

## Alcohol Policy

### **Introduction**

University regulations governing the use of alcohol are designed first and foremost to ensure the personal health and safety of each member of the Alvernia University community. In addition, University policies and procedures are intended to foster an environment that facilitates student learning, promotes sound judgment, respect for the rights of others, and acceptance of personal responsibility for one's behavior.

It is the duty of all students to conduct themselves in a manner consistent with University regulations and to help others do likewise. In all instances, students are considered fully responsible for their own actions and personal well-being. Students also are encouraged to be mindful of the well-being of others. Any behavior which puts health or safety at risk or which infringes on the rights of others is antithetical to the mission of Alvernia University.

The University encourages all students to consider carefully the potential dangers of alcohol consumption and reminds students that they are responsible for abiding by all federal, state and local laws and institutional policies relative to the possession and consumption of alcohol.

### **Education**

The University takes seriously its responsibility to educate students regarding the effects, uses, and abuses of alcohol. The University delivers a full complement of programs and services intended to help students make healthy decisions. In addition, the University regularly monitors the patterns of alcohol use in order to provide the community with accurate information.

### **Relevant Laws**

See Appendix A for the federal and state legal standards with respect to alcohol.

## Major Alcohol Policy Statements

For the reason and rationale noted above, the following major policies are those from which the University derives all other alcohol policies and procedures.

Students who are 21 years of age or older may legally and responsibly possess and consume alcoholic beverages in their own rooms, apartments, or townhouses (i.e., living units), provided the residences in which the living units are located have not been declared alcohol-free, as well as allow others who also are of legal age to do so in their company.

Students who are under 21 years of age but who are the roommates of legal-age students may be in the presence of their roommates, but not guests, during such consumption in their own rooms, apartments, or townhouses (i.e., living units), provided the residences in which the living units are located have not been declared alcohol-free, while they themselves remain prohibited from possessing or consuming alcohol. All roommates must agree prior to the invitation and activities of guests.

Behavior or misconduct resulting from the use or abuse of alcohol by a student or group of students on or off campus is a violation of the University's Alcohol Policy and will be subject to University community standards actions as well as the applicable state or local laws when police file charges.

Drunkness (visible intoxication) anywhere on or off campus is prohibited. The abuse of alcohol by individuals of any age will not be tolerated and students will be held responsible for their actions as members of the Alvernia University community.

**Medical Amnesty Policy**

In cases of intoxication and/or alcohol poisoning, the primary concern is for the health and safety of the individual(s) at risk. Individuals are strongly encouraged to call for medical assistance for themselves or for a friend/acquaintance who is dangerously intoxicated. A student seeking assistance from University personnel or medical treatment for him/herself or another student will not routinely be subject to disciplinary action for alcohol violations. Students will be required, instead, to consult with the Community Standards Coordinator and may be required to participate in an appropriate educational program, which will not be noted in the student's disciplinary file. Patterns of such incidents, however, particularly if there is evidence that the reporting student is found to have contributed to another student's impaired physical condition (e.g., purchasing or furnishing alcohol to that student) or incidents in which federal, state, or local laws require disciplinary action may result in the student being subject to disciplinary action. Students are reminded that, in a community setting, all are expected to take responsibility for the well-being of others.

**Alcohol at University Sponsored Events**

1. Alvernia University faculty, staff, students and guests, who are 21 years or older may possess and consume alcohol at locations where alcohol is approved and provided by the University.
2. The University retains the right to request identification and proof of age from all persons seeking admission to University events where alcohol will be served.
3. Carrying open containers outside of the event is prohibited.
4. Non-alcoholic beverages and food must be served when alcohol is served.

