



Creighton University Drug-Free Schools and Communities Act (DFSCA) Annual Notification

Introduction

The Drug-Free Schools and Communities Act (DFSCA) of 1989 and its implementing regulations, as well as the Drug-Free Workplace Act (DFWA), require colleges and universities to establish policies to address the unlawful possession, use, or distribution of alcohol or illicit drugs, and programs to prevent drug and alcohol abuse among students and employees.

Purpose

Creighton University is committed to providing a safe and supportive campus environment that promotes the health and well-being of all students and employees. Maintaining communities and workplaces free from the illegal use, possession or distribution of alcohol and drugs is a priority. The University offers resources and programs to educate and inform students and employees on the dangers of alcohol and drug abuse, including the potential health, disciplinary and legal consequences. These resources and programs form the basis of Creighton's Drug and Alcohol Prevention Program, which complies with DFSCA and its regulations and outlines the University's expectations for students and employees regarding alcohol and illicit drugs. In addition to Creighton's policies and procedures, students and employees also are subject to any and all applicable federal, state, and local laws.

Certification

Creighton has certified to the Department of Education that it has adopted a program to prevent the unlawful possession, use or distribution of alcohol or illicit drugs by students or employees on University property or as part of any University-sponsored activities.

Implementation of the Drug-Free Schools and Communities Act and the Drug Free Workplace Act

The DFSCA and its regulations outline specific requirements for institutions of higher education. The Drug Free Workplace Act outlines specific requirements for federal grant recipients and federal contractors with a contract for more than \$100,000. In accordance with the applicable requirements, Creighton University's Drug and Alcohol Abuse Prevention Program, at a minimum, will include:

- Standards of conduct that clearly prohibit the unlawful manufacture, possession, use, dispensation, or distribution of alcohol or illicit drugs (also known as controlled substances) by students or employees on University property or as part of any University-sponsored activities.

- A description of the legal sanctions under federal, state or local law for the unlawful possession or distribution of alcohol and illicit drugs.
- A description of the health risks associated with the use of illicit drugs and the abuse of alcohol.
- A description of the alcohol and drug education programs provided by the University.
- A clear statement that the University will impose disciplinary sanctions on students and employees (consistent with federal, state or local law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution for violations of established standards of conduct.

Notification Process

In accordance with DFSCA federal requirements, all students and employees will be notified in writing of Creighton’s Drug and Alcohol Abuse Prevention Program at least annually. This includes all students, even those enrolled in online-only courses, taking one or more classes for any type of academic credit, regardless of the length of the program of study, except for continuing education credits or noncredit professional development.

Employees and students are notified annually through their Creighton Bridge Learning accounts and are expected to review the notification in its entirety.

All employees and students must affirm their receipt and understanding of the notification on an annual basis. Students and employees should check their Creighton Bridge Learning account for details and review a copy of their signed acknowledgment. The annual notification is also available on the [Public Safety website](#).

Biennial Review

Creighton reviews its Drug and Alcohol Prevention Program biennially to determine its effectiveness, implement any necessary changes, and ensure that the required disciplinary sanctions are consistently enforced.

DRUG AND ALCOHOL USE POLICY

Standards of Conduct

Creighton University policy prohibits students and employees from unlawfully purchasing, manufacturing, possessing, consuming, using, selling, or otherwise distributing or dispensing alcohol or drugs in the workplace while on University property or as part of any University-sponsored event or activity.

In the event of confirmation of any such prohibited unlawful activity, the University shall, within the scope of applicable federal and state due process requirements, take such administrative or disciplinary action as set forth under the Disciplinary Sanctions below. Acts in violation of federal, state, or local laws or ordinances shall be subject to referral to law enforcement officials for arrest and prosecution.

These standards govern all Covered Persons. Covered Persons means all faculty, administrators, staff, students, and any contractors or visitors with access to students, Creighton property, or who may

perform work in conjunction with Creighton University operations, whether as an employee, student, temporary affiliate, or an individual affiliated with the University in any other capacity, while on University property, or as part of any University-sponsored event or activity on or off-campus.

