

Alcohol/Drugs

(Please go to the Student Handbook for other information concerning alcohol and drugs)

A. General College Policy

The College of Saint Rose prohibits the unlawful possession, use or distribution of alcohol and illicit drugs by students and employees on its property or as part of any of its activities.

B. Alcohol Policy

Alcohol as it Relates to Underage Students

If a student is under the age of 21 (hereafter referred to as an “underage student”), the possession, consumption, or distribution of any amount of alcohol is prohibited.

- a. Underage students shall not possess, consume or distribute alcoholic beverages.
- b. Underage students shall not furnish or sell any alcoholic beverage.
- c. Underage students shall not be in the presence of alcohol.
- d. Underage students shall not allow guests to bring alcohol into the residence halls.
- e. Underage students shall not be incapacitated by the influence of alcohol or another drug or substance.

Alcohol as it Relates to Of-Age Students

If a student is at least 21 years of age (hereafter referred to as an “of-age student”), they are permitted to possess and consume a “reasonable amount” of alcohol in their College-assigned room, or in the College-assigned room of another of-age student. A reasonable amount of alcohol is defined here as no more than a six pack of beer, a liter of wine, or a half-liter of liquor.

- a. Of-age students shall not possess, consume, or distribute any alcoholic beverage(s) if any underage person is present.
- b. Of-age students shall not furnish or sell any alcoholic beverage to any person not 21.
- c. Of-age students shall not possess, consume, or distribute large quantities of alcohol, including, but not limited to, kegs or beer balls.
- d. Of-age students shall not possess or consume alcohol in any common area of the residence halls including suite living rooms and kitchens.
- e. Of-age students shall not allow guests to bring alcohol into the residence halls.
- f. Of-age students shall not be incapacitated by the influence of alcohol or another drug or substance.

Alcohol as it Relates to Excessive Drinking

Excessive drinking (or “binge-drinking”) is prohibited. Of-age students are expected to drink responsibly and never in excess.

Alcohol as it Relates to Paraphernalia

Underage students shall not possess any drinking paraphernalia.

- a. This includes, but is not limited to: funnels, beer mugs, flasks, game tables, shot glasses, steins, margarita glasses, and wine glasses.

Although Of-age students are permitted to possess and consume alcohol on campus, they shall not possess drinking paraphernalia that is intended to be used for, or otherwise could be used for, excessive drinking.

a. This includes, but is not limited to: funnels, flasks, game tables, and shot glasses.

Regardless of age, students shall not collect, display, or store empty alcohol containers. All unauthorized alcohol containers and paraphernalia will be confiscated and disposed of.

Resident students may be removed from campus housing after their third violation of the alcohol policy or earlier depending upon the severity of the violation.

1. Student and other College groups, including offices cannot serve alcoholic beverages at events at which students will be present without prior approval from the Assistant Vice President for Student Affairs. Alcohol beverage request forms should be completed a week prior to the event. Alcohol shall not be provided to individuals who are underage, appear to be intoxicated or under the influence of other psychoactive drugs.

2. Individuals or groups having events in a facility covered by the NYS liquor license serving Saint Rose may not legally bring alcoholic beverages into those areas; therefore, such beverages must be ordered from Campus Dining.

3. Saint Rose community members are responsible for the alcohol-related actions of their guests, including any related damage.

4. Neither the advertisement nor emphasis of an event can promote alcoholic beverage(s) as the sole or main purpose of that event. In addition no specials for alcoholic beverages are allowed.

5. Whenever an alcoholic beverage is served, a non-alcoholic beverage and food must also be available.

6. No member of the College community may possess an open container in common areas, such as the lawn, lounges, hallways, kitchens etc.

7. Proofing is to be done at the entrance to the drinking area and only one alcoholic beverage is given to any one person.

B. Student Sponsored Events

1. For student sponsored events a designated area for the serving and consumption of alcohol must be utilized. Only those of age with appropriate proof may enter the area and no one may take beverages out.

2. It is the responsibility of the Campus Dining Services staff to proof, enforce and report violations of the College alcohol policy. The sponsoring group is equally responsible to enforce

the College alcohol policy and to report violations to the Assistant Vice President for Student Affairs.

C. Proofing Policy

1. Saint Rose identification cards are not valid for proof of age. Governmental proof, such as a driver's license, passport or original birth certificate is required.
2. The Saint Rose identification is also necessary to identify you as a member of the College community since we have a NYS club license.

D. Drug Policy

Possessing, consuming, distributing or selling illicit drugs is prohibited.

Drugs as it Relates to Possession, Consumption, Distribution, and Sale

Possessing, consuming, distributing or selling illegal or illicit drugs is prohibited.

Students shall not:

- a. be in the presence of illegal or illicit drugs, nor will they be present where illegal or illicit drugs are being used, had been used, or were suspected of being used.
- b. be incapacitated by the influence of alcohol or another drug or substance.

Additionally, the odor of marijuana in corridors, lounges, public areas or student rooms in conjunction with the possession of a fan, towel, or any other element used to mask the smell will result in participation in the Student Conduct process.

Drugs as it Relates to Paraphernalia

Possession of any drug paraphernalia, or any item designed or intended for the consumption of drugs or disguising drug use is prohibited.

Students shall not:

- a. possess any drug paraphernalia, including, but not limited to: bongos, bowls, hookahs, and pipes.
- b. possess any items that are designed for the use of drugs.
- a. Any items that are fashioned for the purpose of facilitating or disguising drug use will also be considered a violation of this policy.

All drugs and drug paraphernalia will be confiscated and disposed of by Security.