**Alcohol in the Residence Halls**

1. Alcohol is not permitted in any living units in Anthony Hall, Clare Hall, Francis Hall, Veronica Hall, Founders Village 4, or Judge Hall. All living units in those halls are designated alcohol free. No one, regardless of age, is allowed to possess or consume alcohol in those buildings.
2. Alcohol is permitted in the living units of the other residence halls, under the conditions outlined in the Major Alcohol Policy Statements above. When alcohol is being consumed, doors to living units must be kept closed; an open door causes a living unit to be considered a public space, in which alcohol consumption is not permitted.
3. Presence in any living unit (room, apartment, or townhouse) where an alcohol policy violation is taking place, even if not actually in possession of or consuming alcoholic beverages, will result in disciplinary action.
4. Residents holding a gathering in their living unit where an alcohol violation is taking place will be considered the hosts. Hosts can be held responsible for injury or damage occurring to any person or property in which the consumption of alcohol was a contributing factor. Hosts will be subject to disciplinary action and may receive more serious sanctions.
5. At the time of an alcohol violation, all alcohol and containers will be confiscated and properly disposed of regardless of the age of the occupant(s) or the designation of the living unit as one in which alcohol is permitted or not permitted.
6. Kegs, beer balls and multi-quart containers of alcohol are prohibited in all living units at all times.
7. Possession of grain alcohol is prohibited at all times.
8. If a student is of legal drinking age, s/he may transport an alcohol beverage as long as it is in its original closed container. *Only Alvernia University students of legal drinking age may transport alcoholic beverages.*
9. Consumption of any form of alcohol in an open container, including but not limited to cups, cans, plastic containers or bottles, is prohibited outside a student's living unit and/or any outside campus area.
10. Games or activities that encourage excessive drinking (i.e., beer pong, flip cup, beer funnels, etc.) or the serving of alcohol that lead to the endangerment of an individual's wellbeing or to clear property damage will not be tolerated.

11. Consumption of alcohol to the point of intoxication, regardless of age, is prohibited. Behavioral symptoms frequently associated with intoxication will be considered in determining intoxication. These symptoms may include, but are not limited to, the following: impaired motor skill coordination, difficulty communication, vomiting, glazed/red eyes, the smell of alcohol on one's breath, verbal and/or physical aggressiveness, destructive and/or disruptive behavior, and engaging in any behavior which may endanger oneself or others. A person in this condition may be asked to leave the campus. If the person is a student, the student's family or emergency contact may be called to assist. Other guests may have a taxi called (at the intoxicated person's expense) to take them to their permanent residences.
12. Alcohol beverage containers and paraphernalia designed for rapid ingestion of alcohol (i.e., shot glasses, funnels, etc.) are prohibited.
13. Glass bottles and other alcohol beverage containers shall be disposed of properly. The intentional breaking of glass containers, or failing to clean up unintentionally broken glass, will be subject to discipline action.
14. No student shall possess alcohol displays made up of empty alcohol beverage containers. All alcohol containers must be disposed of after each use.
15. Students are not permitted to order or receive a delivery of beer, even if student is of legal age.

To help students understand what is and what is not permitted under the **Alcohol in the Residence Halls regulations** the following interpretation is included:

**Persons under the age of twenty-one MAY NOT...**

- ...be in possession of or in the presence of alcohol in any living unit, except as outlined in the Major Alcohol Policy Statements above.
- ...permit persons to bring in or consume alcohol in their living unit.
- ...carry opened or unopened alcoholic beverage containers any place on campus.
- ...provide alcohol to any persons on campus.

**Persons twenty-one and older MAY NOT...**

- ...consume alcohol outside of a living unit in a residence in which alcohol is permitted (e.g., lobby, hallways, stairwells, grounds, etc.).
- ...possess/consume alcohol in a residence designated alcohol-free. It is the responsibility of each student to know whether or not a residence is one in which alcohol is permitted or not.
- ...permit underage persons to possess or be in the presence of alcohol in their living unit, except registered roommates, under the circumstances outlined in the Major Alcohol Policy Statements above.
- ...provide alcohol to others under the age of twenty-one.
- ...charge in any way for alcohol consumption by others.

**Persons twenty-one and older MAY...**

- ...possess/consume alcohol in their own living units if the units are in residences in which alcohol is permitted, and all those present are of legal drinking age or are registered roommates, under the conditions outlined in the Major Alcohol Policy Statements above.
- ...consume alcohol in another living unit if it is in a residence in which alcohol is permitted, and all those present are of legal drinking age.
- ...transport unopened alcoholic beverage containers within University housing areas (must be packaged and out of plain view).
- ...provide alcohol in their own living units to others of legal drinking age.

*Note: Persons who are present within a living unit in which alcohol is being consumed by those over or under the legal drinking age will be presumed to have been in some way involved if Public Safety, RAs, RDs, or other University officials are called to the scene. This is because it is not possible to distinguish who is actually*

*consuming or possessing alcohol on an individual basis where a number of persons are present. Officials will collect all names and verify by examining IDs, as they respond to and/or disperse a gathering, and will include those names in any report(s) they may file. Our Community Standards staff will determine the appropriate follow-up responses.*

#### **Sanctions/Corrective Initiatives**

Alvernia University is in partnership with Caron Treatment Centers to provide appropriate programming, counseling, and assessment strategies which meet the needs of students who violate Alvernia University's Policies.