Prohibited Conduct

The following list provides examples of prohibited conduct. The list is meant to be illustrative, not exhaustive.

- Illegal possession, sharing, use, manufacture, sale or resale of drugs or alcohol
- Reckless disregard for the illegal presence or use of drugs or alcohol in one's residence hall room
- Possession of ingredients (in sufficient quantity) used to manufacture drugs
- Possession of drug paraphernalia
- Directly providing alcohol to an underage individual
- Hosting an event at which alcohol is served with reckless disregard as to whether an individual under the legal drinking age is consuming alcohol provided at the event
- Sharing or selling prescription medication
- Engaging with external sources to purchase illicit drugs or alcohol illegally for personal consumption, distribution, or resale
- Inviting persons to campus for the purpose of buying/selling drugs
- Alcohol possession or use of any kind in the first- and second-year halls
- Activities that promote rapid consumption of alcohol

As an educational institution dedicated to learning, Creighton works to promote and encourage responsible choices and healthy behaviors through resources and programs offered by the University's Alcohol and Drug Abuse Prevention Program.

Alcohol Use

The University recognizes that the consumption of alcohol in moderation by persons of legal drinking age can be a component of the University's social environment. Therefore, Covered Persons of legal drinking age are granted the privilege of responsible possession and/or use of alcoholic beverages on campus, except in residential halls designated for first and second-year undergraduate students. For overseas programs, see [Travel Policy](#).

For all University events at which alcohol is served, see Policy on University Sponsored Events with Alcohol, 2.2.18.

Student organizations holding off-campus events where alcohol is present must follow Student Handbook policies related to student organizations. Additionally, the Interfraternity and Panhellenic Councils have specific alcohol guidelines that must be adhered to by all fraternity and sorority organizations. (See the [Student Handbook](#) for more details.)

Marijuana Use

The University does not permit possession, use, manufacture, or transfer of marijuana for any purpose other than University-approved research on University property or at University sponsored events. Marijuana remains a controlled substance under federal law, and the University remains bound by federal laws prohibiting marijuana on University property and at University-sponsored events.

Covered Persons who qualify under state or local law to use marijuana may not possess, store, use or

share marijuana on University-owned or controlled property or during University-sponsored events on or off campus. Covered Persons who wish to request reasonable accommodation for disabilities treated by state-authorized prescription medical marijuana should contact the Office of Student Accessibility Services (students) or Human Resources (employees) and proceed through the University's disability accommodation process to determine appropriate accommodations.

University Policies

Tobacco-Free Policy (2.1.28.)

Drug-Free Workplace Policy ([Faculty Handbook](#))

Drug and Alcohol Use (2.2.15.)

Alcohol (2.2.18.)

Disciplinary Sanctions

The University will determine and implement disciplinary action or other corrective measures for violations of this Policy. Any such actions will comply with the Faculty Handbook (for faculty), the Student Handbook (for students), and Human Resources policies (for employees).

Employees who illegally possess, consume, distribute, dispense, use, or manufacture drugs or alcohol on University premises or on University business will be subject to disciplinary action. Employees whose work performance is impaired by the use of illegal drugs or alcohol and employees convicted of violating a criminal drug statute while on University property or while participating in a university-sponsored program off campus are also subject to a range of disciplinary action, up to and including termination of employment and referral to law enforcement authorities.

Disciplinary action or required participation in a rehabilitation program for employees will be determined and implemented as follows. In the case of faculty, the respective dean will be responsible, in consultation with the provost and general counsel. In the case of staff, the supervising vice president will be responsible, in consultation with the associate vice president for Human Resources and general counsel.

Students who violate any University policy or standards regarding alcohol or drug use will be referred to the Office of Community Standards and Wellbeing for appropriate action. Sanctions include, but are not limited to, verbal or written warnings; disciplinary probation; payment for destroyed property; required counseling, rehabilitation treatment or community service; suspension or temporary exclusion (removal from classes, privileges, or activities for a specified period); and permanent expulsion from the University.

Sponsoring organizations that violate any University policy or standards regarding alcohol or drug use are also subject to sanctions, which can include suspension of the organization's alcohol use privileges; fines; suspension of University approval for the sponsoring organization or group; and other University disciplinary action.