Students found in violation of the drug policy and/or drug paraphernalia policy may be removed from campus housing and/or the College after their second violation or earlier depending on the severity of the incident.

Sanctions for Alcohol/Illicit Drug Violations Students found in violation of the College's policies on alcohol and illicit drugs are subject to a hearing and possible disciplinary action. Sanctions will be assigned in accordance with the Student Conduct procedures of the College and may vary depending upon the particular circumstances surrounding an infraction, up to and including suspension or expulsion.

E. New York State Law and Sanctions Governing Alcohol Include:

The use of alcoholic beverages is subject to the New York State Alcoholic Beverage Control Law and certain provisions of the New York Penal Law. It is important to understand these laws clearly, as they pertain to the possession, sale or serving of alcoholic beverages.

- 1.** It is illegal for individuals under the age of 21 to possess alcoholic beverages. Underage drinkers are subject to a \$50 fine.
- 2.** An underage drinker who uses fraudulent identification is guilty of a violation punishable by a fine of up to \$100 and community service of thirty hours. If the fraudulent identification is a New York State driver's license, the revocation of the license will be added to the above penalty.
- 3.** No person may sell, deliver or give any alcoholic beverage to a person under the age of 21 (the law does not apply to the parent of a minor). Individuals violating this law are guilty of a "Class B misdemeanor," and may be subject to a fine not exceeding \$500 and a term of imprisonment not to exceed three months.
- 4.** A person who misrepresents the age of a person under 21 for the purpose of inducing the sale of alcohol to the "underage" person is guilty of an offense and is subject to a fine of not more than \$200 and imprisonment not to exceed five days, or both.
- 5.** Any person who shall be injured in person, property, means of support or otherwise by reason of intoxicated person, or by reason of the intoxication of any person who shall, by unlawfully selling to or unlawfully assisting in procuring liquor to such intoxication; and any such person shall have the right to recover actual damages.
- 6.** Any person who shall be injured in person, property, means of support or otherwise by reason of intoxication or impairment of any person under the age of 21 years old shall have a right of action against any person who knowingly causes such intoxication or impairment by unlawfully furnishing to or assisting in procuring alcohol for such a person with knowledge or cause to believe that such person was under the age of 21 years.
- 7.** Any event or function at which alcoholic beverage(s) are being sold or, an admission fee or donation is charged or requested, requires a license from the state.

New York State Law and Sanctions Governing Illicit Drugs

Marijuana

Article 221 of the Penal Law of the State of New York is a special section of the law dealing with offenses involving marijuana. In total, there are 12 subsections which deal with the definition, possession and sale of marijuana. Possession of marijuana in any amount is illegal. Sale of marijuana will, at minimum, be considered a misdemeanor and, at maximum, will be considered a "Class C felony," carrying with it a minimum jail sentence from five to 15 years. Keep in mind that being

convicted under these statutes results in a permanent criminal record which may have a serious impact on a person's future educational or professional plans.

Controlled Substances

Section 220 of the Penal Law defines those drugs considered "Controlled Substances," including narcotic drugs, narcotic preparation, hallucinogens (LSD, "hallucinogenic mushrooms," etc.), stimulants, depressants and concentrated forms of cannabis. Individual statutes deal with the criminal possession or sale of these substances and are categorized as misdemeanors or felonies depending on the specific substance, the amount of the substance in question, or the circumstances surrounding the possession or sale of the substance. Possession or sale (or possession with intent to sell) of even a very small amount of some substances is considered a felonious offense and may result in a lengthy jail sentence. In fact, with the exception of "criminal possession of a controlled substance in the seventh degree," which is considered a misdemeanor, all other statutes in Section 220 of the Penal Law are felonies. In New York State, felonies are ranked from category A-1, the most serious, to category E, the least serious. First offenders convicted of a category A-1 felony are subject to a minimum sentence of from 15-25 years and a maximum of life imprisonment. At the other end of the scale, for the first offender, category E felony convictions carry with them a jail sentence of from one to three years, with a maximum of three to four years. First-degree criminal sale or possession of controlled substances is placed in the same category as first degree arson, first degree kidnapping, or first-or-second degree murder.

Health Risks Associated with Alcohol and Drug Use/Abuse Alcohol.

Alcohol consumption causes a number of changes in behavior and physiology. Even low doses significantly impair judgment, coordination, and abstract mental functioning. Statistics show that alcohol use is involved in a majority of violent behaviors on college campuses, including acquaintance rape, vandalism, fights, and incidents of drinking and driving.

Continued abuse may lead to dependency, which often causes permanent damage to vital organs and deterioration of a healthy lifestyle.

Cannabis (Marijuana, Hashish). The use of marijuana may impair or reduce short-term memory and comprehension, alter sense of time, and reduce coordination and energy level. Users often have a lowered immune system and an increased risk of lung cancer. The active ingredient in marijuana, THC, is stored in the fatty tissues of the brain and reproductive system for a minimum of 28 to 30 days.

Hallucinogens. Lysergic acid (LSD), mescaline, and psilocybin cause illusions and hallucinations. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects, or flashbacks, can occur even when use has ceased. Phencyclidine (PCP) affects the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries.

Cocaine/Crack. Cocaine users often have a stuffy, runny nose and may have a perforated nasal septum. The immediate effects of cocaine use include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature followed by depression. Crack, or freebase rock

cocaine, is extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, convulsions, and even death.

Amphetamines. Amphetamines can cause rapid or irregular heartbeat, tremors, loss of coordination, collapse, and death. Heavy users are prone to irrational acts.

Heroin. Heroin is an opiate drug that causes the body to have diminished pain reactions. The use of heroin can result in coma or death due to a reduction in heart rate.