

## **Annual Policy Notification/Distribution Pursuant to The Drug Free Schools and Communities Act (DFSCA)**

It is the policy of Rush University and Rush University Medical Center (hereinafter, referred to jointly as “Rush”) to provide a drug and alcohol free learning and work environment as defined by the Drug Free Workplace Act of 1988 and the Drug Free Schools and Communities Act (DFSCA) of 1989.

### **Standards of Conduct:**

In keeping with the mission, vision and core values of Rush, and in recognition of its obligation to protect the safety, health and well-being of its students, patients, visitors, medical staff, volunteers and employees, Rush prohibits the unlawful distribution, dispensing, usage, sale, storage and/or possession of illicit drugs on its premises or while performing Rush business. Furthermore, the distribution, dispensing, usage, sale and/or possession of alcohol on Rush property or while performing Rush business, excluding approved areas and functions, is also strictly prohibited.

### **Disciplinary Action:**

Students who violate this policy will be governed by the Student Conduct Code and subject to disciplinary action up to and including suspension, expulsion, referral for treatment and/or referral for prosecution. Employees who violate this policy will be subject to disciplinary action in accordance with their appropriate employee group regulations up to and including suspension, termination of employment, referral for treatment and/or referral for prosecution.

### **Legal Sanctions:**

#### **Federal Drug Laws**

The possession, use, or distribution of illicit drugs is prohibited by federal law. Strict penalties are enforced for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of federal penalties for first and second convictions.

#### **Federal Drug Trafficking Penalties (21 USC 841)**

Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The following list is a sample of the range and severity of federal penalties imposed for first and second convictions.

## Federal Trafficking Penalties - Marijuana

Drug/Substance	Quantity	1st Offense	2nd Offense
Marijuana	1000 kg or more mixture; or 1,000 or more plants.	Not less than 10 years, not more than life.  If death or serious injury, not less than 20 year, not more than life  Fine not more than \$4 million if an individual, \$10 million if other than an individual.	Not less than 20 years, not more than life.  If death or serious injury, mandatory life.  Fine not more than \$8 million if an individual, \$20 million is other than an individual.
Marijuana	100-999 kg mixture; or 100 to 999 plants.	Not less than 5 years, not more than 40 years.  If death or serious injury, not less than 20 years, not more than life.  Fine not more than \$2 million if an individual, \$5 million in if other than an individual.	Not less than 10 years, not more than life.  If death or serious injury, mandatory life.  Fine not more than \$4 million if an individual, \$10million is other than an individual.
Marijuana	More than 10 kgs hashish; 50 to 99 kg. mixture. More than 1 kg of hashish oil; 50 to 99 plants.	Not more than 20 years.  If death or serious unjust, not less than 20 years, no more than life.  Fine \$1million if an individual, \$5 million if other than an individual.	Not less than 30 years.  If death or serious injury, mandatory life.  Fine \$2 million if an individual, \$10 million is other than an individual.
Marijuana	1-49 plants; less than 50 kg mixture	Not more than 5 years.  Fine not more than \$250,000, \$1million other than individual.	Not more than 10 years.  Fine \$500,000 if an individual, \$2 million is other than an individual.
Hashish	10 kg or less	Not more than 5 years.	Not more than 10

<b>Drug/Substance</b>	<b>Quantity</b>	<b>1st Offense</b>	<b>2nd Offense</b>
		Fine not more than \$250,000, \$1million other than individual.	years. Fine \$500,000 if an individual, \$2 million is other than an individual.
		Not more than 5 years.	Not more than 10 years.
Hash Oil	1 kg or less	Fine not more than \$250,000, \$1million other than individual.	Fine \$500,000 if an individual, \$2 million is other than an individual.

### **Federal Drug Possession Penalties (21 USC 844)**

Persons convicted on Federal charges of possessing any controlled substance face penalties of up to 1 year in prison and a mandatory fine of no less than \$1,000 up to a maximum of \$100,000. Second convictions are punishable by not less than 15 days but not more than 2 years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than 3 years in prison and a minimum fine of \$5,000. Possession of drug paraphernalia is punishable by a minimum fine of \$750.