The University's disposition of individual cases does not preclude criminal prosecution in accordance with federal, state, or local laws. The University will adhere to University policy and process in the treatment of these matters. Felony-level controlled substances – including cocaine, heroin and other "hard" drugs; THC wax/oil in any quantity; and nonprescribed prescription drugs – will be confiscated by Public Safety and the appropriate law enforcement authorities will be contacted. In addition to any

University discipline, the University may refer to law enforcement officials for any known or suspected violations of federal, state, or local laws.

Sanctions under Applicable Law

State, local, and federal laws prohibit the unlawful use, manufacture, possession, control, sale, and dispensation of any illegal narcotic or dangerous drugs (“controlled substances”). These laws carry penalties for violations, including monetary fines and imprisonment. More information regarding US, Nebraska, and Arizona laws can be found below and in the Annual Security and Fire Safety Report on the [Public Safety website](#).

The University cooperates fully with law enforcement authorities. Violations of Creighton’s alcohol and drug policies, as found in the Student Handbook under Standards of Conduct, that are also violations of federal or local law may be referred to the appropriate law enforcement agency. In such situations, cases may proceed concurrently or consecutively at the University and in the criminal justice system. Discipline by the University does not preclude prosecution under applicable law, and prosecution does not preclude discipline by the University.

State Drug Laws

NEBRASKA

Alcohol

No person shall sell, give away, dispose of, exchange or deliver, or permit that sale, gift, or procuring of any alcoholic liquors, to any person under the age of 21. Any person violating this law is guilty of a Class I misdemeanor. No one under the age of 21 shall obtain, or attempt to obtain, alcoholic liquor by misrepresentation of age. Any person violating this law is guilty of a Class III misdemeanor.

a. No one under the age of 21 may sell or dispense or have in his or her possession or physical control any alcoholic liquor in any tavern or in any other place including public streets, alleys, roads, highways or inside any vehicle. Any person violating this law is guilty of a Class III misdemeanor.

b. Any person who knowingly manufactures, creates, alters any form of identification for the purpose of sale or delivery of such form of identification to a person under the age of 21 shall be guilty of a Class I misdemeanor. Forms of identification are defined as any card, paper or legal document that may be used to establish the age of the person named thereon for the purpose of purchasing alcoholic liquors.

Controlled Substances

a. It is unlawful to knowingly or intentionally:

- i. Manufacture distribute, deliver, dispense or possess with intent to manufacture, distribute, deliver or dispense a controlled substance
- ii. To create, distribute or possess with intent to distribute a counterfeit controlled substance

b. Any person who violates subsection (1) with respect to cocaine or any mixture or substance containing a detectable amount of cocaine in a quantity of:

- i. At least 28 grams but less than 140 grams shall be guilty of a Class IC felony
- ii. At least 10 grams but less than 28 grams shall be guilty of a Class ID felony

c. Any person knowingly or intentionally possessing marijuana weighing more than one ounce but not more than one pound shall be guilty of a Class III misdemeanor

d. Any person knowingly or intentionally possessing marijuana weighing more than one pound shall be guilty of a Class IV felony

e. Any person knowingly or intentionally possessing marijuana weighing one ounce or less shall:

i. For the first offense, be guilty of an infraction, receive a citation, be fined \$300 and may be assigned to a drug abuse course

ii. For the second offense, be guilty of a Class IV misdemeanor, receive a citation and be fined \$400 and may be imprisoned not to exceed 5 days

iii. For the third and all subsequent offenses, be guilty of a Class IIIA misdemeanor, receive a citation, be fined \$500 and be imprisoned for not more than 7 days

It is unlawful for any person to be under the influence of any controlled substance for a purpose other than the treatment of a sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings. In a prosecution under Nebraska's controlled substance laws, it is not necessary for the state to prove that the respondent was under the influence of any specific controlled substance, but it shall be sufficient for a conviction for the state to prove that the respondent was under the influence of some controlled substance by proving that the respondent manifested physical and physiological symptoms or reactions caused by the use of any controlled substance. Any person who violates this section shall be guilty of a Class III misdemeanor.

