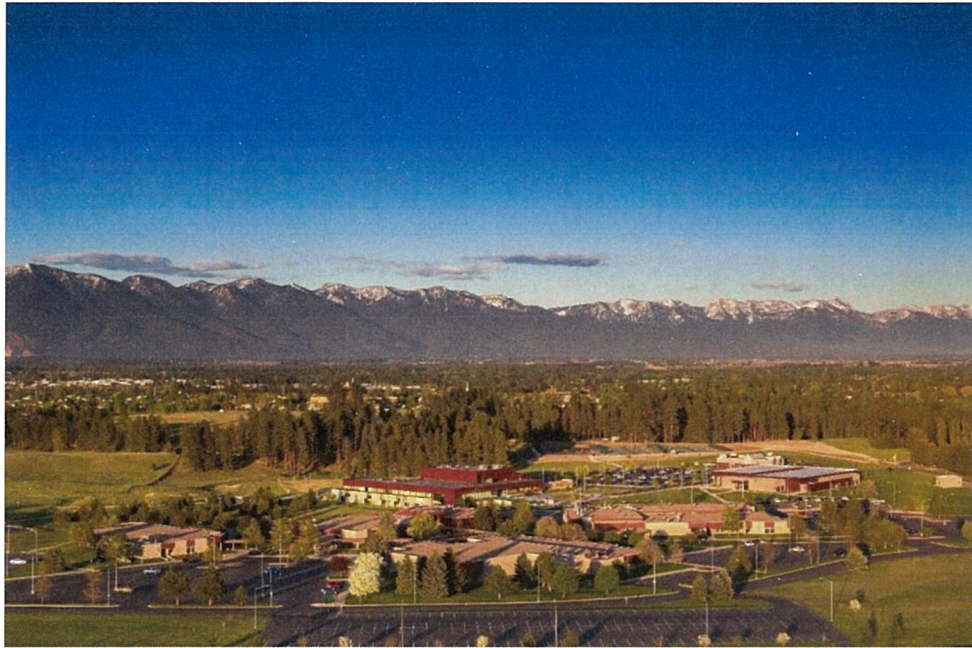


Flathead Valley Community College
Alcohol and Drug Program 2022 Biennial Review



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Introduction

The Drug-Free Schools and Communities Act (DFSCA) requires that colleges and universities examine and document the scope and effectiveness of the institution's alcohol and other drugs programs and policies every two years. The 2022 Biennial Review reviews the 2020-2021 and 2021-2022 academic years. It includes summaries of FVCC's alcohol and drug policies, state and federal alcohol and drug laws and penalties, FVCC alcohol and drug abuse prevention and education programs for students and employees, alcohol and drug resources for students and employees, health effects of alcohol and other drugs, FVCC data from the National College Health Assessment (NCHA) administered in 2020, data on campus alcohol and drug violations, and recommendations for the next review period.

The 2022 Biennial Review of FVCC's alcohol and other drug-related policies and programs was conducted in fall 2022. The objectives of the review as identified by the Department of Education include:

- Determining the effectiveness of the alcohol and drug prevention programs and identify any improvements that need to be implemented.
- Ensuring that the disciplinary sanctions for violating standards of conduct are consistently enforced.
- Determining the number of drug and alcohol related violations that occurred on campus or as a part of the college's activities that are reported to college officials.
- Determining the number and type of sanctions that are imposed by the institution as a result of such violations or fatalities.

The following information was examined for the biennial review:

- Alcohol and drug abuse prevention programming and educational activities offered or required for students and employees.
- Resources available to students and employees.
- Policies and procedures related to drug and alcohol used on campus and sanctions imposed for failure to comply.
- The Residence Life Handbook.
- The Code of Student Conduct.
- Conduct report summaries of drug and alcohol policy violations by students.
- Results from the most recent National College Health Assessment (NCHA).

Individuals and departments contributing to this review included the Student Health Clinic, Student Wellness Team, Residence Life, Dean of Students, Campus Resource Officer, Student Engagement Coordinator, Recreation and Wellness Coordinator, Executive Director of Human Resources, and Dean of Compliance.

Annual Notification

Students are informed that FVCC has adopted and implemented a drug prevention program to prevent the unlawful possession of, use, or distribution of illicit drugs and alcohol by all students and employees

both on college premises and as a part of any activities via a consumer information email notification typically after the fall and spring census dates. The notification also includes standards of conduct, applicable legal sanctions under local, state or federal laws for the unlawful possession or distribution of illicit drugs and alcohol, a description of the health risks associated with the use illicit drugs and alcohol and abuse of alcohol, a description resources available to students and employees, and a statement that FVCC will impose disciplinary sanctions and students and employees up to an including expulsion or termination of employment for violation of the standards of conduct. This information is also included in the Annual Security and Fire Safety Report that is shared with all students and employees by October 1 each year and is available on the college [website](#). Students are also informed of campus policies and student expectations during orientation. New employees are informed of college policies and expectations as a part of the onboarding process.

FVCC Policies Regarding the Use and Misuse of Alcohol and Drugs

Drug-Free Workplace Policy | [Board Policy: Chapter I Section 70](#)

In compliance with the Drug-Free Workplace Act of 1988, Flathead Valley Community College is committed to providing a drug-free workplace. The unlawful manufacture, distribution, sale, possession or use of a controlled substance in the workplace or while conducting college business is prohibited. Conducting college business while under the influence of a controlled substance is likewise prohibited.

Employees using prescription or non-prescription drugs which may impair their work performance must notify their immediate supervisor of this use and of any possible effects.

Employees must, as a condition of employment, comply with this policy and notify their immediate supervisor of any criminal drug statute conviction or nolo contendere plea for a violation occurring in the workplace no later than five (5) days after such conviction. The supervisor shall notify the Human Resources Office immediately upon notice from the employee. The Human Resources Office shall notify the federal granting agency, when appropriate, of the conviction within ten (10) days of learning of the conviction.

Violations of this policy will result in disciplinary action up to and including termination and may have legal consequences. At the discretion of the employer, an employee violating this policy may be required to satisfactorily complete a drug abuse assistance or rehabilitation program as a condition of employment.

Drug dependency is a major health problem and interferes with workplace productivity, safety, and security. Employees are encouraged to seek assistance in dealing with drug problems. Conscientious efforts to seek help for drug dependency will not jeopardize an employee's job status

Alcohol-Free Workplace Policy | [Board Policy: Chapter I Section 80](#)

Flathead Valley Community College is committed to providing an alcohol-free workplace and learning environment. The possession, use or distribution of any alcoholic beverage by employees or students in the workplace and/or while conducting college business is prohibited.

Public and college events which occur on campus outside of regular working hours and at which alcohol may be sold and/or distributed require approval by the College President.

Alcohol impairment is a major health problem that interferes with workplace productivity, safety and security. The College shall reasonably assist any employee who voluntarily seeks help in dealing with alcohol dependency.

In accordance with (Board Policy, Chapter VI, Section 20) any violation of this policy may result in disciplinary action up to and including discharge and may subject an employee to criminal penalties. At the discretion of the College, an employee violating this policy may be required to satisfactorily complete an alcohol abuse assistance or rehabilitation program as a condition of continued employment.

Exceptions to this policy may be made by the College President.

Smoking and Tobacco Free Policy | [Board Policy: Chapter I Section 85](#)

The College is committed to complying with the Montana Clean Indoor Air Act, and further supports a healthy, comfortable, and productive work environment for all students, employees, and visitors to the campus. Therefore, FVCC prohibits any form of smoking including the use of electronic cigarettes (e-cigarettes) or any form of tobacco usage in all of its campus facilities and properties as well as at all points of entrance and exit from its facilities, including all walkways and parking lots.

Failure to comply will result in disciplinary action as stipulated by College Policy for student infractions and the appropriate disciplinary process as set forth in collective bargaining agreements or Board of Trustees policy for faculty and staff.

Code of Student Conduct and Student Complaints | [Board Policy: Chapter VII Section 60](#)

The following excerpt from the Code of Student Conduct outlines FVCC's expectations for students regarding alcohol and other drugs:

II. Community: College students build and enhance their community. Behavior that violates

this value includes, but is not limited to:

9. Tobacco: Use or possession of any form of tobacco or nicotine delivery device that has not been approved by the FDA for cessation on college property or at college-sponsored events as addressed in Board Policy Chapter I Section 85.