### **Forfeiture of Personal Property and Real Estate (21 USC 853)**

Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued and property is seized at the time an individual is arrested on charges that may result in forfeiture.

### **Denial of Federal Aid (20 USC 1091)**

Under the Higher Education Act of 1998, students convicted under federal or state law for the sale or possession of drugs will have their federal financial aid eligibility suspended. This includes all federal grants, loans, federal work study programs, and more. Students convicted of drug possession will be ineligible for one year from the date of the conviction of the first offense, two years for the second offense, and indefinitely for the third offense. Students convicted of selling drugs will be ineligible for two years from the date of the first conviction, and indefinitely for the second offense. Those who lose eligibility can regain eligibility by successfully completing an approved drug rehabilitation program.

### **State Drug laws**

### **Illinois Sanctions for Driving Under the Influence (625 Illinois Compiled Statutes 5/11-501)**

Sanctions for driving under the influence of alcohol or drugs may include suspension or revocation of driving privileges, community service, fines, and imprisonment.

**Illinois Statutory Provisions for Violation of Alcohol Control Statutes (235 Illinois Compiled Statutes 5/6-16)**

Sanctions for violating the Illinois Alcohol Control Statutes may include suspension of driving privileges, fines, community service, and imprisonment for up to one year.

**Illinois Statutory Provisions for Illegal Drug Possession (720 ILCS 570/402)**

**Any substance containing COCAINE**

<b>Amount</b>	<b>Felony Status</b>	<b>Prison Term</b>	<b>Fine</b>
15-<100 gm	Class 1	4-15 years	Up to \$200,000
100-<400 gm	Class 1	6-30 years	Up to greater of \$200,000 or full street value
400-<900 gm	Class 1	8-40 years	Up to greater of \$200,000 or full street value
900+ gm	Class 1	10-50 years	Up to greater of \$200,000 or full street value

**Any substance containing AMPHETAMINE**

<b>Amount</b>	<b>Felony Status</b>	<b>Prison Term</b>	<b>Fine</b>
200+ gm	Class 1	4-15 years	Up to \$200,000

**MARIJUANA (includes HASHISH)**

<b>Amount</b>	<b>Classification</b>	<b>Prison Term</b>	<b>Fine</b>
Up to 2.5 gm	Class C Misdemeanor	Up to 30 days	Up to \$1,500
>2.5 - 10.0 gm	Class B Misdemeanor	Up to 6 months	Up to \$1,500

<b>Amount</b>	<b>Classification</b>	<b>Prison Term</b>	<b>Fine</b>
>10.0 - 30.0 gm	Class A Misdemeanor	Less than 1 year	Up to \$2,500
	Class 4 Felony for 2nd and subsequent offenses	1-3 years	Up to \$25,000
>30.0 - 500.0 gm	Class 4 Felony	1-3 years	Up to \$25,000
	Class 3 Felony for 2nd and subsequent offenses	2-5 years	Up to \$25,000
>500.0 - 2,000.0 gm	Class 3 Felony	2-5 years	Up to \$25,000
>2,000.0 - 5,000.0 gm	Class 2 Felony	3-7 years	Up to \$25,000
>5,000.0 gm	Class 1 Felony	4-15 years	Up to \$25,000

Illinois Statutory Provisions for Manufacture or Delivery ([720 ILCS 570/401](#))

**Any substance containing COCAINE or analog thereof**

<b>Amount</b>	<b>Felony Status</b>	<b>Prison Term</b>	<b>Fine</b>
1-<15 gm	Class 1	4-15 years	Up to \$200,000
15-<100 gm	Class X	6-30 years	Up to \$500,000
100-<400 gm	Class X	9-40 years	Up to greater of \$500,000 or full street value
400-<900 gm	Class X	12-50 years	Up to greater of \$500,000 or full street value
900+ gm	Class X	15-60 years	Up to greater of \$500,000 or full street value

