

**Please note: This policy has been endorsed by the President and the Board of Trustees**

**1.9**

**ALCOHOL AND CONTROLLED SUBSTANCES POLICY**

The fundamental purpose of Maryville University is to maintain an environment that supports and encourages the pursuit and dissemination of knowledge. That environment is damaged by illegal drug use and alcohol abuse; therefore, all members of the academic community, including students, faculty members, administrators and other university employees, must share the responsibility for protecting the environment by exemplifying high standards of professional and personal conduct.

Maryville University permits alcohol to be consumed by anyone 21 years and older, in the privacy of University living areas or at registered or University- sanctioned events when hosted by our liquor license holder or designee. There is no intent to encourage the use of alcoholic beverages or to force its consumption upon those who object to the use of alcohol on moral, ethical or religious grounds. This policy is designed to promote responsible, healthy behavior regarding alcohol use. University policies concerning the possession and consumption of alcoholic beverages do not contravene federal, state or municipal law regarding their purchase, possession or consumption.

**1.9.1 Alcohol Policy**

- a. Maryville community members are expected to observe and obey Missouri State Liquor Control Law (Sec. 311.325 RSMo) stating that any person under the age of 21 cannot purchase, attempt to purchase, possess, or be served any intoxicating beverage.
- b. Missouri Alcoholic Beverage Control Laws make it illegal for any person under the age of 21 to purchase, possess or consume, or for anyone to aid or abet such a person in purchasing or consuming any alcoholic beverages. Proof of age may be required when purchasing alcohol.
  - a. The use of alcoholic beverages at a campus event shall be subject to approval and supervision by the University approved third party liquor license holder or designee.
  - b. Containers of alcohol larger than one gallon are not permitted in University living areas.
  - e. Empty and/or filled kegs and all its paraphernalia (i.e., tapper) are not allowed in any form or function and may be confiscated by University personnel and become the property of the University.
  - f. Possessing and using devices designed or intended to be used for the rapid consumption of alcohol (i.e., funnels, beer bongs, etc.) and/or engaging in behaviors intended to intoxicate (i.e., races, games, beer pong, etc.) are prohibited and will be considered aggravating circumstances when considering appropriate sanctions regardless of age.
  - g. It is unlawful for any person to drink alcoholic beverages or to offer a drink to another person or persons, whether accepted or not, on any public road or street, parking lot, sidewalk or other publicly owned or leased University property without working with our third party liquor license holder or designee.
- h. Student organization budgets, financial aid or meal plan cannot be used to purchase alcoholic beverages (A complete policy outlining student sponsored events involving alcohol is located in the student organization policy handbook available online or in the Student Involvement Office).
- i. Sanctioned events at which alcoholic beverages may be consumed can be held only under circumstances in which the host demonstrates reasonable means of insuring the safety of participants and adherence to state law.

- j. Non-alcoholic beverages must be available at the same place as the alcoholic beverages and featured as prominently as the alcoholic beverages.
- k. Alcohol service will be discontinued a minimum of one-half hour before the event ends.

1.9.2 **Illegal Drug Policy**

- a. Students and faculty members, administrators and other employees are responsible as citizens for knowing about and complying with the provisions of the Revised Statutes of Missouri (Sec. 195.214) which indicate that the manufacture, possession, sale, distribution and use of illicit drugs is prohibited. Maryville University will not tolerate the use, possession, sale, delivery and/or manufacture of illicit drugs on campus.
- b. The Drug-Free Workplace Act requires that an employee notify his/her employer of any criminal drug conviction for a violation occurring in the work- place no later than five (5) days after such conviction. The employer must notify appropriate government authorities within 10 days after receiving the conviction notice from either the employee or agency charging said conviction.
- c. For employees, Drug and Alcohol testing may be required pre-employment, “for cause” when employee appears to be unfit and/or under the influence, post-accident or in violation of University Drug and Alcohol Policy (see Drug and Alcohol Testing Policy for more details).

Enforcement and Penalties (according to State and County ordinances and University enforcement):

1.9.3 **Enforcement**

- a. Not condone the illegal use or abuse of alcohol and/or the use of illicit drugs on campus.
- b. Publicize all alcohol and other drug policies.
- c. Annually distribute the policy to all students, staff and faculty and make it available on our website and in the Code of Conduct.
- d. Exercise appropriate disciplinary action for alcohol and other drug policy violations.

1.9.4 **Penalties**

- a. Any member of the University community who violates the law is subject to prosecution and punishment by civil authorities and University disciplinary proceedings when the alleged conduct is deemed to affect the interest of the University.
- b. Persons convicted in a court of law of these offenses are subject to punishments ranging from fines of \$50.00 to life imprisonment depending on the type and severity of the conviction.
- c. Penalties imposed by Maryville University will be in accordance with procedures applicable to the Code of Conduct.
- d. For students, see Code of Conduct or the Maryville University Policy Manual on the portal. Sanctions to be imposed by the University may include, but are not limited to any of the following: formal reprimand, community service, education or referral for counseling, restitution, university housing transfer or removal, suspension from specific courses or activities, suspension or expulsion from the university.
- c. Maryville University retains the option to contact parents if a violation of policy has occurred, in accordance with FERPA guidelines.
- d. Recent changes in the NASFAA (National Association of Student Financial Aid Administrators) state that student eligibility for Title V funds will be suspended for conviction of either drug possession or drug sale. Eligibility for financial aid is suspended from one year to indefinitely depending on the number of convictions a student has acquired.
- e. Maryville University will utilize this same formula for student eligibility for receiving University or state funds.
- f. These new provisions do include the ability to reestablish eligibility through satisfactory completion of rehabilitation programs that comply with criteria set by State or Federal regulations, which includes two unannounced drug tests. Reestablishment of eligibility will occur if conviction becomes nugatory.

