

**University of Baltimore**  
**IV.1.1 Policy on Drug and Alcohol Use**

*Approved: Spring 2006*

*Reviewed: Fall 2014*

*Reviewed: October 2016*

*Updated: October 2018*

**General Policy Statement**

The use or abuse of controlled or illegal substances, and alcohol, pose a serious threat to the health and welfare of a large segment of the college student population through a lessening of academic performance, estrangement of social relations, creation of mental health and physiological problems, vandalism, and in some cases bodily injury, illness, and death.

The University of Baltimore drug and alcohol policies are designed to help protect the health and welfare of students, observe state, federal and local laws and maintain an atmosphere and environment appropriate for learning.

***Amnesty Policy***

The health and welfare of our community is the University's primary concern. Any student who seeks help for themselves or another person during a medical emergency while under the influence of alcohol and/or drugs will not be charged by the University with a violation of University policy for being under the influence. Additionally, the person for whom help is sought will not be charged with a violation of University policy for being under the influence.

***Health Risks***

Substance abuse is recognized as the number one public health problem in the United States accounting for about 150,000 deaths annually. This includes deaths from stroke, disease of the heart and liver, and all alcohol and drug related suicides, homicides and accidents. About 30 percent of all those admitted to general hospitals and 50 percent to psychiatric hospitals have detectable substance abuse.

***Treatment/Referral***

Those interested in discussing drug or alcohol problems are encouraged to contact the University Of Baltimore Office Of Community Life (AC 112) to review our resources that may assist you. In addition, the Student Assistance Program (SAP) is a service that provides private and confidential counseling services 24/7. They provide in person, online and/or by phone appointments. A counselor can be reached at 1-800-327-2251, 24 hours a day, seven days a week. All calls are confidential.

Additional information can be obtained at the following sites:

Addictions Hotline- 1-800-559-9503

Alcohol and Drug Administration- [www.maryland-adaa.org](http://www.maryland-adaa.org)

Baltimore County Substance Abuse Program- 410-789-2647

## **Drug Policy**

The University of Baltimore is committed to using all available means to prevent illegal activities on campus. Use, possession, sale, distribution, and being under the influence of controlled substances or illegal substances on University premises or at University-organized activities is strictly prohibited, except as permitted by law.

## **Violations**

Violations of laws and university policies and regulations regarding the use of controlled/illegal substances and alcohol at on-campus or University-organized activities off-campus are subject to prosecution through both law enforcement authorities and the campus judicial system. Penalties through the latter authority will depend on a careful review of the facts and circumstances of each individual case, but will take into consideration such factors as the accused person's previous record, the nature of the substance, and the degree of culpability. The range of university penalties shall include, but not be limited to, disciplinary reprimand, loss of privilege, restitution, disciplinary probation, disciplinary suspension, disciplinary dismissal, and disciplinary expulsion.

## **Legal Sanctions**

Students and employees at the University of Baltimore are subject to federal, state and local laws regarding the possession and distribution of illegal drugs. *Federal Law 21 USCA, sections 841 and 844*, states that it is unlawful to possess, manufacture, distribute or dispense a controlled substance. In addition, the state of Maryland has additional laws dealing with distribution, manufacturing, and possession of controlled substances. Maryland law (*Sections 5-601, 5-602 and 5-607, Criminal Law Article*) states that any persons who unlawfully manufacture, distribute, dispense or possess a controlled dangerous substance may be subject to imprisonment up to 5 years and fines up to \$25,000. *Maryland. Ann. Code Art. 27, section 286 (1989)*, further states that any person who unlawfully manufactures or distributes any controlled dangerous substances may be fined up to \$25,000 and may be imprisoned for up to 20 years for a first offense.

*Federal law 21 USC, sections 841 and 844-845a (1990)*, states that it is unlawful to possess any controlled substance for any illegal purpose. If the substance is cocaine, or contains a cocaine base, the penalty for simple possession is a fine and/or imprisonment from 5 to 20 years. For other illegal drugs, the penalty for simple possession is a fine of at least \$1,000 and/or imprisonment for up to 3 years. The penalties increase if the possession includes intent to manufacture, distribute, or dispense a controlled substance, especially if done so near a public or private elementary, vocational, or secondary school, or a public or private college or university. Additionally, any person who violates this law shall also be liable to the United States for an amount up to \$10,000 in civil penalties.

Convictions related to controlled and/or illegal substances will adversely impact a student's ability to receive federal financial aid.

Also, in Baltimore City, under *Article 19, section 58C of the City Code*, it is illegal to loiter in a certified drug-free zone, with penalties of imprisonment of up to 30 days and a fine of up to \$400.

## **Alcohol Policy**

The University of Baltimore permits the use of alcoholic beverages in designated areas on campus if such use is in conformity with all applicable alcoholic beverage laws and the specific University regulations. The use of alcoholic beverages on campus or at off-campus University sponsored events must also be consistent with the maintenance of a high standard of conduct conducive to learning.