Good Samaritan of Nebraska Underage Drinking Law

Law that encourages minors to call 911 when they suspect an alcohol overdose without fear of receiving an MIP (minor in possession). A revised version of the law, protecting both the intoxicated minor and the caller went into effect. In order not to receive a MIP, the caller should: make a good faith request for emergency medical assistance, remain on the scene until law enforcement and/or medical personnel arrive, and cooperate with officials.

ARIZONA

Alcohol

Arizona Revised Statute 4-101 defines the legal age for the consumption of alcoholic beverages in the State of Arizona as 21 years of age.

For more information on Arizona's liquor laws, please see

<https://liquor.az.gov/arizona-liquor-laws-and-regulations>

Controlled Substances

Illegal Drugs Statutory definitions, criminal offenses and associated penalties involving illegal drugs are provided in ARS 13-3401 through ARS 13-3461. Each drug offense lists the respective penalty for the offense. Despite Arizona law, the possession, distribution and use of marijuana is prohibited on the Phoenix campus. Despite any provisions of Arizona state law, the possession, distribution, and use of marijuana is prohibited on the Phoenix campus.

Good Samaritan

ARS 36-2263 protects individuals from criminal prosecution when they attempt to help others in good faith without hope or expectation of reward. The Good Samaritan law applies when administering aid to a person who suffers a personal injury or medical event in a public place or when intervening on behalf of an individual suffering from a drug overdose. Arizona’s Good Samaritan law protects individuals who perform cardiopulmonary resuscitation (CPR) or who use automated external defibrillator devices to revive an individual who falls unconscious in a public place. The Arizona Department of Health Services has increased distribution of anti-overdose drugs like Naloxone to help curb the number of opioid-related overdose deaths. The Good Samaritan law prevents individuals from suffering criminal prosecution for drug offenses when they seek out Naloxone for someone suffering from an opioid overdose or when they report an opioid overdose to the authorities.

Federal Drug Laws

Denial of Federal Benefits (21 U.S.C. § 862) A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions, successful completion of a drug treatment program, including periodic testing and appropriate community service, or any combination of the three.

Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853) Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit any personal or real property related to the violation to the United States. A warrant of seizure may be issued, and property seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties (21 U.S.C. § 841)

Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances

Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants	First Offense: Not less than 10 yrs., or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual. Second Offense: Not less than 20 yrs., or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants	First Offense: Not less than 5 yrs., or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual. Second Offense: 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 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants	First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine \$1 million if an individual, \$5 million if other than an individual. Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Hashish More than 10 kilograms	
Hashish Oil More than 1 kilogram	
Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants	First Offense: Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual. Second Offense: Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.
Hashish 10 kilograms or less	
Hashish Oil 1 kilogram or less	

Federal Trafficking Penalties for Schedules I, II, III, IV, and V *(except Marijuana)*

Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	First Offense: Not less than 5 yrs., and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. Or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual Second Offense: Not less than 10 yrs., and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	Cocaine 5 kilograms or more mixture	First Offense: Not less than 10 yrs., and not more than life. If death or serious bodily injury, not less than 20 yrs. Or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. Second Offense: Not less than 20 yrs., and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. 2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	

	Penalty
Any Amount of Other Schedule I & II Substances	First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. Or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.
Any Drug Product Containing Gamma Hydroxybutyric Acid	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.
Flunitrazepam (Schedule IV) 1 Gram	
Any Amount of Other Schedule III Drugs	First Offense: Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. 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.
Any Amount of Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)	First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.
Any Amount of All Schedule V Drugs	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.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university (**21 U.S.C. § 860**) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

Federal Drug Possession Penalties (21 U.S.C. § 844) Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

