

# STUDENT ALCOHOL AND OTHER DRUGS POLICY

## St. John's College | Annapolis, Maryland

### Introduction

St. John's College Alcohol and Other Drugs Policy complies with the requirements set forth by the Drug-Free Schools and Community Act Amendments of 1989. This act requires the college to certify that it complies with applicable federal, state, and local regulations and that it has implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by all students and employees both on-campus and at college-sponsored off-campus events and activities.

The Student Alcohol and Other Drugs Policy describes the standards of student conduct regarding the possession, use or distribution of alcohol, controlled substances and marijuana; outlines the sanctions enforced under college policy, and local, state, and federal law; and provides information regarding health risks and treatment services for substance abuse available to students and employees of the College.

The health and well-being of every St. John's College student is the responsibility of the entire community and we are committed to providing a safe campus environment in which students can thrive. Each member of the community must make informed decisions regarding personal use of alcohol and other drugs that reflect a respect for themselves and others. In working with students involved in alcohol and other drug policy violations, the aim of the college is primarily educational and efforts are made to connect students to resources either on-campus or in the local community.

### Alcohol Policy

The college respects the rights of community members to exercise their legal options regarding alcohol consumption and recognizes that responsible alcohol use can be compatible with healthy adult behavior. As such, the following expectations support the safe and legal consumption of alcohol:

1. Students under the age of 21 may not possess or consume alcohol.
2. A state of intoxication by anyone, regardless of age, is prohibited.
3. Students in lawful possession of alcohol shall not disrupt the community. Students who use alcohol shall do so in a way that does not compromise or infringe on the rights and safety of others. Those who make the decision to drink are accountable for their behavior while under the influence of alcohol on the same basis as if they had not been drinking.
4. Students of legal drinking age who are living on-campus may possess and consume beer and wine. Hard alcohol is not permitted anywhere on-campus regardless of age.
5. For those of legal drinking age, containers of alcoholic beverages larger than three liters are not permitted.
6. Organized drinking games or items used for the purpose of quick or mass consumption of alcohol are prohibited. Public intoxication and events where there is pressure or an expectation to consume excessive amounts of alcohol are prohibited.
7. Providing alcohol to underage individuals is prohibited. Hosts are responsible for their guests' alcohol consumption and the behavior of their guests.
8. Giving or offering alcohol to a prospective student is strictly prohibited.
9. Any student-sponsored event where alcohol is served must follow the Event Registration Process and associated rules. Serving alcohol to intoxicated persons or underage students is prohibited. Bulk containers, kegs, or any alcohol dispensing-device requiring a tap are not permitted on campus with the exception of a registered event with a licensed bartender present.
10. The unlicensed sale of alcoholic beverages is prohibited. College funds allocated for student activities may not be used to purchase beer or wine. This includes funds given to and distributed by the Delegate Council.
11. Presenting false identification for the purpose of obtaining alcohol is prohibited.
12. Students who violate any college policy, city laws or ordinances, or state or federal laws off-campus are subject to disciplinary action from the college and arrest by law enforcement.

## Other Drug Policy

Students have the right to live and learn in an environment free from the effects of drugs and drug abuse. Students are expected to comply with federal, state, and local laws, to follow the requirements of the college's drug policy and to respect the right to a drug free environment shared by all members of the campus community. Federal and state laws subject persons involved in the use, sale, or distribution of illegal drugs to criminal action, including arrest, fine, and imprisonment. St. John's College fully supports these laws by prohibiting the possession, use, sale, and/or distribution of illegal drugs on campus. Anyone found in-violation of this policy shall receive disciplinary action.

1. The use, abuse, sale, manufacturing, possession and/or distribution of illegal drugs or drug paraphernalia is prohibited. A student is deemed to have distributed illegal drugs or drug paraphernalia if they sell, exchange, share, jointly purchase, or otherwise make available any illegal drug or drug paraphernalia to another.
2. The abuse, sale, and/or distribution of over-the-counter or prescription drugs (pharmaceuticals), or other substances is prohibited. This includes the use of the pharmaceutical/substance for anything aside from its intended purpose, by someone other than the intended recipient, and in a dosage other than what is prescribed. Any student who sells, provides, shares or otherwise makes available a pharmaceutical/substance to another person may be found responsible for violating the drug policy. A student is deemed to have distributed a pharmaceutical or substance if they sell, exchange, share, jointly purchase, or otherwise make available any pharmaceutical or substance to another.
3. Although the State of Maryland has decriminalized the possession of marijuana in amounts less than 10 grams and has legalized the use of medical marijuana in certain cases, the possession and use of marijuana on-campus continues to be prohibited by federal law (the Drug-Free Schools and Communities Act Amendments of 1989). Thus, possession and use of marijuana, including for medical use, continues to be prohibited.
4. Giving or offering illegal drugs, pharmaceuticals or other substances to a prospective student is strictly prohibited.
5. The college reserves the right to request outside assistance in connection with an individual's possession, use, sale or distribution of illegal drugs and drug paraphernalia. This includes working with local, state, or federal authorities for the purpose of investigating the illegal use, sale, or manufacture of drugs.