In addition, the following specific sanctions guide the University in situations involving illegal drugs or substances after an appropriate process Community Standards Conference. If the student takes responsibility or is found to be responsible at the hearing, the following sanctions can be applied as listed under the specific violation.

Any student, who is found to have violated this policy, may be subject to sanctions for the specific offense violated in accordance with the following schedule of sanctions.

In addition, at the discretion of the Community Standards Coordinator, students may be referred to the Associate Dean of Students & Director of Residence Life for additional sanctioning which may include suspension.

#### **In the Presence**

##### **First Offense**

- If there are no circumstances to dictate stronger action, an official letter of reprimand with copy to disciplinary file.
- Parental/guardian notification.

##### **Second Offense**

- Will be treated in the same manner as a First Offense for Use/Possession (see below).

##### **Third Offense**

- Will be treated as the same manner as a Second Offense for Use/Possession (see below).

#### **Use/Possession**

##### **First Offense**

- Required attendance at a scheduled Caron Treatment Centers AIP intervention.
- Required attendance at a scheduled Caron Treatment Centers Level I Education Program. In cases where the student has exhibited behaviors and/or actions which are cause for serious concern, the Level I Education Program may be replaced with a Level II or Level III Assessment and Education Program.
- The student is responsible for all applicable fees to the Caron Treatment Centers and/or outside agencies, including the initial intervention and all subsequent education programs. All fees will be billed to the student.
- Automatic billing and reschedule if a student does not attend the required, scheduled intervention and/or education program.
- Required completion of and compliance with any and all intervention and prescribed programming.
- Failure by the student to comply with the intervention, required programming and any required recommendations of the Caron Treatment Centers will result in suspension until all recommendations are completed.
- The student is responsible for all transportation for off-campus assessments and programming.
- Signed waiver giving permission for all intervention and programming recommendations will be forwarded to the Community Standards Coordinator.
- Receipt of a discipline warning (in writing) of future disciplinary actions if violations continue.

- Parental notification.
- Appeal process explained in writing.

#### **Second Offense**

- Required attendance at a scheduled Caron Treatment Centers Level II Assessment and Education Program. In cases where the student has exhibited behaviors and/or actions which are cause for serious concern, the Level II Assessment Education and Program may be replaced with a Level III Assessment and Education Program.
- The student is responsible for applicable fees to the Caron Treatment Centers and/or outside agencies, including the initial intervention, assessment and all subsequent education programs. All fees will be billed to the student.
- Automatic billing and reschedule if a student does not attend the required, scheduled intervention, assessment and/or education program.
- Required completion of the intervention, assessment and prescribed programming.
- Failure by the student to comply with the Caron Treatment Center's intervention, assessment, program and recommendations will result in suspension until all recommendations are completed.
- The student is responsible for all off-campus transportation for intervention, assessment and programming.
- Signed waiver giving permission for all intervention, assessment and programming recommendations will be forwarded to the Community Standards Coordinator.
- Receipt of a discipline warning (in writing) of future disciplinary actions if violations continue.
- Probation for one academic semester with consequences explained, verbally and in writing, for any violations of the terms of probation.
- Parental notification.
- Appeal process explained in writing.

#### **Third Offense**

- Required attendance at a scheduled Caron Treatment Centers Level III Assessment and Education Program.
- The student is responsible for applicable fees to the Caron Treatment Centers and/or outside agencies, including the initial intervention, assessment and all subsequent education programs. All fees will be billed to the student.
- Automatic billing and reschedule if a student does not attend the required, scheduled intervention, assessment and/or education program.
- Required completion of the intervention, assessment and prescribed programming.
- Failure by the student to comply with the Caron Treatment Center's intervention, assessment, program and recommendations will result in suspension until all recommendations are completed.
- The student is responsible for all off-campus transportation for intervention, assessment and programming.
- Signed waiver giving permission for all intervention, assessment and programming recommendations will be forwarded to the Community Standards Coordinator.
- Probation for one academic semester with consequences explained, verbally and in writing, for any violation of the terms of probation.
- Parental notification.
- Appeal process explained in writing.

#### **Fourth Offense**

- Suspension from Alvernia University for one academic year.
- Parental notification.
- Appeal process explained in writing.
- Reinstatement process explained in writing,

Immediate Intervention and/or Medical Assistance Required may result in...

- Immediate Interim Suspension and return pending the results of an assessment from a Caron Treatment Centers College Specialist.
- All sanctions as outlined in “Alcohol – Third Offense” (above).