ARIZONA

Category	Summary (Arizona Revised Statutes)
Possession of Marijuana	<p>The possession, consumption, or purchase of marijuana for personal use, under certain circumstances by an individual of at least 21 years of age, is lawful. <i>See</i> A.R.S. § 36-2852. The possession, consumption, transportation or transport of marijuana by individuals under the age of 21 is illegal and can result in civil penalty of \$100 and drug education or counseling for a first or second offense; a third offense is a class 1 misdemeanor. Medical marijuana for certain conditions is allowed if the person possesses 2.5 ounces of usable marijuana. <i>See</i> A.R.S. § 36-2801. As the amount of marijuana increases, the crime classification becomes more severe and related penalties increase.</p>
Controlled Substances	<p>Arizona statutes cover a wide range of offenses related to the possession and delivery of controlled substances. <i>See</i> A.R.S. §§ 13-3401 – 13-3423. Penalties vary widely based on the type and amount of substance(s) confiscated, and if multiple controlled substances are found, sentencing is tied to either the unlawful substance of the greatest proportionate amount or the unlawful substance constituting the highest Class of offense. <i>See</i> A.R.S. §§ 13-3420 and 13-3401.</p> <p>Felony sentences can carry fines of up to \$150,000, and the court may order a person convicted of a drug offense to pay an additional fine of at least \$1,000 for the first offense and at least \$2,000 for a second or subsequent offense. <i>See</i> A.R.S. §§ 13-801 and 13-821. The terms of imprisonment for a presumptive, minimum, maximum, mitigated, or aggravated sentence are prescribed under A.R.S. § 13-702.</p> <p>“Serious drug offenses,” patterns of violation/repeat offenses, and involvement in enterprises yielding a “significant source of income” (greater than \$25,000 per calendar year) each result in more severe penalties. <i>See</i> A.R.S. §§ 13-3410 and 13-803. Involving minors in drug offenses or selling to underage persons also enhances applicable penalties. <i>See</i> A.R.S. §§ 13-3409 and 13-3403.</p> <p>As an example, a person who knowingly possesses, sells, transfers or offers to sell or transfer peyote is guilty of a Class 6 felony which carries a presumptive jail term of one year and at least a \$1,000 fine.</p>
Alcohol and Minors	<p>It is unlawful for a person under age 21 to buy, receive, have in their possession, or consume any “spirituous liquor.” <i>See</i> A.R.S. § 4-244. It is also a violation to sell, furnish, or give a minor alcohol. <i>Id.</i> A minor who solicits another person to purchase, sell, give, or serve them alcohol is guilty of a Class 3 misdemeanor. <i>See</i> A.R.S. § 4-241.</p> <p>Any underage person who misrepresents their age by means of a fraudulent or false written instrument of identification or the identification of another person in an effort to induce someone to sell or serve them alcohol is guilty of a Class 1 misdemeanor. <i>Id.</i> If another person knowingly influences another to sell or serve alcohol to an underage person by misrepresenting the age of the minor, they are also guilty of a Class 1 misdemeanor. <i>Id.</i></p>
Driving Under the Influence (DUI)	<p>A person is guilty of a DUI if the person has a blood alcohol concentration of 0.08 or more within two hours of driving or being in actual physical control of the vehicle and the alcohol concentration results from alcohol consumed either before or while driving.</p>

Category	Summary (Arizona Revised Statutes)
	A person convicted of a DUI is guilty of a Class 1 misdemeanor. <i>See</i> A.R.S. § 28-1381. A third offense within 7 years results in a Class 4 felony. <i>See</i> A.R.S. § 28-1383.