## Parent or Guardian Notification

To provide support and assistance, the college will notify parents or legal guardians of students under the age of 21 who are involved in incidents with alcohol or other drugs, regardless of if the incident will be addressed under the Medical Amnesty Policy. The primary goal of notifying parents or legal guardians is to promote the health and well-being of the individual and of the community.

## Medical Amnesty Policy

It is imperative that someone call for medical assistance when an individual experiences severe intoxication/impairment or a serious injury after consuming alcohol or other substances. Students may be reluctant to seek help in such alcohol or other substance related emergencies because of potential conduct consequences for themselves and/or the person in need of assistance. Since these emergencies are potentially life threatening, the Medical Amnesty Policy eliminates or greatly reduces disciplinary consequences for students who obtain medical help for themselves or for other intoxicated or impaired students. Students may be referred to an educational, recovery, and/or developmental program and a record of the medical amnesty and educational requirement will be maintained. This policy is part of the college's comprehensive approach to reducing harmful consequences caused by the consumption of alcohol or other drugs. The Medical Amnesty Policy represents the college's commitment to increasing the likelihood that community members will call for medical assistance when faced with an alcohol or substance-related emergency.

## How does the Medical Amnesty Policy work?

The Medical Amnesty Policy eliminates or greatly reduces disciplinary consequences when medical help is obtained for an intoxicated or impaired student. The discretion to allow a student with a potential policy violation to receive medical amnesty rests solely with the college official managing the incident, as follows:

**Person in need of medical attention:** When an individual who receives emergency medical attention related to their consumption of alcohol or other substances meets with a college official, they will not be subject to disciplinary consequences for underage consumption and/or possession of alcohol and/or illegal drugs (in most circumstances).

**Calling on behalf of someone else:** When an individual calls for emergency assistance on behalf of another person related to their consumption of alcohol or other substances, the person who made the call will not be subject to disciplinary consequences for underage consumption and/or possession of alcohol and/or illegal drugs (in most circumstances).

## Alcohol and Other Drug Policy Violations and Sanctions

The college's response to alcohol or other drug policy violations will depend in part upon the level of the violation. For the purposes of this policy, there are three violation levels, categorized by frequency (the number of times you have been involved in these and/or other types of incidents) and the severity of the incident. They are:

- Low-level violation
- Mid-level violation
- High-level violation

Examples of different types of violations include, but are not limited to:

Violation Type	Conduct Violation Examples
Low-level violation	<ul style="list-style-type: none"><li>• Underage possession of alcohol</li><li>• Possession of drug paraphernalia</li><li>• Public intoxication (regardless of age)</li><li>• Possession/use of marijuana (under 10 grams, single edible, etc.)</li><li>• Possession of fake ID</li><li>• Lying in an attempt to be served alcohol</li></ul>
Mid-level violation	<ul style="list-style-type: none"><li>• Providing or purchasing alcohol for persons under the age of 21</li><li>• Possession of common containers and kegs</li><li>• Drinking games; possession of rapid consumption devices</li><li>• Possession/use of marijuana (over 10 grams, multiple edibles, etc.)</li><li>• Improper use or possession of prescription drugs</li><li>• Providing fake ID to Public Safety</li></ul>
High-level violation	<ul style="list-style-type: none"><li>• Social host for unregistered party with common source container and/or drugs present</li><li>• DUI/DWI (alcohol or other drug related)</li><li>• Manufacturing false ID</li><li>• Possession of controlled substance with an intention to distribute or deliver</li><li>• Distribution or delivery of controlled substance/prescription drug</li><li>• Manufacture/growing controlled substance</li></ul>

Please note, multiple violations at the low- and mid-level will result in more severe sanctions.