**Illegal Drugs and Substances Policy**

**Introduction**

The use, possession, sale, and distribution of illegal drugs/substances are prohibited. The University seeks to promote an environment free of illegal drugs/substances through education, motivation initiatives, and counseling services. Helping students make good choices about illegal drugs and substances is a campus priority that is reflective of the mission of Alvernia University.

It is the duty of all students to conduct themselves in a manner consistent with the University’s policies and regulations. Likewise, in all instances, students are considered fully responsible for their own actions and personal well-being.

In addition, students also are encouraged to be mindful of the well-being of others. Any behavior related to illegal drug or substance use which puts the health or safety of others at risk, or which infringes on the rights of others, does not reflect the mission of Alvernia University.

Therefore, the University encourages all students to carefully consider the potential dangers of illegal drugs and substances. It also reminds students that they are responsible for abiding by all local, state, and federal laws, along with Alvernia University’s institutional policies relative to the possession, use, sale, or distribution of illegal drugs/substances.

**Education**

Alvernia University believes that education is a critical part of its prevention programming. Therefore, the University provides a variety of programs and services to inform students about the negative aspects of illegal drug use and encourages them to make good choices.

**Relevant Laws**

See Appendix A for the federal and state legal standards with respect to illegal drug and substance use.

**Major Illegal Drugs/Substances Policy Statements**

For the reasons and rationales stated above, the following policies will guide the University in all situations and cases where illegal drugs/substances are involved:

- The use, sale, possession, and distribution of illegal drugs or substances are serious violations of federal, state, and local laws. Any involvement with illegal drugs or substances (on or off campus) will result in investigations by Alvernia University’s Administrators, Public Safety Officers, the local police, and other special investigators (as needed). Appropriate charges will be filed as determined by the various investigations.
- Possession of illegal drugs/substances in any amount is a violation of federal, state, and local law and the University’s Drug Policy.
- All assigned residents of an area (room, suite, apartment or townhouse) in which illegal drugs are found, shall be held charged with “possession.”
- Any student present, but not possessing or using illegal drugs/substances in an area (room, suite, apartment, townhouse, or off-campus location) in which drugs/substances are found, may be found to be “in the presence” of drugs/illegal substances.

- Paraphernalia related to illegal drug/substance use and abuse is prohibited. This includes, but is not limited to: rolling papers, needles, bongs, hookahs, marijuana pipes, pocket scales, packets, etc.
- Behavior or misconduct resulting from the use or abuse of illegal drugs or substances by a student or group of students on or off campus is a violation of the Student Code of Citizenship and will be subject to Community Standards actions as well as the applicable state or local laws when police file charges.
- Visible intoxication from illegal drugs or substances anywhere on or off campus is prohibited. Such behavior violates the Student Code of Citizenship. The student will be held responsible for his/her actions as members of the Alvernia community.
- The misuse of prescription drugs even ones prescribed to the user may result in Community Standard action.

#### **Medical Amnesty Policy**

In cases of intoxication from illegal drugs or substances, the primary concern is for the health and safety of the individual(s) at risk. Individuals are strongly encouraged to call for medical assistance for themselves or for a friend/acquaintance who is dangerously intoxicated. A student seeking assistance from University personnel or medical treatment for him/herself or another student will not routinely be subject to disciplinary action for illegal drug or substance violations. Students will be required, instead, to consult with the Community Standards Coordinator and may be required to participate in an appropriate educational program, which will not be noted in the student's disciplinary file. Patterns of such incidents, however, particularly if there is evidence that the reporting student is found to have contributed to another student's impaired physical condition (e.g., purchasing or furnishing illegal drugs or substances to that student) or incidents in which federal, state, or local laws require disciplinary action may result in the student being subject to disciplinary action. Students are reminded that, in a community setting, all are expected to take responsibility for the well-being of others.

#### **Sanctions/Corrective Initiatives**

Alvernia University is in partnership with Caron Treatment Centers to provide appropriate programming, counseling, and assessment strategies which meet the needs of students who violate Alvernia University's Policies.

In addition, the following specific sanctions guide the University in situations involving illegal drugs or substances after an appropriate process Community Standards conference. If the student takes responsibility, or is found to be responsible at the hearing, the following sanctions can be applied as listed under the specific violation.

Any student, who is found to have violated this policy, shall be subject to sanctions for the specific offense violated in accordance with the following schedule of sanctions.