V. Responsibility: College students are given and accept a high level of responsibility to self, to others and to the community. Behavior that violates this value includes, but is not limited to:

1. Alcohol: Use, possession, or distribution of alcoholic beverages or paraphernalia except as expressly permitted by law and Board Policy Chapter I Section 60.

2. Drugs – Illegal Use: Use, possession, manufacture, distribution or sale of narcotics or dangerous drugs as defined by city, state, or federal laws. This includes mind-altering drugs, designer drugs or synthetic substances used as a substitute for a controlled substance, except as expressly permitted by law or College policy. This also includes the abuse, distribution, or improper use of prescription drugs.

3. Drugs Distribution: Manufacture, distribution or sale of narcotics or dangerous drugs, except as expressly permitted by law or College policy.

4. Prescription Medications: Abuse, misuse, sale, or distribution of prescription or over-the-counter medications.

2022-2023 Residence Life Handbook | [Page 20-21](#)

Alcohol Policy

FVCC is committed to providing an alcohol-free environment. The possession, use, or distribution of any alcoholic beverage is prohibited of any person on campus. Collecting or displaying alcohol bottles/cans is also prohibited in student housing. Alcohol violations carry with them the prospect of a Minor in Possession (MIP) and other criminal charges, and more severe consequences are dependent on the behavior displayed at the time of documentation.

Drugs Policy

FVCC is committed to providing a drug-free environment. Use, possession or distribution of illegal drugs and other controlled substances or drug paraphernalia is prohibited. Although Montana state law permits the use of marijuana, federal laws prohibit marijuana use, possession, and/or cultivation at educational institutions and on the premises of other recipients of federal funds. Therefore, the use, possession, or cultivation of marijuana is not allowed in FVCC housing or on any other FVCC property, nor is it allowed at any college sponsored event or activity off campus.

Prescription Medications

Abuse, misuse, sale, or distribution of prescription or over-the-counter medications is prohibited.

Drug Paraphernalia

Possession of drug-related paraphernalia, i.e., any items used to facilitate drug use (e.g., bong, roach clip, hookah/water pipe, hash-style pipe, scales, and vaporizers) is prohibited.

Tobacco Products

Residence Life supports FVCC's tobacco-free campus policy and does not permit the use of tobacco products in the residence hall. The entire building is designated "No Smoking" in all areas including student rooms. Smoking of any kind (hookahs, e-cigarettes, and vape/vapor/vaporizer pens) and the use of tobacco products (e.g., chew, snuff, etc.) are not allowed anywhere, including study rooms, restrooms, laundry facilities, hallways, stairways, lobbies, elevator, lounges, and individual apartments.

In accordance with FVCC's tobacco-free campus policy, students also may not smoke or use tobacco products outside the residence hall while on campus property, which includes parking areas. Students must be off campus property when using these products.

Summary of State and Federal Alcohol and Drug Laws

Below is a summary of Montana state and federal laws pertaining to alcohol and other drugs.

Montana's Underage Consumption of Alcohol Law

45-5-624. Possession of or unlawful attempt to purchase intoxicating substance – interference with sentence or court order

- (1) A person under 21 years of age commits the offense of possession of an intoxicating substance if the person knowingly consumes, uses, has in the person's possession, or delivers or distributes without consideration an intoxicating substance. A person may not be arrested for or charged with the offense solely because the person was at a place where other persons were possessing or consuming alcoholic beverages or marijuana. A person does not commit the offense if the person consumes or gains possession of an alcoholic beverage because it was lawfully supplied to the person under 16-6-305 or when in the course of employment it is necessary to possess alcoholic beverages or marijuana.
- (2) (a) In addition to any disposition by the youth court under 41-5-1512, a person under 18 years of age who is convicted under this section:
 - (i) for a first offense, shall be fined an amount not less than \$100 and not to exceed \$300 and:
 - (A) shall be ordered to perform 20 hours of community service;
 - (B) shall be ordered, and the person's parent or parents or guardian shall be ordered, to complete and pay all costs of participation in a community-based substance abuse information course that meets the requirements of subsection (8), if one is available; and
 - (C) if the person has a driver's license, must have the license confiscated by the court for 30 days, except as provided in subsection (2)(b);
 - (ii) for a second offense, shall be fined an amount not less than \$200 and not to exceed \$600 and:
 - (A) shall be ordered to perform 40 hours of community service;
 - (B) shall be ordered, and the person's parent or parents or guardian shall be ordered, to complete and pay all costs of participation in a community-based substance abuse information course that meets the requirements of subsection (8), if one is available;
 - (C) if the person has a driver's license, must have the license confiscated by the court for 6 months, except as provided in subsection (2)(b); and
 - (D) shall be required to complete a chemical dependency assessment and treatment, if recommended, as provided in subsection (7);
 - (iii) for a third or subsequent offense, shall be fined an amount not less than \$300 or more than \$900, shall be ordered to perform 60 hours of community service, shall be ordered, and the person's parent or parents or guardian shall be ordered, to complete and pay all costs of participation in a community-based substance abuse information course that meets the requirements of subsection (8), if one is available, and shall be required to complete a chemical dependency assessment and treatment, if recommended, as provided in subsection (7). If

- the person has a driver's license, the court shall confiscate the license for 6 months, except as provided in subsection (2)(b).
- (b) If the convicted person fails to complete the community-based substance abuse information course and has a driver's license, the court shall order the license suspended for 3 months for a first offense, 9 months for a second offense, and 12 months for a third or subsequent offense.
 - (c) The court shall retain jurisdiction for up to 1 year to order suspension of a license under subsection (2)(b).
- (3) A person 18 years of age or older who is convicted of the offense of possession of an intoxicating substance:
- (a) for a first offense:
 - (i) shall be fined an amount not less than \$100 or more than \$300;
 - (ii) shall be ordered to perform 20 hours of community service; and
 - (iii) shall be ordered to complete and pay all costs of participation in a community-based substance abuse information course that meets the requirements of subsection (8);
 - (b) for a second offense:
 - (i) shall be fined an amount not less than \$200 or more than \$600;
 - (ii) shall be ordered to perform 40 hours of community service; and
 - (iii) shall be ordered to complete and pay for an alcohol information course at an alcohol treatment program that meets the requirements of subsection (8), which may, in the court's discretion and on recommendation of a licensed addiction counselor, include alcohol or drug treatment, or both;
 - (c) for a third or subsequent offense:
 - (i) shall be fined an amount not less than \$300 or more than \$900;
 - (ii) shall be ordered to perform 60 hours of community service;
 - (iii) shall be ordered to complete and pay for an alcohol information course at an alcohol treatment program that meets the requirements of subsection (8), which may, in the sentencing court's discretion and on recommendation of a licensed addiction counselor, include alcohol or drug treatment, or both; and
 - (iv) in the discretion of the court, shall be imprisoned in the county jail for a term not to exceed 6 months.
- (4) A person under 21 years of age commits the offense of attempt to purchase an intoxicating substance if the person knowingly attempts to purchase an alcoholic beverage or marijuana. A person convicted of attempt to purchase an intoxicating substance shall be fined an amount not to exceed \$150 if the person was under 21 years of age at the time that the offense was committed and may be ordered to perform community service.
- (5) A defendant who fails to comply with a sentence and is under 21 years of age and was under 18 years of age when the defendant failed to comply must be transferred to the youth court. If proceedings for failure to comply with a sentence are held in the youth court, the offender must be treated as an alleged youth in need of intervention as defined in 41-5-103. The youth court may enter its judgment under 41-5-1512.
- (6) A person commits the offense of interference with a sentence or court order if the person purposely or knowingly causes a child or ward to fail to comply with a sentence imposed under this section or a youth court disposition order for a youth found to have violated this section and upon conviction shall be fined \$100 or imprisoned in the county jail for 10 days, or both.
- (7) (a) A person convicted of a second or subsequent offense of possession of an intoxicating substance shall be ordered to complete a chemical dependency assessment.

