

3357:13-16-22 Alcohol & Drug Policy

- (A) Philosophical Statement. North Central State College is a learning community. Its students, faculty, staff and guests interact in a wide variety of intellectual and social activities that extend outside of the classroom. We value and promote an alcohol-free environment, but we recognize alcoholic beverages may be available at some campus activities. Such activities are consistent with the College's cultural values when they foster moderation and safety in alcohol consumption. Illegal use of drugs is strictly prohibited.

The College prohibits the illegal use of alcohol and complies fully with federal, state and local regulations regarding the sale, possession and consumption of alcoholic beverages. All members of the College community are held responsible for their behavior and for respecting the rights of others. The College, in partnership with the Ohio State University – Mansfield, is committed to providing the community with education regarding high risk alcohol use and to making health-enhancing experiences a priority.

- (B) Policy. Unlawful possession, use, production, distribution or sale of alcohol or drugs by any student or employee is prohibited on College property or as any part of College activities. It is a violation of the Code of Student Conduct, city, state and federal codes, and subject to applicable sanctions.

- (1) Any student, faculty or staff member found to be in violation of federal, state, and/or local law, or who violates the College's alcohol and other drug policies, are subject to College disciplinary procedures and/or referral to the appropriate authorities for legal prosecution. Campus disciplinary sanctions include, but are not limited to, written warnings, loss of privileges, probation, participation in an alcohol or other drug assistance or rehabilitation program, suspension, and/or dismissal. Sanctions may also apply to registered student organizations and to off campus conduct involving activities sponsored or authorized by the College.

- (2) If violations occur, the following systems may be utilized:

- (a) Students are subject to appropriate discipline by the Dean of Student Services and Enrollment Management or designee or the College Judicial Committee, as outlined in the [Code of Student Conduct](#) (Policy 15-01).
- (b) Faculty could be disciplined under (Policy 16-32) or [Article XXIV. \(Discipline/Discharge\)](#) of the Collective Bargaining Agreement
- (c) Staff is subject to appropriate disciplinary actions described in the College's [Corrective Action Policy](#) (Policy 16-31).

(C) Legal Requirements

Under local, state, and federal laws, it is a crime to do any of the following. For more information, see www.com.ohio.gov/liqr/ and <http://www.justice.gov/dea/agency/penalties.htm>.

(1) Underage Drinking

- (a) Purchase, order, pay for, or share the cost of alcohol if you are under 21.
- (b) Possess alcohol if you are under 21.
- (c) Consume alcohol if you are under 21, unless it is provided by and consumed in the presence of your parent, legal guardian, or adult spouse.
- (d) Sell alcohol to, buy alcohol for, or furnish alcohol to anyone under 21, even if you are the parent, legal guardian, or adult spouse in your own home, apartment, or residence hall room.
- (e) Allow anyone under 21 who possess or consumes alcohol to remain in your home, apartment, or residence hall room, or in other property that you own or occupy.

(2) False Identification

- (a) Show or give false information about your name, age, or other identification to purchase or obtain alcohol if you are under 21.
- (b) Provide false information about the name, age or other identification of another person under 21 to purchase or obtain alcohol for that person.

(3) Open Containers

- (a) Have an open container of alcohol in your possession in any public place.
- (b) Have an open container of alcohol in your possession while driving or riding in or on a motor vehicle.
- (c) Have an open container of alcohol in your possession while in or on a motor vehicle that is parked in or on a highway, street, or other place open to the public for parking.

(4) Transportation

- (a) If you are under 21, you are considered to be driving under the influence if your blood alcohol level is .02 or higher and 0.08 at age 21. Refusing an alcohol test results in an immediate administrative license suspension.
- (b) Consume alcohol while in a motor vehicle.
- (c) Drive while under the influence of alcohol.

(d) Be in physical control of a vehicle while drinking or under the influence of alcohol.

(5) Disorderly Conduct

Engage in conduct that offends, inconveniences, annoys, or alarms others or that poses a risk of physical harm to yourself, to others, or to property while you are voluntarily intoxicated.

