



## Ohio Administrative Code

### Rule 3358:17-42-03 Compliance with the drug-free schools and communities act amendment of 1989.

Effective: [March 23, 2015](#)

---

(A) Compliance with the drug-free schools and communities act amendment of 1989.

(1) Standards of conduct.

Washington state community college prohibits 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.

(2) Legal sanctions.

The Controlled Substances Act ("CSA"), title II of the Comprehensive Drug Abuse Prevention and Control Act of 1970, is the legal foundation of the government's fight against abuse of drugs and other substances. This law is a consolidation of numerous laws regulating the manufacture and distribution of narcotics, stimulants, depressants, and hallucinogens. The CSA places all controlled substances into one of the following schedules:

(a) Schedule I.

(i) The drug or other substances has a potential for abuse.

(ii) The drug or other substance has no currently accepted medical use in treatment in the United States.

(iii) There is a lack of accepted safety for use of the drug or other substance under medical supervision.

(b) Schedule II.

(i) The drug or other substance has a high potential for abuse.



(ii) The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions.

(iii) Abuse of the drug or other substance may lead to severe psychological or physical dependence.

(c) Schedule III.

(i) The drug or other substance has potential for abuse less than the drugs or other substances in schedules I and II.

(ii) The drug or other substance has a currently accepted medical use in treatment in the United States.

(iii) Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence.

(d) Schedule IV.

(i) The drug or other substance has a low potential for abuse relative to the drugs or other substances in schedule III.

(ii) The drug or other substance has a currently accepted medical use in treatment in the United States.

(iii) Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in schedule III.

(e) Schedule V.

(i) The drug or other substance has a potential for abuse relative to the drugs or other substances in schedule IV.



(ii) The drug or other substance has a currently accepted medical use in treatment in the United States.

(iii) Abuse of the drug or other substances may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in schedule IV.

(3) Federal legal sanctions.

Federal trafficking penalties can be found by visiting the drug enforcement administration website at [www.dea.gov](http://www.dea.gov).

(4) State and local legal sanctions.

(a) Drug offenses.

A detailed description of drug offenses in the state of Ohio is found in the following sections of the Revised Code:

(i) In section 2925.02 of the Revised Code, "Corrupting another with drugs."

(ii) In section 2925.03 of the Revised Code, "Trafficking in drugs."

(iii) In section 2925.11 of the Revised Code, "Drug abuse."

(iv) In section 2925.12 of the Revised Code, "Possessing drug abuse instruments."

(v) In section 2925.13 of the Revised Code, "Permitting drug abuse."

(vi) In section 2925.14 of the Revised Code, "Drug paraphernalia offenses."

(vii) In section 2925.21 of the Revised Code, "Theft of drugs."

(viii) In section 2925.22 of the Revised Code, "Deception to obtain a dangerous drug."



- (ix) In section 2925.23 of the Revised Code, "Illegal processing of drug documents."
- (x) In section 2925.31 of the Revised Code, "Abusing harmful intoxicants."
- (xi) In section 2925.32 of the Revised Code, "Trafficking in harmful intoxicants."
- (xii) In section 2925.36 of the Revised Code, "Illegal dispensing of drug samples."
- (xiii) In section 2925.37 of the Revised Code, "Offenses involving counterfeit controlled substances."
- (xiv) In section 2925.56 of the Revised Code, "Unlawful purchase of pseudoephedrine."
- (xv) In section 2925.57 of the Revised Code, "Unlawful sale of pseudoephedrine."
- (xvi) In section 4301.69 of the Revised Code, "Underage alcohol offenses."

It is against the law to have in your possession an open container of beer or any alcoholic beverage on the street, in any public place not licensed to sell alcoholic beverages for consumption on the premises or in a motor vehicle.

- (b) The charges filed and penalties imposed for violation of these sections of the Revised Code depends on several factors, including but not limited to the classification of the drug (marijuana or class I, II, III, IV, V), quantity involved, location of the offense and past criminal record.
- (c) Charges filed can range from a minor misdemeanor to a first degree felony and penalties imposed can range from three months to twelve years incarceration and fines from one thousand to fifty thousand dollars.
- (5) Visit the national institute on drug abuse as [www.drugabuse.gov](http://www.drugabuse.gov) for the health risks of the most commonly used drugs.



(6) Available assistance.

Any student with a drug or alcohol problem should seek counseling from the student services office. If appropriate, referrals may be made to community - based agencies, such as first city recovery or the care unit hospital program.

(7) Campus sanctions - student violations.

Drug and alcohol violations fall under the college's conduct policy and will result in disciplinary action including but not limited to the completion of an appropriate rehabilitation program, referral for prosecution, expulsion, or other appropriate action as determined by the administration. The decision as to whether a specific kind of behavior is a violation will rest with the administration.

Any student who elects to appeal a decision made under the conduct policy may do so by following the judicial appeal process as described in paragraph (B) of this rule.