- (b) The assessment must be completed at a treatment program that meets the requirements of subsection (8) and must be conducted by a licensed addiction counselor. The person may attend a program of the person's choice as long as a licensed addiction counselor provides the services. If able, the person shall pay the cost of the assessment and any resulting treatment.
 - (c) The assessment must describe the person's level of abuse or dependency, if any, and contain a recommendation as to the appropriate level of treatment, if treatment is indicated. A person who disagrees with the initial assessment may, at the person's expense, obtain a second assessment provided by a licensed addiction counselor or program that meets the requirements of subsection (8).
 - (d) The treatment provided must be at a level appropriate to the person's alcohol or drug problem, or both, if any, as determined by a licensed addiction counselor pursuant to diagnosis and patient placement rules adopted by the department of public health and human services. Upon the determination, the court shall order the appropriate level of treatment, if any. If more than one counselor makes a determination, the court shall order an appropriate level of treatment based on the determination of one of the counselors.
 - (e) Each counselor providing treatment shall, at the commencement of the course of treatment, notify the court that the person has been enrolled in a chemical dependency treatment program. If the person fails to attend the treatment program, the counselor shall notify the court of the failure.
- (8) (a) A community-based substance abuse information course required under subsection (2)(a)(i)(B), (2)(a)(ii)(B), (2)(a)(iii), or (3)(a)(iii) must be:
- (i) approved by the department of public health and human services under 53-24-208 or by a court or provided under a contract with the department of corrections; or
 - (ii) provided by a hospital licensed under Title 50, chapter 5, part 2, that provides chemical dependency services and that is accredited by the joint commission on accreditation of healthcare organizations to provide chemical dependency services.
- (b) An alcohol information course required under subsection (3)(b)(iii) or (3)(c)(iii) must be provided at an alcohol treatment program:
- (i) approved by the department of public health and human services under 53-24-208 or by a court or provided under a contract with the department of corrections; or
 - (ii) provided by a hospital licensed under Title 50, chapter 5, part 2, that provides chemical dependency services and that is accredited by the joint commission on accreditation of healthcare organizations to provide chemical dependency services.
- (c) A chemical dependency assessment required under subsection (7) must be completed at a treatment program:
- (i) approved by the department of public health and human services under 53-24-208 or by a court or provided under a contract with the department of corrections; or
 - (ii) provided by a hospital licensed under Title 50, chapter 5, part 2, that provides chemical dependency services and that is accredited by the joint commission on accreditation of healthcare organizations to provide chemical dependency services.

- (9) Information provided or statements made by a person under 21 years of age to a health care provider or law enforcement personnel regarding an alleged offense against that person under Title 45, chapter 5, part 5, may not be used in a prosecution of that person under this section. This subsection's protection also extends to a person who helps the victim obtain medical or other assistance or report the offense to law enforcement personnel.
- (10) (a) A person under 21 years of age may not be charged or prosecuted under subsection (1) if:
- (i) the person has consumed an intoxicating substance and seeks medical treatment at a health care facility or contacts law enforcement personnel or an emergency medical service provider for the purpose of seeking medical treatment;
 - (ii) the person accompanies another person under 21 years of age who has consumed an intoxicating substance and seeks medical treatment at a health care facility or contacts law enforcement personnel or an emergency medical service provider for the purpose of seeking medical treatment for the other person; or
 - (iii) the person requires medical treatment as a result of consuming an intoxicating substance and evidence of a violation of this section is obtained during the course of seeking or receiving medical treatment.
- (b) For the purposes of this subsection (10), the following definitions apply:
- (i) "Health care facility" means a facility or entity that is licensed, certified, or otherwise authorized by law to administer medical treatment in this state.
 - (ii) "Medical treatment" means medical treatment provided by a health care facility or an emergency medical service.

Montana's Medical Amnesty Law

45-5-624. Possession of or unlawful attempt to purchase intoxicating substance – interference with sentence or court order.

- (10) (a) A person under 21 years of age may not be charged or prosecuted under subsection (1) if:
- (i) the person has consumed an intoxicating substance and seeks medical treatment at a health care facility or contacts law enforcement personnel or an emergency medical service provider for the purpose of seeking medical treatment;
 - (ii) the person accompanies another person under 21 years of age who has consumed an intoxicating substance and seeks medical treatment at a health care facility or contacts law enforcement personnel or an emergency medical service provider for the purpose of seeking medical treatment for the other person; or
 - (iii) the person requires medical treatment as a result of consuming an intoxicating substance and evidence of a violation of this section is obtained during the course of seeking or receiving medical treatment.
- (b) For the purposes of this subsection (10), the following definitions apply:
- (i) "Health care facility" means a facility or entity that is licensed, certified, or otherwise authorized by law to administer medical treatment in this state.

- (ii) "Medical treatment" means medical treatment provided by a health care facility or an emergency medical service.

Montana's Good Samaritan Protections

50-32-609 Good Samaritan protections

- (1) The provisions of 45-5-626, 45-9-102, 45-9-107, and 45-10-103 do not apply to:
 - (a) a person who, acting in good faith, seeks medical assistance for another person who is experiencing an actual or reasonably perceived drug-related overdose if the evidence supporting an arrest, charge, or prosecution was obtained as a result of the person's seeking medical assistance for another person; or
 - (b) a person who experiences a drug-related overdose and is in need of medical assistance if the evidence supporting an arrest, charge, or prosecution was obtained as a result of the drug-related overdose and the need for medical assistance.
- (2) The provisions of 45-9-102, 45-9-107, and 45-10-103 do not apply to a pregnant woman seeking or receiving evaluation, treatment, or support services for a substance use disorder.
- (3) The provisions of 45-5-601(2)(a) do not apply to a person reporting a crime under 45-5-502 or 45-5-503.
- (4) A person's pretrial release, probation, furlough, supervised release, or parole may not be revoked based on an incident for which the person would be immune from arrest, charge, or prosecution under this section.
- (5) A person's act of providing first aid or other medical assistance to a person who is experiencing an actual or reasonably perceived drug-related overdose may be used as a mitigating factor in a criminal prosecution for which immunity is not provided under this section.
- (6) This section may not be construed to:
 - (a) bar the admissibility of evidence obtained in connection with the investigation and prosecution of other crimes or violations committed by a person who otherwise qualified for limited immunity under this section;
 - (b) limit, modify, or remove immunity from liability currently available to public entities, public employees, or prosecutors or by law; or
 - (c) create a new cause of action or other source of criminal liability for a pregnant woman with a substance use disorder who does not seek or receive evaluation, treatment, or support services for a substance use disorder.

Montana's Carrying False Identification Law

61-5-302. Unlawful use of license or identification card

It is a misdemeanor for a person to:

- (1) display or cause or permit to be displayed or have in the person's possession a canceled, revoked, suspended, fictitious, or altered driver's license, identification card, or tribal identification card;
- (2) lend the person's driver's license, identification card, or tribal identification card to any other person or knowingly permit its use by another;
- (3) display or represent as one's own any driver's license, identification card, or tribal identification card not issued to the person;

- (4) fail or refuse to surrender to the department upon its lawful demand a driver's license or identification card that has been suspended, revoked, or canceled;
- (5) use a false or fictitious name in an application for a driver's license or identification card or knowingly make a false statement or knowingly conceal a material fact or otherwise commit a fraud in an application; or
- (6) permit any unlawful use of a driver's license, identification card, or tribal identification card issued to the person.

Fines typically range between \$280 and \$500.

Montana's Public Drunkenness Law

61-8-508. Intoxicated pedestrian

Except in an authorized crosswalk, a person who is under the influence of alcohol or any drug may walk or stand in the public right-of-way, as defined in 60-1-103, but not on a roadway or a shoulder as is otherwise permissible under 61-8-506(2).

Fines typically range between \$100 and \$500.