Nebraska

Category	Summary (Revised Statutes of Nebraska)
Possession of Marijuana	Any person knowingly or intentionally possessing marijuana weighing one ounce or less is guilty of an infraction, punishable by fine up to \$300 and a drug education course for a first offense; for a second offense, a person is guilty of a misdemeanor punishable by imprisonment of up to five days and/or \$400 fine. <i>See</i> Neb. Rev. Stat. § 28-416. Any person knowingly or intentionally possessing marijuana weighing more than one ounce but not more than one pound shall be guilty of a Class III misdemeanor, with a punishment of up to three months in prison or \$500 fine, or both. <i>See</i> Neb. Rev. Stat. §§ 28-416, 28-106. Any person knowingly or intentionally possessing marijuana weighing more than one pound shall be guilty of a Class IV felony, with a punishment of up to two years in prison and a fine of up to \$10,000, or both. <i>See</i> Neb. Rev. Stat. §§ 28-416, 28-105.
Controlled Substances	A person knowingly or intentionally possessing a controlled substance, except marijuana, unless such substance was obtained directly or pursuant to a medical order issued by a practitioner authorized to prescribe while acting in the course of his or her professional practice, shall be guilty of a Class IV felony, with a maximum of two years in prison and a fine of up to \$10,000. <i>See</i> Neb. Rev. Stat. §§ 28-416, 28-105. Separate to possession, Nebraska law makes it unlawful to engage intentionally or knowingly engage in distribution-like activities, which include manufacturing and delivering controlled substances. The severity of the offense and resulting punishment depends on the scheduling of the drugs, with punishments ranging from three to 50 years in prison and fines up to \$25,000. <i>See</i> Neb. Rev. Stat. §§ 28-405, 28-105. Anyone engaging in these distribution-like activities of Schedule I, II, or III substances is guilty of a Class II felony if the drug is “exceptionally hazardous, or a Class IIA felony if it is not “exceptionally dangerous.” <i>See</i> Neb. Rev. Stat. § 28-416. Anyone engaging in distribution-like activities of any Schedule IV or V drug shall be guilty of a Class IIIA felony, facing up to three years in prison and a \$10,000 fine. <i>See</i> Neb. Rev. Stat. §§ 28-416, 28-105.
Alcohol & Minors	In Nebraska, it is illegal for anyone younger than 21 years old to possess, consume, sell, or dispense alcohol (unless they are taking part in genuine religious services, or when they are in their permanent place of residence). <i>See</i> Neb. Rev. Stat. §§ 53-180.02 and 53-180.05. Nebraska law sentences violators who are older than 18 years of age differently from violators younger than 18. Someone who is older than 18 years will face one or both of the following penalties: a fine of up to \$500, and up to 3 months imprisonment. <i>See</i> Neb. Rev. Stat. §§ 53-180.05, 28-106. Nebraska law also prohibits any person younger than 21 years old from misrepresenting their age in obtaining or attempting to obtain alcohol in any place where alcohol is sold. <i>See</i> Neb. Rev. Stat. § 53-180.01.

Category	Summary (Revised Statutes of Nebraska)
	It is also illegal for anyone to sell, give or deliver alcohol to a minor. <i>See</i> Neb. Rev. Stat. § 53-180. Offenders who do not knowingly and intentionally violate these illegal sale laws may be convicted of a Class I misdemeanor resulting in a fine of up to \$1000, and up to one year in jail, whereas an offender who knowingly and intentionally violates these laws will be found guilty of a Class IIIA felony resulting in up to a \$10,000 fine, and up to three years imprisonment. <i>See</i> Neb. Rev. Stat. §§ 53-180.05, 28-106, 28-105.
Driving Under the Influence (DUI)	In Nebraska, it's unlawful for a person to operate or be in actual physical control of a motor vehicle: while under the influence of alcohol or drugs, or with a blood alcohol content (BAC) of .08% or more. <i>See</i> Neb. Rev. Stat. § 60-6,196. A first offense typically leads license revocation up to six months and possibly probation. <i>See</i> Neb. Rev. Stat. § 60-6,197.03. Generally, penalties are more severe if the defendant's BAC was .15% or more. <i>Id.</i> If the sentence is suspended, the defendant is typically sentenced to jail time but is allowed to serve all or part of the time on probation instead of in jail. However, the original sentence can be imposed if the defendant violates probation. For the first offense, (sentence not suspended) a person will be sentenced to imprisonment of 7 to 60 days, a \$500 fine, license revocation of six months to one year (if BAC was .15% or more), and either immobilization of vehicles or installation of an ignition interlock permit. <i>See</i> Neb. Rev. Stat. §§ 60-6, 196 to 60-6, 211.11. All DUI offenders must complete an alcohol assessment and the recommended treatment program. <i>See</i> Neb. Rev. Stat. § 60-6,196. Nebraska's implied consent law requires all drivers lawfully arrested for DUI to submit to breath, blood, and/or urine testing or otherwise face license revocation for up to a year. <i>See</i> Neb. Rev. Stat. § 60-6,197. However, this part of the law was recently considered unconstitutional by the Nebraska Supreme Court. <i>See State v. Hood</i> , 917 N.W.2d 880, 883, (Neb. 2018).