- g. For employees of Maryville, see the Policy Manual for more details. Discipline may range from but is not limited to referral for counseling through the Employee Assistance Program to written warning with probationary status to termination from employment.

#### 1.9.5 **Education**

- a. Under the provisions of the Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226, all schools, colleges and Universities must implement and enforce drug and alcohol prevention programs and policies as a condition of eligibility for federal financial assistance.
- b. The law further requires the annual distribution of written policies to each enrolled student, all staff and faculty.
- c. Illicit drugs or any controlled substance are listed in Schedules I through V of Section 202 of the Federal Controlled Substance Act, Chapter 195 of the Missouri Revised Statutes. A list of Controlled Substances; Uses and Effects is located in the offices of Health and Wellness Services, Office of Personal Counseling, Human Resources, and the Department of Public Safety. Online information is available at <http://www.goaskalice.com/Cat2.html> or [www.nlm.nih.gov/medlineplus/druginformation.html](http://www.nlm.nih.gov/medlineplus/druginformation.html).
- d. Maryville University shall take actions necessary (consistent with state and federal law and applicable University policy) to eliminate illegal drugs and controlled substances and the illegal use of alcohol from the University community. To assist in accomplishing this mission the offices of Health and Wellness and Personal Counseling develop educational programs that provide accurate, current information on the health risks and the symptoms of drug and alcohol use and abuse. The university may also:
- Establish relationships between community groups and agencies and the institution for education, treatment and referral.
  - Provide awareness programs for students, faculty and other university employees to enable them to detect problems related to drug or alcohol use and abuse, and to refer persons with these problems to appropriate assistance.
  - Include information about alcohol and drug abuse for students and family members in the student orientation programs.
  - Support and encourage faculty to incorporate education about drugs and alcohol into the curriculum where appropriate.

#### 1.9.6 **Health Risks of Alcohol and Controlled Substances Use and Abuse and Use of Illicit Drugs**

- a. The use of illicit drugs or controlled substances or alcohol can result in several health problems including drowsiness, respiratory depression, excitation, insomnia or disrupted sleep, increased pulse and blood pressure and addiction, hallucinations, disorientation, psychosis, coma and death. These changes can create health and safety concerns for both self and the community at large.
- b. Moderate drinking is defined as no more than one drink a day for women and no more than two drinks a day for men. Twelve ounces of regular beer; 5 oz. of wine; or 1.5 oz. of distilled spirits (80 proof) constitutes one drink. Drinking low to moderate amounts can be desirable or undesirable, depending on the individual and the individual's actions and other health conditions [www.mayoclinic.com](http://www.mayoclinic.com). Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including domestic and child abuse, acquaintance rape, homicides and assaults (see over 100 written publications available online through Maryville's library database).
- c. Research further indicates that the regular consumption of large amounts of alcohol (defined as more than three drinks per day) is undesirable from the standpoint of health for almost all people and moderate to high doses of alcohol cause marked impairments in higher manual functions, severely altering a person's ability to learn and remember information.
- d. A very high dose of alcohol causes respiratory depression and death. If combined with certain other drugs or depressants of the central nervous system, much lower doses of alcohol will produce the adverse effects of alcohol just described. Repeated use of alcohol can lead to dependence. Alcohol withdrawal can be life threatening. Chronic consumption of alcohol, particularly when combined with poor nutrition, can harm virtually every organ and system in the body, including the brain, liver, immune system, heart, pancreas, and reproductive organs. The consumption of alcohol has also been linked to the development of some cancers, particularly cancers of the upper digestive tract, including the esophagus, mouth, pharynx and larynx. In addition, children of alcoholics are at greater risk for becoming alcoholic. Each year babies are

born with physical and intellectual disabilities associated with Fetal Alcohol Syndrome (FAS) or somewhat less serious effects termed, Fetal Alcohol Effects (FAE) (see [www.nlm.nih.gov/medlineplus/alcoholconsumption.html](http://www.nlm.nih.gov/medlineplus/alcoholconsumption.html)).

***Government Warning:** According to the Surgeon General: 1) women should not drink alcoholic beverages during pregnancy because of the risk of birth defects. 2) Consumption of alcoholic beverages impairs one's ability to drive a car or operate heavy machinery, and may cause other health problems. Effective Nov. 1990, a warning is required by federal law on all alcoholic beverage containers.*

1.9.7 **Counseling and Rehabilitation**

Maryville University provides alcohol and other drug abuse counseling on-campus and/or referral(s) to off-campus providers. Persons who voluntarily avail themselves of university services can be assured that applicable professional standards of confidentiality will be observed.

- a. A complete list of off campus resources is available at this link from the National Council on Alcohol and Drug Addiction (NCADA) [www.ncada-stl.org/pdfs/treatment\\_manual.pdf](http://www.ncada-stl.org/pdfs/treatment_manual.pdf) or contact the Maryville University Office of Personal Counseling.
- b. Employees and their families can personally or with the help of the Office of Human Resources contact the Personnel Assistance Services - Employee Assistance Program for assistance in drug and alcohol assessment and care. For more details see Alcohol and Drug Testing Policy.

1.9.8 **Assessment**

Maryville University, in its continual effort to assess the campus environment, will consult with the following departments to determine the level of use and abuse of alcohol and illicit drugs and make such report known during our biennial report: Student Life, Residential Life, Public Safety; Health and Wellness, Personal Counseling, and Human Resources.