Montana's law on selling or furnishing alcohol to minors

16-6-305. Age limit for sale or provision of alcoholic beverages – liability of provider

- (1) (a) Except in the case of an alcoholic beverage provided in a nonintoxicating quantity to a person under 21 years of age by the person's parent or guardian, physician or dentist for medicinal purposes, a licensed pharmacist upon the prescription of a physician, or an ordained minister or priest in connection with a religious observance, a person may not sell or otherwise provide an alcoholic beverage to a person under 21 years of age.
- (b) A parent, guardian, or other person may not knowingly sell or otherwise provide an alcoholic beverage in an intoxicating quantity to a person under 21 years of age.
- (c) For the purposes of this section, "intoxicating quantity" means a quantity of an alcoholic beverage that is sufficient to produce:
 - (i) a blood, breath, or urine alcohol concentration in excess of 0.05; or
 - (ii) substantial or visible mental or physical impairment.
- (2) A person is guilty of a misdemeanor who:
 - (a) invites a person under the age of 21 years into a public place where an alcoholic beverage is sold and treats, gives, or purchases an alcoholic beverage for the person;
 - (b) permits the person in a public place where an alcoholic beverage is sold to treat, give, or purchase alcoholic beverages for the person; or
 - (c) holds out the person to be 21 years of age or older to the owner of the establishment or to the owner's employee.
- (3) It is unlawful for any person to fraudulently misrepresent the person's age to any dispenser of alcoholic beverages or to falsely procure any identification card or to alter any of the statements contained in any identification card, including a tribal identification card.
- (4) A person 21 years of age or older who violates the provisions of subsection (1)(b) is, in addition to applicable criminal penalties, subject to civil liability for damages resulting from a tortious act committed by the person to whom the intoxicating substance was sold or provided if the act is judicially determined to be the result of the intoxicated condition created by the violation.

Montana's Possession of Dangerous Drugs (PODD)

45-9-102. Criminal possession of dangerous drugs

- (1) Except as provided in Title 16, chapter 12, 50-32-609, a person commits the offense of criminal possession of dangerous drugs if the person possesses any dangerous drug, as defined in 50-32-101, [in an amount] greater than permitted or for which a penalty is not specified under Title 16, chapter 12.
- (2) A person convicted of criminal possession of dangerous drugs shall be imprisoned in the state prison for a term not to exceed 5 years or be fined an amount not to exceed \$5,000, or both.
- (3) A person convicted of a first violation under this section is presumed to be entitled to a deferred imposition of sentence of imprisonment.
- (4) Ultimate users and practitioners, as defined in 50-32-101, and agents under their supervision acting in the course of a professional practice are exempt from this section.

16-12-106. Personal Use and Cultivation of Marijuana—Penalties

- (1) Subject to the limitations in 16-12-108, the following acts are lawful and may not be an offense under state law or the laws of any local government within the state, be a basis to impose a civil fine, penalty, or sanction, or be a basis to detain, search, or arrest, or otherwise deny any right or privilege, or to seize or forfeit assets under state law or the laws of any local government for a person who is 21 years of age or older:
 - (a) possessing, purchasing, obtaining, using, ingesting, inhaling, or transporting 1 ounce or less of usable marijuana, except that not more than 8 grams may be in a concentrated form and not more than 800 milligrams of THC may be in edible marijuana products meant to be eaten or swallowed in solid form;
 - (b) transferring, delivering, or distributing without consideration, to a person who is 21 years of age or older, 1 ounce or less of usable marijuana, except that not more than 8 grams may be in a concentrated form and not more than 800 milligrams of THC may be in edible marijuana products mean to be eaten or swallowed in solid form;
 - (c) in or on the grounds of a private residence, possessing, planting, or cultivating up to two mature marijuana plants and two seedlings, or four mature marijuana plants and four seedlings for a registered cardholder, and possessing, harvesting, drying, processing, or manufacturing the marijuana, provided that:
 - (i) marijuana plants and any marijuana produced by the plants in excess of 1 ounce must be kept in a locked space in or on the grounds of one private residence and may not be visible by normal, unaided vision from a public place;
 - (ii) not more than twice the number of marijuana plants permitted under this subsection (1)(c) may be cultivated in or on the grounds of a single private residence simultaneously;
 - (iii) a person growing or storing marijuana plants under this subsection (1)(c) must own the private residence where the plants are cultivated and stored or obtain written permission to cultivate and store marijuana from the owner of the private residence; and
 - (iv) no portion of a private residence used for cultivation of marijuana and manufacture of marijuana products for personal use may be shared with, rented, or leased to a marijuana business;

- (d) assisting another person who is at least 21 years of age in any of the acts permitted by this section, including allowing another person to use one's personal residence for any of the acts described in this section; and
 - (e) possessing, purchasing, using, delivering, distributing, manufacturing, transferring, or selling to persons 18 years of age or older paraphernalia relating to marijuana.
- (2) A person who cultivates marijuana plants that are visible by normal, unaided vision from a public place in violation of subsection (1)(c)(i) is subject to a civil fine not exceeding \$250 and forfeiture of the marijuana.
 - (3) A person who cultivates marijuana plants or stores marijuana outside of a locked space is subject to a civil fine not exceeding \$250 and forfeiture of the marijuana.
 - (4) A person who smokes marijuana in a public place, other than in an area licensed for that activity by the department, is subject to a civil fine not exceeding \$50.
 - (5) For a person who is under 21 years of age and is not a registered cardholder, possession, use, ingestion, inhalation, transportation, delivery without consideration, or distribution without consideration of marijuana is punishable in accordance with 45-5-624.
 - (6) For a person who is under 18 years of age and is not a registered cardholder, possession, use, transportation, delivery without consideration, or distribution without consideration of marijuana paraphernalia is punishable by forfeiture of the marijuana paraphernalia and 8 hours of drug education counseling.
 - (7) Unless otherwise permitted under the provisions of Title 16, chapter 12, part 5, the possession, production, delivery without consideration to a person 21 years of age or older, or possession with intent to deliver more than 1 ounce but less than 2 ounces of marijuana or more than 8 grams but less than 16 grams of marijuana in a concentrated form is punishable by forfeiture of the marijuana and:
 - (a) for a first violation, the person's choice between a civil fine not exceeding \$200 or completing up to 4 hours of community service in lieu of the fine;
 - (b) for a second violation, the person's choice between a civil fine not exceeding \$300 or completing up to 6 hours of community service in lieu of the fine; and
 - (c) for a third or subsequent violation, the person's choice between a civil fine not exceeding \$500 or completing up to 8 hours of community service in lieu of the fine.
 - (8) A person may not be denied adoption, custody, or visitation rights relative to a minor solely for conduct that is permitted by this chapter.
 - (9) A person may not be denied access to or priority for an organ transplant or denied access to health care solely for conduct that is permitted by this chapter.

16-12-108. Limitations of Act

- (1) This chapter does not permit:
 - (a) any individual to operate, navigate, or be in actual physical control of a motor vehicle, train, aircraft, motorboat, or other motorized form of transport while under the influence of marijuana or marijuana products;
 - (b) consumption of marijuana or marijuana products while operating or being in physical control of a motor vehicle, train, aircraft, motorboat, or other motorized form of transport while it is being operated;
 - (c) smoking or consuming marijuana while riding in the passenger seat within an enclosed compartment of a motor vehicle, train, aircraft, motorboat, or other motorized form of transport while it is being operated;

