
- Cocaine/Cocaine Base (5 kg or more mixture (Cocaine)/50 gm or more mixture (Cocaine Base))
- Phencyclidine (PCP) (100 gm or more, or 1 kg or more mixture)
- LSD (10 gm or more mixture)
- Fentanyl/Fentanyl Analogue (400 gm or more mixture (Fentanyl)/100 gm or more mixture (Fentanyl Analogue))
- Marijuana (Mixture containing detectable quantity) (1,000 kg or more; or 1,000 or more plants)
 1. First Offense: Not less than 10 years and not more than life. If death or serious injury, not less than 20 years and not more than life. Fine of not more than \$4 million for individuals, \$10 million other than an individual.
 2. Second Offense: Not less than 20 years and not more than life. If death or serious injury, not less than life. Fine of not more than \$8 million for individuals, \$20 million other than an individual.

- Marijuana (Less than 50 kg)
- Hashish/Hashish Oil (Less than 10 kg (Hashish)/less than 1kg (Hashish Oil))
 1. First Offense: Not more than five years. Fine of not more than \$250,000 for individuals, \$1 million other than an individual.
 2. Second Offense: Not more than 10 years. Fine of not more than \$500,000 for individuals, \$2 million other than an individual.

- Marijuana (50-100 kg; or 50-99 plants)
- Hashish/Hashish Oil (10-100 kg (Hashish)/1-100 kg (Hashish Oil))
 1. First Offense: Not more than 20 years. If death or serious injury, not less than 20 years and not more than life. Fine of no more than \$1 million for individuals, \$5 million other than an individual.
 2. Second Offense: Not more than 30 years. If death or serious injury, not less than life. Fine no more than \$2 million for individuals, \$10 million other than an individual.

HEALTH RISKS AND DISORDERS

CANNABIS MARIJUANA HASH/HASH OIL THC

Diminished-short term memory, motivation and cognition, coordination and concentration, oral communication, reaction time; anxiety and panic reactions; carcinogenic elements in smoke; damaged lungs and respiratory system.

COCAINE (includes CRACK COCAINE)

Increased likelihood of risk taking; seizures; sleeplessness; paranoia; irregular heartbeat; can cause sudden death by stroke or heart failure, even in young users; cocaine psychosis (paranoia and hallucinations); ulceration of mucous membranes in the nose; sexual dysfunction; during pregnancy can cause severe physical and emotional problems in babies.

AMPHETAMINES, METHAMPHETAMINES, OTHER STIMULANTS (excluding Cocaine)

Increased heart and respiratory rates; elevated blood; decreased appetite; headaches, blurred vision; dizziness; sleeplessness; anxiety; amphetamine psychosis-violent behavior, hallucinations, delusions, paranoia; drug tolerance and dependency; mood swings; ulcers; mental confusion.

NARCOTICS, OPIUM, MORPHINE, CODEINE, HEROIN, METHADONE, DARVON, DEMEROL

Feeling of euphoria followed by drowsiness; nausea and vomiting; respiratory depression; central nervous system depression; use of unsterile needles promotes AIDS, hepatitis B, endocarditis (infection in the heart); women dependent on opiates have multiple pregnancy complications—spontaneous abortions, still births, anemia, diabetes.

PSYCHEDELICS, LSD, MESCALINE, PSILOCYBIN, PHENCYCLIDINE (PCP), MDMA (ECSTASY)

Distorted sense of distance, space and time; blockage of pain sensations; nausea, vomiting and diarrhea; severe mood disorders, panic depression, anxiety; greater suggestibility and feelings of invulnerability; unpredictable reactions if drugs are “cut” with impurities; tolerance after (3-4 daily doses—higher doses are required to produce same effects).

DRUG AND ALCOHOL COUNSELING

Although the availability and use of various substances may change from time to time, the use of chemical substances by youth and adults continues at an alarming rate. Working with individuals and families who have become unable to cope with the demands of daily living and who have turned to chemicals to help in coping is difficult and complex task.

We recognize that it is not easy for individuals and families to confront the problem of drug and alcohol abuse and harder still to admit the need for outside help. We strongly believe that early intervention and early treatment will significantly decrease the potential harm from drug and alcohol abuse and more easily repair dysfunctional relationships.

With this goal in mind, Charter College has a staff member who is available to all students, faculty and staff for advising. Charter College may assist in the referral to one of the local agencies.

NATIONAL AGENCIES

This list is not intended to be complete but it represents a variety of alternative locations. Charter College does not have a personal association with any agency.

National Clearinghouse for Alcohol and Drug Information
(800) 729-6686

National Council on Alcoholism and Drug Dependence of SC
(805) 254-0700
(800) NCA-CALL
www.ncadd.org

Alcoholics Anonymous
CA: (805) 254-0700
WA: (360)694-3870
AK: (907)272-2312
www.aa.org

Drug Abuse Hotline
(800) 662-HELP
National Alcohol Hotline
(800)-ALCOHOL

Cocaine Hotline
(800) COCAINE
(805) 254-0700
(818) 988-3001

National Clearinghouse for Alcohol and Drug Information
(800) 729-6686
www.victimsofcrime.org

STATEMENT OF INSTITUTION SANCTIONS

Violation of this policy can result in a disciplinary action, up to and including termination of an employee or dismissal of a student, even for a first-time offense.

DRUG & ALCOHOL ABUSE PROCEDURES FOR MANAGEMENT

The Company is concerned about the use of alcohol, illegal drugs or controlled substances as it affects the workplace. The following rules and standards of conduct apply to all employees during the workday (including meal and rest periods) either on or off company property, as well as during business related travel. No employee may use, possess, distribute, sell, or be under the influence of alcohol or drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair the employee's ability to perform the essential functions of the job in a safe manner.

In order to enforce this policy, the Company reserves the right to conduct searches of Company property or employees and/or their personal property that is located on Company property and to implement other measures necessary to deter and detect abuse of this policy.

Employees must notify the Company of any criminal drug statute conviction for themselves if the violation occurred in the workplace. This notification must be made within five (5) days after such a conviction.

Employees are encouraged to voluntarily request assistance from reputable sources in the community to deal with an alcohol or drug-related problem. Volunteering to participate in a treatment program does not excuse or limit the employee's obligation to meet the Company's policy and standard regarding job performance and behavior on the job.

When an employee or student is suspected of being in violation of this policy, the individual making the observation should immediately consult with an appropriate member of management.

REVIEW OF PROGRAM

It is the intent of Charter College to review our Drug Awareness Program each year to ensure:

- To measure the effectiveness of the program and to modify where necessary.
- The sanctions will be reviewed and ensure all violations are consistently enforced.
- A record of all biennial reviews. These reviews will be maintained and will be available if required.

ADDENDA

CAMPUS CRIME STATISTICS

The addenda labeled *Campus Crime Statistics* contain the criminal offenses and disciplinary instances as reported to the campus or the local law enforcement as occurring on campus, off campus, or on public property within close proximity of the campus. The Campus Crime Statistics include the number of offenses or instances for the last three completed calendar years.

CAMPUS SECURITY AUTHORITY CHART

Individuals to contact in case of emergency:

1. ePod Admissions Assistant
2. Campus Manager

QUESTIONS?

Please direct any questions or concerns to the Campus Manager.