(6) Alcohol Sales

Hold an event where alcohol is sold, or an event where alcohol is provided without charge but there is an entrance fee, cover charge, or other fee, without an appropriate permit. Information on how to obtain a temporary liquor permit is available from the Ohio Division of Liquor Control by phone at 614-644-2431 and on the web at <http://www.com.ohio.gov/liqr/>.

(7) Illicit Drugs

(a) Selling or offering to sell any controlled substance, or preparing or packaging any controlled substance for sale.

(b) Distributing any controlled substance.

(c) Knowingly obtaining, possessing, or using a controlled substance.

(D) State of Ohio Alcohol and Drug Law Criminal Sanctions

(1) Underage Drinking: Ohio Revised Code (O.R.C.) 4301.63 provides that *no person under the age of 21 shall purchase beer or intoxicating liquor*. Penalty for a violation: A fine of not less than \$25 but not more than \$100 may be imposed. The court may order that the fine be paid by the performance of public work at a reasonable hourly rate established by the court, and may specify the designated time in which the public work shall be completed.

(2) False identification used to purchase alcohol for someone under 21: O.R.C. Section 4301.633 provides that *no person shall knowingly furnish any false information as to the name, age, or other identification of any person under 21 years of age for the purpose of obtaining or with the intent to obtain, beer or intoxicating liquor for a person under 21 years of age, by purchase, or as a gift*. Penalty for a violation: Violation of O.R.C. section 4301.633 is a misdemeanor of the first degree. The maximum penalty is imprisonment for not more than 6 months and a fine not more than \$1,000.

(3) False identification used to purchase alcohol by someone under 21: O.R.C. Section 4301.634 provides that *no person under the age of twenty-one years shall knowingly show or give false information concerning the person's name, age, or other identification*

for the purpose of purchasing or otherwise obtaining beer or intoxicating liquor in any place in this state where beer or intoxicating liquor is sold under a permit issued by the division of liquor control or sold by the division. Penalty for violation: Violation of O.R.C. Section 4301.634 is a misdemeanor of the first degree, punishable by up to 6 months imprisonment and fines up to \$1,000. If a false or altered state identification card was used in commission of a violation of O.R.C. Section 4301.634, the punishment is a first degree misdemeanor with a fine of at least \$250 to \$1,000 and up to six months imprisonment.

- (4) Open container in a motor vehicle: O.R.C. Section 4301.64 *prohibits the consumption of beer or intoxicating liquor in a motor vehicle.* Penalty for violation: A violation of O.R.C. Section 4301.64 is a misdemeanor of the fourth degree punishable by up to thirty days in jail and a fine up to \$250.
- (5) Furnishing or selling alcohol to someone under 21: O.R.C. Section 4301.69(A) *prohibits any person from selling or furnishing beer or intoxicating liquor to an person under 21 years of age, or buying it for any person under the age of 21.* Penalty for violation: Violation of O.R.C. Section 4301.69(A) is a misdemeanor punishable by a fine of at least \$500 but not more than \$1,000, and in addition imprisoned for up to 6 months.
- (6) Underage purchase, possession or consumption of alcohol: O.R.C. Section 4301.69(E) provides that *no underage person shall knowingly order, pay for, share the cost of, attempt to purchase, possess, or consume any beer or intoxicating liquor in any public or private place or knowingly be under the influence of any beer or intoxicating liquor unless he or she is accompanied by a parent, spouse, or legal guardian who is not an underage person, or unless the beer or intoxicating liquor is given for religious purposes or by a physician for medical purposes.* Penalty for violation: A violation of O.R.C. Section 4301.69(E) is a misdemeanor of the first degree. The maximum penalty is imprisonment for not more than 6 months and a fine up to \$1,000.
- (7) Driving while intoxicated: O.R.C. Section 4511.19 *prohibits any person from driving a motor vehicle while under the influence of alcohol or drugs.* Penalty for violation: A violation of O.R.C. Section 4511.19 is a misdemeanor of the first degree, the maximum penalty for which is a jail term of up to 6 months and a fine up to \$1,000. In addition, the court may impose additional fines, community rehabilitation or intervention programs, and suspend or revoke the offender's driver's license. Additional penalties exist for repeat offenders of O.R.C. Section 4511.19.
- (8) Selling or distributing illicit drugs: O.R.C. Section 2925.03 *prohibits any person from selling or offering to sell any controlled substance, preparing or packaging any controlled substance for sale, or distributing any controlled substances.* Penalty for violation: Anyone who violates this statute is guilty of drug trafficking. Violation of this statute is a felony, the level of which depends on the specific criteria set forth in Section 2925.03(C), including type and weight of drug. The minimum penalty for a fifth degree felony can include 6 to 12 months in jail and/or a fine up to \$2,500. The maximum penalty for a first degree felony can include imprisonment up to 10 years and a fine up to