- (d) delivery or distribution of marijuana or marijuana products, with or without consideration, to a person under 21 years of age;
 - (e) purchase, consumption, or use of marijuana by a person under 21 years of age;
 - (f) possession or transport of marijuana or marijuana products by a person under 21 years of age unless the underage person is at least 18 years of age and is an employee of a marijuana business licensed under this chapter and engaged in work activities;
 - (g) possession or consumption of marijuana or marijuana products or possession of marijuana paraphernalia:
 - (i) on the grounds of any property owned or leased by a school district, a public or private preschool, school, or postsecondary school as defined in 20-5-402;
 - (ii) in a school bus or other form of public transportation;
 - (iii) in a health care facility as defined in 50-5-101;
 - (iv) on the grounds of any correctional facility; or
 - (v) in a hotel or motel room;
 - (h) using marijuana or marijuana products in a location where smoking tobacco is prohibited;
 - (i) consumption of marijuana or marijuana products in a public place, except as allowed by the department;
 - (j) conduct that endangers others;
 - (k) undertaking any task while under the influence of marijuana or marijuana products if doing so would constitute negligence or professional malpractice; or
 - (l) performing solvent-based extractions on marijuana using solvents other than water, glycerin, propylene glycol, vegetable oil, or food-grade ethanol unless licensed for this activity by the department.
- (2) A person may not cultivate marijuana in manner that is visible from the street or other public area.
- (3) A hospice or residential care facility licensed under Title 50, chapter 5, may adopt a policy that allows use of marijuana by a registered cardholder.
- (4) Nothing in this chapter may be construed to:
- (a) require an employer to permit or accommodate conduct otherwise allowed by this chapter in any workplace or on the employer's property;
 - (b) prohibit an employer from disciplining an employee for violation of a workplace drug policy or for working while intoxicated by marijuana or marijuana products;
 - (c) prevent an employer from declining to hire, discharging, or otherwise taking an adverse employment action against an individual with respect to hire, tenure, terms, conditions, or privileges of employment because of the individual's violation of a workplace drug policy or intoxication by marijuana or marijuana products while working;
 - (d) prohibit an employer from including in any contract a provision prohibiting the use of marijuana for a debilitating medical condition; or
 - (e) permit a cause of action against an employer for wrongful discharge pursuant 39-2-904 or discrimination pursuant to 49-1-102.
- (5) Nothing in this chapter may be construed to prohibit a person from prohibiting or otherwise regulating the consumption, cultivation, distribution, processing, sale, or display of marijuana, marijuana products, and marijuana paraphernalia on private property the person owns, leases, occupies, or manages, except that a lease agreement executed after January 1, 2021, may not prohibit a tenant from lawfully possessing and consuming marijuana by means other than smoking unless required by federal law to obtain federal funding.

- (6) A licensee who violates 15-64-103 or 15-64-104 or fails to pay any other taxes owed to the department under Title 15 is subject to revocation of the person's license from the date of the violation until a period of up to 1 year after the department certifies compliance with 15-64-103 or 15-64-104.
- (7) Unless specifically exempted by this chapter, the provisions of Title 45, chapter 9, apply to the conduct of consumers, licensees, and registered cardholders.

Montana's Possession of Dangerous Paraphilia (PODP)

45-10-103. Criminal possession of drug paraphernalia

Except as provided in Title 16, chapter 12, 50-32-609, it is unlawful for a person to use or to possess with intent to use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a dangerous drug. A person who violates this section is guilty of a misdemeanor and upon conviction shall be imprisoned in the county jail for not more than 6 months, fined an amount of not more than \$500, or both. A person convicted of a first violation of this section is presumed to be entitled to a deferred imposition of sentence of imprisonment.

Kalispell's Municipal Code for Alcoholic Beverages, Offenses and Penalties

3-18 Consumption in Street, Alley, or Public Place Prohibited; Exceptions

A. No person shall sell, serve, dispense, consume or possess an open container of any alcoholic beverage in or upon any building or other property owned or occupied by the City or upon any street or sidewalk unless such action is otherwise authorized as set forth in this section.

3-16 Possession by Persons Under Twenty-One

It is unlawful for any person who has not reached the age of twenty-one (21) years to have in his or her possession an alcoholic beverage, provided, however, that a person does not commit this offense when in the course of his or her employment it is necessary to possess alcoholic beverages.

3-19 Penalties

Any person violating any of the provisions of this article shall, upon conviction thereof, be punished as provided in Section **1-9** of this Code.

1-9 General Penalty

Except in any case involving the commission of a municipal infraction, whenever in any provision of this Code or other ordinance of the City or in any rule, regulation or order promulgated by any officer or agency of the City under authority vested in him or her or if by law or ordinance any act is prohibited or is made or declared to be unlawful or an offense, or whenever the doing of an act is required or the failure to do any act is declared to be unlawful, where no specific penalty is otherwise provided for the disobedience of such provision, ordinance, rule, regulation or order, or whenever said act is done or not done, as may be prohibited or required, any person upon conviction for the violation of any such

provision of this Code, ordinances, rules, regulations or orders, or said act or failure to act, as the case may be, shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment not to exceed six (6) months, or by both such fine and imprisonment, for each such offense. Each day any violation of any provision of this Code or other ordinance, rule, regulation or order, or prohibition or requirement shall continue shall constitute a separate offense.

Libby's Municipal Code for Public Consumption of Liquor and Intoxication

9.56.010 Definitions

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Alcohol" means ethyl alcohol, also called ethanol, or the hydrated oxide of ethyl.

"Alcoholic beverage" means a compound produced and sold for human consumption as a drink that contains more than one-half percent of alcohol by volume.

"Public display or exhibition of beer, wine, or liquor" means the carrying and exhibiting of open cans or bottles of beer or the carrying and exhibition of glasses or other types of containers for beer, wine or liquor, even though empty, on or within any place as defined herein. This definition does not include carrying or transporting beer, wine or liquor from retail or wholesale liquor or beer establishments in sacks, cases, boxes, cartons or other similar containers if the seal for the alcoholic beverage container is unbroken: nor does this definition include those situations wherein the alcoholic beverage container is being transported or carried to a recycling center or garbage disposal site; nor does this definition include transportation of alcoholic containers in a compartment of a vehicle that is outside the passenger area of the vehicle and which area is not accessible to the driver and passenger of the vehicle from the passenger area while the vehicle is in operation.

"Public places" means all sidewalks, streets, avenues, alleys, publicly owned parking lots and privately owned parking lots open to the public for parking in the city. This definition does not include the premises licensed for the sale of liquor or beer at retail by the Liquor Division of the Montana Department of Revenue. For purposes of this definition, the term "premises" shall have the same meaning attributed to that term by the Department of Revenue pursuant to its administrative regulations, which term is defined as follows: the building or any specific portion of any building in which the liquor and/or beer business is conducted and those areas in which the licensee operates a sidewalk cafe, open air restaurant or tavern outside of and adjacent to the licensed building and to which patrons are permitted free access from the building. (Ord. No. 1850, § 1, 7-21-2014)

9.56.020 Unlawful within city limits

Public drinking and public display and exhibition of alcoholic beverages as defined in this chapter are prohibited, and it is unlawful for any person to engage in public drinking, public display or exhibition of alcoholic beverages within the city limits. A violation of any provision of this chapter is a municipal infraction punishable as set forth in Section 1.28.010. (Ord. No. 1850, § 2, 7-21-2014; Ord. No. 1881, § 1, 3-2-2016)

Federal Drug Penalties: Possession of Controlled Substance

FEDERAL DRUG PENALTIES: POSSESSION OF CONTROLLED SUBSTANCE			
PENALTY	1ST CONVICTION	2ND CONVICTION	3RD CONVICTION OR SUBSEQUENT
Fine	Minimum \$1,000 Maximum \$100,000	Minimum \$1,000 Maximum \$250,000	Minimum \$5,000 Maximum \$250,000
Prison	Maximum 1 Year	Minimum 15 Days Maximum 2 Years	Minimum 90 Days Maximum 3 Years

Additional provisions include the following:

- Forfeiture of property: If the jail sentence is more than one year, then the property (including vehicles) used to possess drugs must be forfeited to authorities.
- Civil fine: Maximum of \$10,000.
- Loss of federal benefits: Ineligible for contracts, professional and commercial licenses, up to one year for first conviction, up to five years for second conviction. In eligible to purchase a gun.

Federal Drug Penalties: Trafficking

FEDERAL TRAFFICKING PENALTIES

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams 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 \$5 million if an individual, \$25 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 \$10 million if an individual, \$50 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture	Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	400 grams or more mixture	Second Offense: Not less than 15 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture	2 or More Prior Offenses: Not less than 25 years. Fine of not more than \$20 million if an individual, \$75 million if not an individual.	1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		100 gm or more pure or 1 kg or more mixture	

PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual.		
Flunitrazepam (Schedule IV)	1 gram	Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Other Schedule III drugs	Any amount	First Offense: Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.		
All other Schedule IV drugs	Any amount	Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
Flunitrazepam (Schedule IV)	Other than 1 gram or more	First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.		
All Schedule V drugs	Any amount	Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
		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 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

FEDERAL TRAFFICKING PENALTIES—MARIJUANA

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 15 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50 million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not less than 20 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not less than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kg marijuana (except 50 or more marijuana plants regardless of weight); 1 to 49 marijuana plants;	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual
Hashish (Schedule I)	10 kg or less	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual
Hashish Oil (Schedule I)	1 kg or less	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual

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

FVCC Alcohol and Drug Abuse Prevention Programs

FVCC has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees both on the college's premises and as a part of any of its activities to comply with the Drug-Free Schools and Campuses Regulations.