The University recognizes that Covered Persons may conduct their work and learn in many states and counties. The University will implement this policy in accordance with applicable federal and local law.

Health Risks

The misuse and abuse of alcohol, tobacco, illicit drugs, and prescription medications affect the health and well-being of millions of Americans. The associated risks are numerous and include physical and mental impairment; poor academic and job performance; serious short- and long-term health problems; psychological or physical dependence (addiction); devastating effects on personal, family, and professional lives; and increased incidence of dangerous risk-taking behavior and acts of violence.

This [document from the U.S. Surgeon General's Office](#) outlines the short- and long-term health effects associated with the use of illicit drugs and alcohol. For more information, visit the following websites: [U.S. Surgeon General's Office](#), the [National Institute on Drug Abuse](#), the [Substance Abuse and Mental Health Services Administration](#).

Education and Support Resources

Creighton provides resources to educate students and employees about the dangers of alcohol and drug misuse and abuse, as well as programs and services to assist those with substance dependency problems and addictions.

For Students

Creighton takes seriously the need to educate students about the importance of making good choices regarding alcohol and drugs. Students are encouraged to seek assistance from [counseling services](#) available at the University or through referrals.

The Division of Student Life coordinates an online course, Voices of Change, required of all first-year students covering Creighton's alcohol policy, alcohol use and abuse, illegal substance use, prescription drug abuse, Creighton's sexual misconduct policy, and dating violence.

All first-year students must also complete the Year One College Alcohol Profile as part of the greater Nebraska Collegiate Prevention Alliance.

The University developed the Track to Recovery from Alcohol Abuse at Creighton (TRAAC) to care for intoxicated students who could be in danger of hurting themselves or others. TRAAC provides students with proper medical attention and a safe environment to recover.

Students are expected to immediately report conduct or activity which poses a danger to the community or its members. This is most important in medical emergencies due to alcohol use. Students should not hesitate to seek help because of fear of disciplinary action. The welfare of everyone in this community is paramount, and Creighton University encourages students to offer healing and assistance to others in need even under the effects of alcohol. In most cases, the help seeker will not be held responsible for a policy violation under Creighton's Standards of Conduct. The help seeker must actively seek medical assistance, give their name to the University official, and must remain cooperative at the scene. More on the Good Samaritan Provision is available in the [Student Handbook](#).

For Employees

Educational resources and support services for alcohol and drug misuse and abuse are available to Creighton faculty, staff and their families through the University's [Employee Assistance Program \(EAP\)](#). The EAP is a free, confidential service administered by Magellan Healthcare Inc. Services include:

- Health coaching
- Counseling
- Articles and webinars
 - [Drug and Alcohol Dependence](#)
 - [Supporting Others Through Their Mental Health and Substance Abuse Concerns](#)
 - [The Opioid Crisis: How We Got Here, Where We Are Headed, and What We Can Do](#)

Employees and their household members can connect with a licensed clinician, and managers can consult with Magellan's workplace support team, by calling 800-424-4831.

Additionally, health insurance plans offer different levels of coverage for counseling and treatment of drug and alcohol problems. Refer to the description of your plan for specific levels of coverage for these services.

National Resources

- [AA \(Alcoholics Anonymous\)](#)
- [Al-Anon](#)
- [Mothers Against Drunk Driving \(MADD\)](#)
- [Substance Abuse and Mental Health Services Administration](#)
- [Adult Children of Alcoholics](#)

Notification Requirements (Employees)

As a condition of employment, employees are required to notify the associate vice president of Human Resources no later than five days after any charge of or conviction for a criminal drug or alcohol offense committed on University property or as part of a University-sponsored program off-campus. Failure to comply with these conditions will be grounds for disciplinary action.

The University will notify the appropriate granting or contracting agency within ten days if required.

Employees who drive University vehicles must notify the associate vice president of Human Resources no later than five days after any pending charges or conviction for a criminal drug or alcohol driving offense.