\$20,000.

- (9) Possessing or using illicit drugs: O.R.C. Section 2925.11 *prohibits any person from knowingly obtaining, possessing, or using a controlled substance*. Penalty for violation: Violation of this statute is drug abuse, which may be a misdemeanor or a felony depending on the specific criteria set forth in Section 2925.11(C), including type and weight of drug. The minimum penalty, a fourth degree misdemeanor, is punishable by imprisonment of up to 30 days and a fine up to \$250. The maximum penalty, a first degree felony, is punishable by up to 10 years in prison and a fine up to \$20,000.
- (10) This information is provided as a general summary of the major applicable laws. Laws frequently are amended and reinterpreted, and the application of law to specific situations generally requires an analysis of all of the facts and circumstances. This information should not be substituted for specific legal advice.
- (11) If you are charged with a crime it is a good idea to seek advice of an attorney. Legal representation is not permitted for student disciplinary processes. Updates to these laws are generally reflected on the websites mentioned here, but individuals are ultimately responsible for knowing the laws. This information should not be substituted for specific legal advice.
- (12) The College's Code of Student Conduct and policies and rules are campus behavior and safety standards that may result in sanctions, educational outcomes or penalties that are independent of any criminal considerations.
- (13) Violation of the laws referenced previously may also be a violation of the College's Code of Student Conduct and policies and rules and could result in College sanctions. It should also be noted that the College's expectations for appropriate behavior are higher than those under the law.

(E) Federal Drug Laws

- (1) Federal law prohibits the trafficking and illegal possession of controlled substances as outlined in 21 United States Code, Sections 841 and 844.
- (2) Depending on the amount possessed, first offense maximum penalties for trafficking marijuana range from five years' imprisonment with a \$250,000, fine to imprisonment for life with a \$4 million fine for an individual, and from five years' imprisonment with a \$1 million fine to imprisonment for life with a \$20 million fine for more than one offender. Also depending on the amount possessed, first offense maximum penalties for trafficking Class I and Class II controlled substances (methamphetamine, heroin, cocaine, cocaine base, PCP, LSD, fentanyl analogue) range from five years' imprisonment with a \$2 million fine to imprisonment for life and a \$4 million fine for an individual, and from five years' imprisonment with a \$5 million fine to imprisonment for life and a \$10 million

fine for more than one offender. First offense penalties for simple possession, 21 USCS §844, range from at most one year's imprisonment or at least a \$1,000, fine, or both; to at most 20 years' imprisonment and at least a \$1,000, fine.

- (3) For the most current and complete information regarding Federal penalties for drug trafficking, visit the U.S. Drug Enforcement Administration's website at:
<http://www.justice.gov/dea/agency/penalties.htm>.

(F) Prevention and Assistance

Students are affected by alcohol and drug abuse in a variety of ways, and it can significantly interfere with the mission of this College. In addition to affecting the health and safety of students, faculty, staff and campus visitors, it also can exact tremendous costs in relationship to campus crime and its interference with the goals of learning. North Central State College is committed to providing a safe, healthy learning community for all of its members.