FVCC utilizes evidence-based strategies designed to limit alcohol and drug abuse in its community and activities. These include AlcoholEdu for Adult Learners (AlcoholEdu), an interactive online program designed to reduce the negative consequences of alcohol use amongst students; CampusWell, a weekly newsletter and online ap available to all students and employees, peer education, and organized events.

All new degree-seeking students aged 21 or younger are required to successfully complete AlcoholEdu within their first semester at FVCC. All other students are encouraged, but not required to complete AlcoholEdu, a science-based, interactive online program designed to provide students with facts and skill-based information on the consequences of alcohol abuse, including sexual assault and alcohol's impact on the brain, body, and behavior. The program matches course content to each student based on his or her behavior, attitudes, and what he or she already knows about alcohol. Whether students choose to drink or not, AlcoholEdu is designed to encourage informed decision making about alcohol

use as well as providing skills to respond to drinking and risk behaviors of friends and peers. AlcoholEdu is FVCC's primary prevention program for alcohol education.

To provide students with year-round support and education on a variety of health-related topics, FVCC partnered with [CampusWell](#) in January 2019 to offer students and employees access to weekly newsletters (in the campus bathroom stalls) and a mobile app with content updated weekly.

[CampusWell](#) covers a variety of college health, wellness and safety issues including alcohol and other drugs, fitness and nutrition, stress, sleep, mental health, nutrition, sexual health, consent, colds, flu, and more. Alcohol and substance abuse education and prevention topics covered in the 2020-2021 and 2021-2022 academic years included:

- What does it mean to be sober curious?
- What does it mean to be an Upstander?
- What effect does alcohol have on sleep?
- How healthy is your relationship?
- What to say to a friend who is sexually assaulted.
- Why reporting a sexual assault is a complex and personal decision.

The Student Engagement Coordinator, Recreation and Wellness Coordinator, and Student Wellness Team collaborate with the Student Health Clinic and other entities to provide additional educational awareness opportunities throughout the year. Additionally, the Coordinator of Residence Life and resident assistants also facilitate intentional, on-going educational awareness activities such as informative bulletin boards and hosting safe, alternative events for residents to participate in throughout the academic year.

Examples of the FVCC's efforts to provide ongoing alcohol and substance abuse prevention, education and awareness presentations and activities during the 2020-2021 and 2021-2022 academic years include the following:

Topic	Date & Presenter	Audience
Escalation Workshop – On Love Foundation <ul style="list-style-type: none"> • Healthy relationships workshop 	Student Wellness Team <ul style="list-style-type: none"> • February 26, 2020 • February 26, 2020 • February 27, 2020 	<ul style="list-style-type: none"> • Residents of Founders Hall • Students • Students
Understanding and Exploring Drugs and Alcohol Training <ul style="list-style-type: none"> • Drug recognition and proper protocols 	Campus Resource Officer <ul style="list-style-type: none"> • August 11, 2020 • February 5, 2021 	Residence Life Staff
Why It's important to Love You <ul style="list-style-type: none"> • Mental health awareness bulletin board 	Resident Assistants <ul style="list-style-type: none"> • February 2021 	Residents of Founders Hall
Behind Closed Doors <ul style="list-style-type: none"> • Situational scenarios RAs could encounter while on duty 	Coordinator of Residence Life and Campus Resource Officer <ul style="list-style-type: none"> • February 5, 2021 	Resident Assistants

Your Shot <ul style="list-style-type: none"> Alcohol safety and awareness bulletin board 	Resident Assistants <ul style="list-style-type: none"> March 2021 	Residents of Founders Hall
Fresh Check Day <ul style="list-style-type: none"> A mental health check-in with interactive booths 	Student Wellness Team <ul style="list-style-type: none"> September 15, 2021 	Students
Mental Health: Let's Talk About It <ul style="list-style-type: none"> Professional development workshop on mental health 	Mental Health Counselor <ul style="list-style-type: none"> September 23, 2021 	Staff and Faculty
Handle Your Booze <ul style="list-style-type: none"> Alcohol Safety Bulletin Board 	Resident Assistants <ul style="list-style-type: none"> October 2021 	Residents of Founders Hall
De-escalation Techniques <ul style="list-style-type: none"> Professional development workshop on de-escalation techniques 	Mental Health Counselor and Campus Resource Officer <ul style="list-style-type: none"> November 1, 2021 	Staff and Faculty
Bystander Intervention <ul style="list-style-type: none"> Bystander intervention training 	Student Wellness Team <ul style="list-style-type: none"> November 4, 2021 November 6, 2021 	<ul style="list-style-type: none"> Students Students
Healthy Relationships <ul style="list-style-type: none"> A workshop focused on healthy relationships 	Student Wellness Team <ul style="list-style-type: none"> November 4, 2021 	Students
Turn In Your Vape <ul style="list-style-type: none"> An event to reward students for turning in their vapes 	Student Wellness Team <ul style="list-style-type: none"> November 15-19, 2021 	Students
Suicide Awareness <ul style="list-style-type: none"> Professional development workshop on suicide awareness 	Nate Chute Foundation <ul style="list-style-type: none"> December 8, 2021 	Staff and Faculty
The Hookup <ul style="list-style-type: none"> Interactive presentation on sexual assault prevention and bystander intervention 	Catharsis Productions <ul style="list-style-type: none"> February 14, 2022 	Students
NARCAN Training <ul style="list-style-type: none"> How to recognize the signs of an opioid overdose and administer Naloxone 	Campus Resource Officer <ul style="list-style-type: none"> April 7, 2022 	Dean of Students, Coordinator of Residence Life, Manager of Custodial Services

Resources Available for Students and Employees

A variety of resources are available for students and employees as noted below.

Resources for Students

Free counseling services are available for all students enrolled in credit courses. The FVCC Counselor, located in LRC 147A, provides individual counseling for students going through emotional and personal concerns, struggling with stress and anxiety, adjusting to school and life changes, and overcoming

academic barriers. To schedule an appointment or for additional information, email counseling@fvcc.edu.

YOU.fvcc.edu is a confidential health and wellness portal that connects students to online tools and resources that support personalized goals to Succeed, Thrive, and Matter.

[FVCC Campus Well](#) provides a comprehensive and relevant wellness and self-help information to students along with practical tips.

[Thriving Campus](#) helps students find a local mental health provider or search for providers in different locations around the state.

Resources for Employees

All employees and their household members have access to confidential advice, support, and practical solutions to real-life issues such as those associated with drug and alcohol use and abuse through the Employee Assistance Program (EAP). The EAP offers a 24-hour Crisis Help line, in-person counseling, and access to online consultations with licensed counselors. The EAP can be accessed at <https://members.uprisehealth.com/> or <https://choices.mus.edu/eap-work-life.html> with access code MUS or by calling 866.750.1327.

Montana University System (MUS) Benefits Plan participants are eligible for four free, confidential sessions with an in-network counselor for relationships and family issues, stress, anxiety, and other common challenges. To locate an in-network counselor, employees can visit the website of the medical plan administrator located on the last page of the [Choices Annual Benefits Enrollment Workbook](#).

Covered Preventive Services – Adult Routine Exam. Exams may include screening/counseling and/or risk factor reduction interventions for depression, obesity, tobacco use/abuse, drug and/or alcohol use/abuse for adults aged 18 years through 65+ (1 visit/plan year).

MUS Benefits Plan participants are also eligible for inpatient and outpatient benefits for chemical dependency. More information regarding this benefit is located in the [Choices Annual Benefits Enrollment Workbook](#).

The Take Control Program offered to MUS Benefit Plan participants provides additional support and counseling for tobacco cessation. More information regarding this program is located in the [Choices Annual Benefits Enrollment Workbook](#).