In addition, at the discretion of the Community Standards Coordinator, a student may be referred to the Associate Dean of Students & Director of Residence Life for additional sanctioning which may include interim suspension.

#### **Sale, Distribution, or Intent to Deliver**

- Local police and/or University Public Safety investigate and file charges.
- Immediate Interim Suspension from the University and the return pending the outcome of the investigation.
- Parental notification.
- If found guilty, dismissal from Alvernia University.
- Appeal process explained in writing.

**In The Presence**

**First Offense**

- Parental notification.

**Second Offense**

- Will be treated in the same manner as a First Offense for Use/Possession (see below).

**Third Offense**

- Will be treated as the same manner as a Second Offense for Use/Possession (see below)

**Use/Possession**

**First Offense**

- Local police and/or University Public Safety investigate and file charges.
- Required attendance at a scheduled Caron Treatment Centers Level II Assessment and Education Program. In cases where the student has exhibited behaviors and/or actions which are cause for serious concern, the Level II Assessment and Education Program may be replaced with a Level III Assessment and Education Program.
- The student is responsible for applicable fees to the Caron Treatment Centers and/or outside agencies, including the initial intervention and all subsequent education programs. All fees will be billed to the student.
- Automatic billing and reschedule if a student does not attend the required, scheduled intervention and/or education program.
- Required completion of the intervention and prescribed programming.
- Failure by the student to comply with the Caron Treatment Centers intervention, required programming and any required recommendations will result in suspension until all recommendations are completed.
- The student is responsible for all off-campus transportation for intervention and programming.
- Signed waiver giving permission for all intervention and programming recommendations is forwarded to the Community Standards Coordinator.
- Probation for one year following incident.
- Parental notification.
- The appeal process explained in writing.

**Second Offense**

- Required attendance at a scheduled Caron Treatment Centers Level III Assessment and Education Program.
- The student is responsible for applicable fees to the Caron Treatment Centers and/or outside agencies, including the initial intervention, assessment and all subsequent education programs. All fees will be billed to the student.
- Automatic billing and reschedule if a student does not attend the required, scheduled intervention, assessment and/or education program.
- Required completion of the intervention, assessment and prescribed programming.
- Failure by the student to comply with the Caron Treatment Centers intervention, required programming and any required recommendations will result in suspension until all recommendations are completed.
- The student is responsible for all transportation for off-campus intervention and programming.
- Signed waiver giving permission for all intervention, assessment and programming recommendations will be forwarded to the Community Standards Coordinator.
- Probation for one year following the incident.
- Parental notification.
- Appeal process explained in writing.



**Third Offense**

- Suspension from Alvernia University for one academic year.
- Parental notification.
- Appeal process explained in writing.
- Reinstatement process explained in writing.

**Fourth Offense**

- Local police and/or public safety investigate and file charges.
- Immediate Interim Suspension from the University pending outcome of investigation.
- Parental notification.
- If found responsible, immediate dismissal from Alvernia University.
- Appeal process explained and handed to the student.

**Immediate Intervention and/or Medical Assistance Required**

- Immediate Interim Suspension and return pending the results of an assessment from a Caron Treatment Centers University Specialist.
- All sanctions as outlined in “Drugs and Illegal Substances – Third Offense” (above).

**Special Notes:**

1. “Look-a-Like” drugs (sale, distribution, or use) are considered to be a violation of Alvernia University’s Illegal Drugs/Substances Policy (see illegal drugs/substances policy). Look-a-like drugs are drugs or drug paraphernalia that resemble ordinary household or common legal products.
2. Alvernia students are not permitted to sell or distribute prescription drugs that were prescribed for their personal use (see illegal drugs/substances policy).
3. Use of prescription drugs by any student other than the named individual on the prescription itself or the pharmaceutical bottle is a violation of policy and illegal in terms of Alvernia University’s Policy (see illegal drugs/substances policy).
4. Students who experiment with or are dependent upon drugs or alcohol can receive help voluntarily or involuntarily. In all cases, the University will pursue a course of action designed to promote the well-being of the student, protect the welfare of the University community, and demonstrate respect for federal and state laws. Every attempt is made to design a treatment program that allows a student with a substance abuse problem to remain in school. Confidentiality is held in the highest regard.

In a commitment to informing the entire University community of the risks and dangers of drug and alcohol abuse, Alvernia University sponsors numerous programs including lectures, student-sponsored events, and educational software and web-based programs. The University offers counseling and referral services for assessment and treatment.

*Contact the Health and Wellness Center at 610-568-1467.*