(1) Adverse Health Effects of Alcohol or Drug Abuse

Individuals who abuse alcohol or drugs may suffer from a number of health-related and other short and long-term medical, behavioral and social problems:

- (a) Heavy drinking increases the risk of certain disorders, such as liver cirrhosis (damage to liver cells), pancreatitis (inflammation of the pancreas), and certain types of cancers, including cancer of the liver, mouth, throat, larynx (voice box) and esophagus.
- (b) Long-term health consequences include loss of appetite, vitamin deficiencies, stomach ailments, digestive problems, skin problems, sexual impotence, obesity, heart and central nervous system damage, memory loss, physical dependence, and psychological disorders.
- (c) Abuse can also increase the risk of death from automobile crashes, injuries during recreation and work; higher likelihood of homicide and suicide, and harm to a fetus during pregnancy.
- (d) Alcohol and other drug abuse is associated with violent behavior toward others, and may lead to inappropriate risk taking which can result in injury or death, unplanned pregnancies, and sexually transmitted diseases--including infection with the AIDS virus.
- (e) Excessive alcohol consumption is also related to patterns of behavior that damage the drinker's capacity to sustain relationships, and has negative consequences on academic and work performance. Nearly one-third of academic problems that occur on college campuses are related to alcohol abuse.

Source: <http://www.drugabuse.gov/DrugPages/DrugsofAbuse.html>

(2) Education and Treatment Resources

All faculty, staff, and students are encouraged to seek help early in the discovery of a problem with alcohol and/or other drugs, and to learn how to assist others with problems related to substance abuse. The earlier assistance is obtained, the less likely there will be serious, negative consequences resulting from an alcohol or other drug problem. Persons seeking assistance for a substance abuse problem will not be sanctioned by the College as a result of seeking such assistance. The following are some resources on campus and in the community for confidential assistance:

(a) On Campus

- (i) New Directions EAP and Counseling Center 419-529-9941- Individual and group counseling/assessment, including alcohol and other drug issues
- (ii) Alcoholics Anonymous 419-522-4800

(b) Off Campus Support Groups

- (i) Adult Children of Alcoholics (ACOA) and AL-ANON 419-522-4800 - Support for someone who grows up with an alcoholic parent and for families and friends of alcoholics
- (ii) New Beginnings Recovery Services 419-526-6168 - Drug and alcohol recovery services
- (iii) Cocaine Anonymous (CA) 614-251-1122 - Support for those who seek recovery from cocaine
- (iv) Narcotics Anonymous (NA) - Regional Helpline (800)587-4232 - A 12-step program for recovering drug addicts
- (v) CACY 419-774-5683 - Prevention, Education, and Parenting Services
- (vi) The Center for Individual and Family Services 419-774-3019 - Drug and alcohol recovery services 419-522-4357
- (vii) Med Central Hospital 419-526-8000
- (viii) The Rehab Center Support Groups 419-756-1133

(c) Hotlines

- (i) Alcoholics Anonymous 419-522-4800
- (ii) Al-Anon/Al-Teen 419-522-4800
- (iii) The Shelter's Domestic Violence Crisis Line (800)931-7233 or 419-774-5840
- (iv) Cocaine Hotline 614-443-COKE
- (v) Narcotics Anonymous 1-800-587-4232 or 419-525-3525
- (vi) Suicide Hotline 614-221-5445

(4) College/Unit Responsibilities

- (a) Supervisors with reasonable suspicion that a substance abuse problem may be resulting in unsatisfactory work performance should review those problems with their department manager and the Human Resources Director.
- (b) Workplace performance issues should be documented.
- (c) Corrective action should be taken as appropriate after consultation with the Office of Human Resources.

(G) Biennial Review of Drug and Alcohol Policy

The College should conduct a biennial review of its drug and alcohol programs during even years. The review should measure the effectiveness of the College's drug and alcohol programs. The report of the review should take into consideration the IHEC Suggested Biennial Review Format and Contents document.

Effective: August 1, 2016
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Review Dates: 7/26/16