Additional Resources

[Suicide & Crisis Lifeline](#) | 988

24-Hour Addiction Network | 800.577.4393

Alcoholics Anonymous – Montana | 888.607.2000

Montana Narcotics Anonymous Helpline | 800.990.6262

Montana Tobacco Quit Line | 800.QUIT.NOW

Northwest Montana AA Hotline | 406.756.1499

Know Your Community - Guide to living in the Flathead

Health Effects of Alcohol and Other Drugs

The use and abuse of drugs and alcohol carry dangerous physical, emotional, and psychological consequences including dependence, impaired judgment and coordination, increased aggression and violence, memory and speech problems, feelings of panic, confusion, paranoia and loss of control, permanent damage to vital organs, and death. Listed below are some of the major side effects of alcohol and other drugs.

Alcohol

- Impairs judgment and coordination
- Hinders ability to learn and remember information
- Increases aggression and abusive acts
- High doses cause dependence, respiratory depression, or death
- Withdrawal causes anxiety, nausea, hallucinations, and convulsions
- Damages vital organs, such as the liver, permanently
- May lead to fetal alcohol syndrome when consumed by pregnant women

Cannabis (Marijuana)

- Reduces short-term memory and comprehension
- Produces paranoia and psychosis
- Damages lungs and respiratory system with inhalation of carcinogenic smoke
- Alters sense of time
- Increases heart rate

Hallucinogens (PCP, LSD)

- Cause sense of distance and space estrangement, illusions, and hallucinations
- Create persistent memory problems and speech difficulties
- Induce violent episodes that result in self-inflicted injuries
- Produce negative psychological effects such as panic, confusion, suspicion, anxiety, and loss of control
- Result in side effects such as dizziness, weakness, tremor, nausea and drowsiness

Narcotics (Codeine, morphine, opium, heroin)

- Produce feelings of euphoria followed by drowsiness, nausea, and vomiting
- Create constricted pupils, watery eyes, and itching
- Can be deadly in overdose, causing shallow breathing, clammy skin, convulsions, and death

- Promote the transmission of AIDS, endocarditis, and hepatitis through use of unsterilized syringes

Cocaine/Crack

- Cause constant stuffy, runny nose and possible perforated nasal septum
- Produce dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature, followed by depression
- Extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, convulsions, and death

Designer Drugs (Ecstasy)

- Hundreds of times stronger than the drugs they're designed to imitate
- Cause symptoms similar to Parkinson's disease including tremors, drooling, impaired speech
- Can cause brain damage with as little as one dose

Stimulants (Speed, crystal meth, Ritalin)

- Produce elevated blood pressure and heart rates, decreased appetite, perspiration, headache, blurred vision, dizziness, sleeplessness, and anxiety
- Cause physical collapse in high doses
- Can result in amphetamine psychosis in long-term users, which includes hallucinations, delusions, and paranoia

Inhalants (Whippets, laughing gas, buzz bombs)

- Are mixtures of volatile substances, which makes it difficult to be specific about effects
- Can cause nausea, sneezing, coughing, nose bleeds, fatigue, lack of coordination, loss of appetite and involuntary passing of urine and feces
- May result in hepatitis, brain damage, nervous system damage, weight loss, fatigue, electrolyte imbalance and muscle weakness with long-term use

Depressants (Downers, Valium, Quaaludes)

- Have similar effects to alcohol
- Cause calmness in small amounts, slurred speech, and staggering gait in large doses
- Can cause dependence with serious withdrawal symptoms such as restlessness, insomnia, convulsions, and death

For more information regarding the effects of alcohol and other drugs, contact the Student Health Clinic at 406.756.4331.

Social, Academic, and Personal Risks of Substance Abuse

Social, academic, and personal risks are associated with students who drink alcohol, use illegal drugs or abuse prescription drugs which can directly or indirectly lead to:

- Social problems: driving under the influence, fighting, unwanted sexual contact, vandalism, trouble with authorities, or unsafe sexual behavior.
- Academic problems: poor grades, missed classes, memory loss, or falling behind in class work or projects.

- Personal problems: depression, illness, and injury, experiencing unwanted attempted or completed sexual intercourse, suicide, being the victim of violence or racial harassment, or being unable to control drinking or drug use.

National College Health Assessment – 2020 FVCC Data

The American College Health Association National College Health Assessment III (ACHA-NCHA III) survey is a nationally recognized research survey organized by the American College Health Association (ACHA) that assists colleges and universities in collecting precise data about their students' health habits, behaviors, and perceptions.

The following summaries show key findings from the Spring 2020 ACH-NCHA III survey regarding student substance use including alcohol, tobacco, cannabis, prescription, and other drugs. The overall response rate was 28.2%, consisting of 320 respondents.

Impediments to Academic Performance

Within the past 12 months, students responding to the survey reported the following factors negatively impacting their performance in a class or delaying the progress towards their degree.

Percent (%)	Negatively impacted academic performance among <u>all students in the sample</u>			Negatively impacted academic performance among <u>only students that experienced the issue</u>		
	Male	Female	Total	Male	Female	Total
Alcohol use	2.1	0.9	1.3	3.4	1.5	2.0
Cannabis/marijuana use	2.1	0.9	1.3	12.5	3.9	5.6

Tobacco, Alcohol and Other Drug Use

Students also reported if they have used tobacco, alcohol, or other drugs as noted in the charts below.

When, if ever, was the last time you:

Percent (%)	Drank Alcohol			*Used Cannabis/Marijuana		
	Male	Female	Total	Male	Female	Total
Never	27.1	24.3	25.7	65.3	53.7	56.9
Within the last 2 weeks	35.4	40.7	39.2	8.4	14.0	12.9
More than 2 weeks ago but within the last 30 days	7.3	11.2	10.0	3.2	0.9	1.6
More than 30 days ago but within the last 3 months	12.5	7.9	9.1	2.1	4.7	4.1
More than 3 months ago but within the last 12 months	7.3	6.1	6.3	4.2	6.5	6.0
More than 12 months ago	10.4	9.8	9.7	16.8	20.1	18.6

*Students were instructed to include medical and non-medical use of cannabis.

Percent (%)	Ever Used			*Used in the last 3 months		
	Male	Female	Total	Male	Female	Total
Tobacco or nicotine delivery products (cigarettes, e-cigarettes, Juul or other vape products, water pipe or hookah, chewing tobacco, cigars, etc.)	42.7	40.8	41.8	21.9	23.7	23.8
Alcoholic beverages (beer, wine, liquor, etc.)	64.6	67.5	66.2	51.0	56.7	55.0
Cannabis (marijuana, weed, hash, edibles, vaped cannabis, etc.) <i>[Please report nonmedical use only.]</i>	29.8	34.3	33.0	13.5	16.3	15.6
Cocaine (coke, crack, etc.)	13.7	5.2	8.2	2.1	1.9	1.9
Prescription stimulants (Ritalin, Concerta, Dexedrine, Adderall, diet pills, etc.) <i>[Please report nonmedical use only.]</i>	12.6	6.6	8.8	2.1	0.9	1.6
Methamphetamine (speed, crystal meth, ice, etc.)	4.2	3.3	3.8	0.0	0.5	0.6
Inhalants (poppers, nitrous, glue, gas, paint thinner, etc.)	10.5	2.4	5.1	0.0	0.5	0.3
Sedatives or Sleeping Pills (Valium, Ativan, Xanax, Klonopin, Librium, Rohypnol, GHB, etc.) <i>[Please report nonmedical use only.]</i>	16.0	7.1	10.2	2.1	2.3	2.2
Hallucinogens (Ecstasy, MDMA, Molly, LSD, acid, mushrooms, PCP, Special K, etc.)	14.9	9.0	11.5	3.1	2.3	2.5
Heroin	1.1	0.5	1.0	0.0	0.0	0.0
Prescription opioids (morphine, codeine, fentanyl, oxycodone [OxyContin, Percocet], hydrocodone [Vicodin], methadone, buprenorphine [Suboxone], etc.) <i>[Please report nonmedical use only.]</i>	11.7	7.6	9.2	0.0	0.9	0.9

*These figures use all students in the sample as the denominator, rather than just those students who reported lifetime use.