**Any substance containing AMPHETAMINE or analog thereof**

<b>Amount</b>	<b>Felony Status</b>	<b>Prison Term</b>	<b>Fine</b>
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<b>Amount</b>	<b>Felony Status</b>	<b>Prison Term</b>	<b>Fine</b>
50-<200 gm	Class 1	4-15 years	Up to \$250,000
200+ gm	Class X	6-30 years	Up to \$500,000

**MARIJUANA (includes HASHISH)**

<b>Amount</b>	<b>Classification</b>	<b>Prison Term</b>	<b>Fine</b>
Up to 2.5 gm	Class B Misdemeanor	Up to 6 months	\$1,500
>2.5-10.0 gm	Class A Misdemeanor	Less than 1 year	\$2,500
>10-30.0 gm	Class 4 Felony	1-3 years	\$25,000
>30-500.0 gm	Class 3 Felony	2-5 years	Up to \$50,000
>500-2,000.0 gm	Class 2 Felony	3-7 years	Up to \$100,000
>2,000-5,000.0 gm	Class 1 Felony	4-15 years	Up to \$150,000
>5,000.0 gm	Class X Felony	6-30 years	Up to \$200,000

**Local law**

Under the Chicago Municipal Code, it is unlawful for any person to sell, give, or deliver alcohol to a person under the age of 21 years, and for any person under the age of 21 years to purchase, deliver, possess, give or consume alcohol. The penalty for violating this law is a fine ranging from \$5 to \$100. Also, with some exceptions, it is unlawful for a person to drink any alcohol on any public way or in or about any motor vehicle upon a public way in the city, with penalties including a fine of \$100 to \$500 and/or imprisonment for a period of six months. *See* sections 8-4-030, 8-16-060, and 8-16-130.

In addition, a person possessing up to 15 grams of cannabis shall be subject to a fine of not less than \$250 nor more than \$500 for the first offense, and \$500 for the second and each subsequent offense within a period of 30 days (unless that person is in possession of medical cannabis in compliance with the Medical Cannabis Pilot Program Act). Community service may also be imposed along with the fine. Also, except as authorized by law, a person who delivers, furnishes, transfers, or possesses with intent to deliver, furnish or transfer, drug paraphernalia, shall be fined \$2000 and/or imprisoned for a period of six months. *See* sections 7-24-091 and 7-24-099.

**Health Risks:**

The consumption of alcohol and illicit drugs may have serious health risks and may result in changes in behavior including: impaired judgment and coordination required to drive a car safely, increased incidences of a variety of aggressive acts, impairment in higher mental functions, risk of dependence, and in high doses, respiratory depression and death. Long-term use can lead to permanent damage to vital organs. Mothers who drink during pregnancy may give birth to infants with fetal alcohol syndrome.

**Student/Employee Rush Wellness Assistance Programs:**

With the intent to provide a drug and alcohol free learning and work environment, Rush is committed to providing proactive drug and alcohol abuse prevention programs, confidential counseling, intervention and referral for its employees, students and faculty. To this end, a Rush Wellness Assistance Program (RWAP) is available for employees, students, faculty and their immediate family members. Employees, students and faculty are encouraged to voluntarily seek help if they are experiencing drug and/or alcohol problems. The RWAP is available to provide counseling, assistance, education and referrals to employees, students, and faculty who seek treatment or whose drug tests have been verified positive, and monitor the individuals' progress through treatment and rehabilitation.

Following is a list of resources available to employees, students and faculty for drug and alcohol treatment:

<b>Name</b>	<b>Phone</b>
Rush University Counseling Center	312/942-3687
Rush Wellness Assistance Program	833/304-3627 Or <a href="http://Perspectivesltd.com">Perspectivesltd.com</a> User name: rush Password: Wellness1
Alcoholics Anonymous	Chicago Area Service Office Main: (312)346-1475 FAX: (312)346-5477, Toll Free: (800)371-1475 <a href="http://www.chicagoaa.org">www.chicagoaa.org</a>
Narcotics Anonymous	Chicagoland region Phone: 708.848-4884 <a href="http://www.chicagona.org">www.chicagona.org</a>