## **Violations**

Violation of any regulation regarding alcoholic beverages will be adjudicated through the University's judicial system, and where appropriate, through legal action. Students and organizations found to be in violation shall face a range of University sanctions as provided in the Code of Conduct, including but not be limited to, disciplinary reprimand, loss of privilege, restitution, disciplinary probation, disciplinary suspension, disciplinary dismissal, and disciplinary expulsion.

## **Legal Sanctions**

Students and employees of the University of Baltimore are subject to state laws for possessing, consuming and obtaining alcohol. It is illegal in the state of Maryland for any person under 21 to falsify or misrepresent his or her age to obtain alcohol or to possess alcoholic beverages with the intent to consume them. It is also illegal in most situations to furnish alcohol to a person under 21 or to obtain alcohol on behalf of a person under 21. The penalty is a fine of up to \$500 for a first offense and up to \$1,000 for repeat offenses. Under section *TR16-113* of the *Maryland Annotated Code*, licensees under the age of 21 years are prohibited from driving or attempting to drive a motor vehicle while having alcohol in the licensee's blood. Violation of this license restriction may result in a license suspension or revocation and/or a fine.

All sales, distribution, and consumption of alcoholic beverages, must conform to regulations of the University as set forth herein, to the regulations of the Board of Liquor License Commissioners for Baltimore City, and the laws of the state of Maryland. Specifically, *Article 2B* of the Annotated Code of Maryland (Alcoholic Beverages Law):

1. Prohibits selling or permitting consumption of alcoholic beverages after the prescribed hours (*Section 86*);
2. Prohibits permitting any person to drink any alcoholic beverage not purchased from the license holder on the premises covered by the license and not permitted by the license to be consumed on the premises (*Section 114*);
3. Prohibits selling or furnishing any alcoholic beverages to a minor or a person visibly under the influence of any alcoholic beverage (*Section 18*). The City of Baltimore Liquor Board requires that a one-day liquor license be obtained and displayed at any event where beer and wine are sold (Liquor Board Rules and Regulations Rule 1.10) or that a caterer with off-sale caterer privilege be used (Liquor Board Rules and Regulations Rule 1.09).

## ***Regulations for the Marketing, Sale, Distribution, and Consumption of Alcoholic Beverages at University Events***

All state, federal and local laws must be observed when marketing, selling and consuming alcoholic beverages.

### ***Designated Areas***

Alcoholic beverages may only be served and consumed in areas designated and approved by the Office of Auxiliary Services. When sold by student groups, a request to serve alcoholic beverages must be submitted to and approved by the Center for Student Involvement thirty days prior to the event.

### ***Precautionary Measures***

Individuals or organizations sponsoring events on or off-campus are to implement precautionary measures to ensure that alcoholic beverages are not abused, accessible, or served to persons under the legal drinking age (21) or to persons who appear intoxicated. Such measures shall include but not be limited to: identification and age verification checks, wristbands or hand stamps identifying those eligible to drink alcoholic beverages, having designated servers distribute all alcoholic beverages, prohibiting any form of drinking "contest" or game, restricting distribution of free and inexpensive alcoholic beverages, informing and arranging for UB police to be on call for all events, and having nonalcoholic beverages and food available where alcoholic beverages are served.

### ***Advertising/Promotion***

Promotional materials including advertisement of University events may not:

1. Make reference to the amount and price of alcoholic beverages (such as the number of beer kegs available),
2. Encourage any form of alcohol abuse,
3. Place emphasis on quantity and frequency of use,
4. Associate alcohol consumption with the performance of tasks that require skilled reactions such as the operation of motor vehicles or machinery, or
5. Portray drinking as a solution to personal or academic problems of students or as necessary to social, sexual, or academic success. All promotional materials shall note the availability of non-alcoholic beverages as prominently as alcohol. Alcoholic beverages may not be used as inducement to participate in a university/student organization sponsored event. Display or availability of promotional material for both on-campus and off-campus events shall be determined in consultation with the Director for the Center for Student Involvements or his/her designee.

### ***Campus Marketing Programs***

Campus marketing programs which include controlled sampling are permitted but shall conform to all University alcohol regulations, including the availability of alternative nonalcoholic beverages

and food. No uncontrolled sampling as part of a campus event is permitted. The consumption of alcoholic beverages shall not be the sole purpose of any promotional activity. Marketing programs should have educational value and subscribe to the philosophy of responsible and legal use of the products represented. Marketers shall support campus alcohol awareness programs that encourage informed and responsible decisions about the use or nonuse of alcoholic beverages.

***Free Alcoholic Beverages***

Alcoholic beverages may not be provided as promotions, free awards or prizes to individual students or campus organizations. Free alcoholic beverages may not be served at student events without prior approval from the Director for the Center for Student Involvement or his/her designee.