Proportion of students (overall sample) who report misusing prescription medications (taking without a prescription, or taking more medication or more often than prescribed) in the past 3 months:

Percent (%)	Male	Female	Total
Prescription stimulants	2.1	0.9	1.6
Prescription sedatives or sleeping pills	2.1	1.9	1.9
Prescription opioids	0.0	0.9	0.9

***Tobacco or nicotine delivery products used in the last 3 months**

Percent (%)	Male	Female	Total
Cigarettes	9.4	13.5	12.8
E-cigarettes or other vape products (for example: Juul, etc.)	9.4	13.5	12.8
Water pipe or hookah	0.0	1.4	0.9
Chewing or smokeless tobacco	6.3	2.8	3.8
Cigars or little cigars	8.3	3.3	4.7
Other	0.0	0.5	0.3

*These figures use all students in the sample as the denominator, rather than just those students who reported tobacco or nicotine delivery product use in the last 3 months.

Alcohol Consumption

Students also reported in the survey questionnaire the number of drinks they consumed and the consequences of their experiences with alcohol.

*Reported number of drinks consumed the last time students drank alcohol in a social setting.

Number of drinks	Percent (%)	Male	Female	Total
4 or fewer		86.8	85.9	86.6
5		5.7	4.7	4.8
6		1.9	3.1	2.7
7 or more		5.7	6.3	5.9
Mean		2.8	2.8	2.8
Median		2.0	2.0	2.0
Std Dev		2.5	2.6	2.5

*Only students who reported drinking alcohol in the last three months were asked this question.

Reported number of times college students consumed five or more drinks in a sitting within the last two weeks:

	Among <u>all</u> students surveyed			
	Percent (%)	Male	Female	Total
Did not drink alcohol in the last two weeks (includes non-drinkers)		64.6	59.3	60.8
None		26.0	23.8	24.8
1-2 times		6.3	11.2	9.7
3-5 times		2.1	3.7	3.1
6 or more times		1.0	1.9	1.6

*Only students who reported drinking alcohol in the last two weeks were asked this question.

*Among those who reported drinking alcohol within the last two weeks

Male	Female	Total
73.5	58.6	63.2
17.6	27.6	24.8
5.9	9.2	8.0
2.9	4.6	4.0

*College students who drank alcohol reported experiencing the following in the last 12 months when drinking alcohol:

	Percent (%)	Male	Female	Total
Did something I later regretted		10.2	14.3	12.7
Blackout (forgot where I was or what I did for a large period of time and cannot remember , even when someone reminds me)		3.3	7.1	5.9
Brownout (forgot where I was or what I did for short periods of time, but can remember once someone reminds me)		5.0	14.4	11.3
Got in trouble with the police		0.0	3.6	2.5
Got in trouble with college/university authorities		0.0	0.0	0.0
Someone had sex with me without my consent		0.0	2.9	2.0
Had sex with someone without their consent		0.0	0.0	0.0
Had unprotected sex		10.0	17.1	14.6
Physically injured myself		1.7	5.0	3.9
Physically injured another person		0.0	0.0	0.0
Seriously considered suicide		5.0	1.5	2.5
Needed medical help		1.7	1.4	1.5
Reported one or more of the above		6.1	20.2	15.7

*Only students who reported drinking alcohol in the last 12 months were asked these questions.

Students in Recovery

Of the students responding to the survey, 4.7% of the students indicated that they were in recovery from alcohol or other drug use.

Driving Under the Influence

- 20.8% of students reported driving after having any alcohol in the last 30 days. Only students who reported driving in the last 30 days and drinking alcohol in the last 30 days were asked this question.
- 51.2% of students reported driving within 6 hours of using cannabis/marijuana in the last 30 days. Only students who reported driving in the last 30 days and using cannabis/marijuana in the last 30 days were asked this question.

Campus Alcohol and Drug Violations

Below are the reported alcohol and drug violations and fatalities that occurred on the FVCC campuses during the calendar years of 2018 – 2021.

	Kalispell Campus				Lincoln County Campus			
	2018	2019	2020	2021	2018	2019	2020	2021
ALCOHOL, DRUGS ARRESTS								
Liquor Law Violations	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	2	0	0	0	0
TOTAL	0	0	0	2	0	0	0	0

ALCOHOL, DRUGS DISCIPLINARY ACTIONS/REFERRALS								
Liquor Law Violations	8	4	35	18	0	0	0	0
Drug Law Violations	1	5	0	0	0	0	0	0
TOTAL	0	9	35	18	0	0	0	0

ALCOHOL, DRUGS FATALITIES								
Liquor Related Fatalities	0	0	0	0	0	0	0	0
Drug Related Fatalities	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0

Sanctions

Student sanctions for students who violate these policies may include reprimand, probation, restorative justice measures, suspension, expulsion and/or restitution as well as required attendance or completion of educational and/or treatment programs. It was determined through a review of records that the disciplinary sanctions for violating standards of conduct are enforced consistently.

Below is a summary of the number and type of sanctions students received as a result of alcohol and drug violations during the 2020 and 2021 calendar years.

Sanctions for Calendar Year	2020	2021
Disciplinary Warning	0	1
Educational / Community Service Time	4	0
Additional Sanctions / Stipulations	5	2
Housing Probation	6	3
Housing Suspension	2	0
Housing Warning	18	8
Prohibition of Entry into Housing	2	0
TOTAL	37	14

Employee sanctions may include disciplinary measures up to and including termination. There were no reports of alcohol or drug violations by employees for the 2020 and 2021 calendar years.

Recommendations for the Future

The Biennial Review Committee noted that there was a considerable increase in liquor law violations in 2020, primarily stemming from a couple of unsanctioned gatherings in student housing. The increase in violations occurred during the pandemic when students had limited opportunities to socialize and participate in college-sponsored events and activities. However, since the number of alcohol violations significantly dropped the following year, it is recommended that the residence life staff continue to intentionally plan and facilitate a variety of educational bulletin boards and alternative activities throughout the year as they did prior to the pandemic to promote smart, healthy choices.

Additionally, since FVCC is a commuter campus with limited on-campus student housing, the Biennial Review Committee recommends that the college continue to use AlcoholEdu as the primary resource for alcohol and drug abuse prevention education for all new degree-seeking students as well as continue to partner with the Student Wellness Team and utilize CampusWell to provide ongoing, secondary programming for students.

Furthermore, the Biennial Review Committee recommends that the intended outcomes of alcohol and other drug prevention events and activities be tracked and assessed moving forward to ensure that the intended goals are being met as well as make certain that programming focused on meeting the needs of students at various levels (e.g., drinkers, non-drinkers, problem drinkers) exists.

The Biennial Review Committee also recommends that the college explore the creation of a medical amnesty policy to promote responsible decision-making by encouraging students to seek medical assistance for themselves or others when someone's health or safety is at risk due to alcohol and/or other drug use. Similarly, with student safety in mind, the committee further recommends that the college consider offering NARCAN training to interested employees.

Lastly, it is recommended that the Biennial Review Committee meet annually to collaborate and review the previous year's data and current resources and make any adjustments for the upcoming year, if needed.

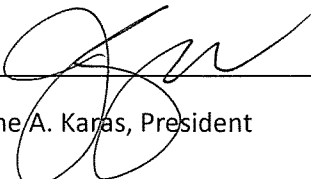
Alcohol and Other Drug Prevention Certification

Flathead Valley Community College
Drug-Free Schools and Campuses Regulations [EDGAR Part 86]
Alcohol and Other Drug Prevention Certification

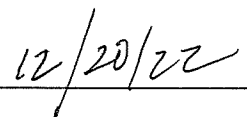
The undersigned certifies that it has adopted and implemented an alcohol and other drug prevention program for its students and employees that, at a minimum, includes –

- 1. The annual distribution to each employee, and to each student who is taking one or more classes any kind of academic credits except for continuing education units, regardless of the length of the student's program of study, of:**
 - 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 its 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 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 that are available to employees or students
 - A clear statement that the institution will improve disciplinary sanctions on students and employees (consistent with State and Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

- 2. A biennial review by the institution of its alcohol and other drug prevention comprehension program to:**
 - Determine its effectiveness and implement changes to its comprehensive alcohol and other drug prevention program and policies, if they are needed
 - Ensure that its disciplinary sanctions are consistently enforced.



Jane A. Karas, President



Date