In all cases, a student involved in an alcohol and other drug policy violation will be required to meet with a college official. The determination of sanctions rests solely with the college official meeting with a student. Sanctions will be determined based on the circumstances of the incident, a conversation with the student, a review of the student’s past actions (including the student’s conduct record), and considering what is most likely to effect a positive and lasting change in a student’s behavior. Within these guidelines, certain minimum sanctions have been established, based on the violation level, as follows:

Sanction Level	Violation Type	Minimum Sanctions
Level 1	First low-level violation	<ul style="list-style-type: none"> <li>• Written warning</li> <li>• Educational sanction</li> <li>• \$50 fine or 5 hours of community service</li> <li>• Parental notification (if under 21)</li> </ul>
Level 2	First mid-level violation Second low-level violation	<ul style="list-style-type: none"> <li>• Disciplinary Probation (2 semesters)</li> <li>• Educational sanction</li> <li>• \$80 fine or 8 hours of community service</li> <li>• Parental notification (if under 21)</li> </ul>
Level 3	First high-level violation Second Level 2 violation	<ul style="list-style-type: none"> <li>• Removal from on-campus housing, suspension</li> <li>• Disciplinary Probation (2 semesters)</li> <li>• Substance Use Assessment</li> <li>• \$100 fine or 10 hours of community service</li> <li>• Parental notification (if under 21)</li> </ul>
Level 4	Second Level 3 violation	<ul style="list-style-type: none"> <li>• Suspension or expulsion from the college</li> <li>• Substance Use Assessment</li> <li>• \$200 fine or 20 hours of community service</li> <li>• Parental notification (if under 21)</li> </ul>

Students may be asked to leave the college should they violate any college policy while on Disciplinary Probation. Students may also be referred to law enforcement authorities for prosecution.

## Local, State, and Federal Law Relating to Alcohol and Other Drug Use

Students are subject to local, state, and federal laws governing the possession, use, and distribution of alcohol and other illegal drugs.

### State Penalties and Sanctions for Alcohol and Illegal Possession of a Controlled Substance:

- No individual under the age of 21 may purchase, possess, or consume alcoholic beverages. Violators of this law face a fine of \$500 for a first offense and \$1,000 for second or subsequent offenses. See Maryland Annotated Code, Criminal Law, Title 10.
- Individuals age 21 and older who serve alcoholic beverages to individuals under the age of 21 and individuals who make misrepresentations of age to induce the sale of alcoholic beverages, are subject to fines of up to \$2,500. See Maryland Annotated Code, Criminal Law, Title 10.
- Conviction by a Maryland court of driving while intoxicated or under the influence of an illegally used dangerous controlled substance will result in the automatic revocation of the guilty person’s driver’s license, plus a possible fine and imprisonment. In all cases, exact legal sanctions depend on the circumstances of the criminal act(s) and the substances involved. See Maryland Annotated Code, Transportation, Sections 16-205; 27-101.

- A person may not drink any alcoholic beverage while on public property unless authorized by a governmental entity that has jurisdiction over the property, adjacent parking area, or other outside area of a privately owned retail establishment, such as a shopping center, or in any parked vehicle located on any of these places, unless authorized by the owner of the establishment. Maryland Annotated Code, Article 2B, Section 19-202.
- A person may not possess any open container of an alcoholic beverage while on public property unless authorized by a governmental entity that has jurisdiction over the property, adjacent parking area, or other outside area of a privately owned retail establishment, such as a shopping center, or in any parked vehicle located on any of these places, unless authorized by the owner of the establishment. Maryland Annotated Code, Article 2B, Section 19-301.
- A person may not possess or administer to another a controlled dangerous substance or manufacture, distribute, or dispense a controlled dangerous substance. Maryland Annotated Code, Criminal Law, Title 5, Subtitle 6 (See Maryland Annotated Code, Criminal Law, Title 5, Subtitle 4, for a list of controlled dangerous substances). Depending on the substance, an offender is subject to imprisonment up to 10 years and/or a fine up to \$100,000. Repeat offense may result in harsher penalties. Maryland Annotated Code, Criminal Law, Title 5, Subtitle 6.

### Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance:

#### *21 U.S.C. 844 (a)*

- 1st conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.
- After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.
- After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000 or both.
- Special sentencing provision for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000 or both if:
  - 1st conviction and the amount of crack possessed exceed 5 grams.
  - 2nd crack conviction and the amount of crack possessed exceed 3 grams.
  - 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

#### *21 U.S.C. 853(a)(2) and 881(a)(7)*

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack).

#### *21 U.S.C. 881 (a) (4)*

Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

#### *21 U.S.C. 844 a*

Civil fine of up to \$10,000 (pending adoption of final regulations).

#### *21 U.S.C. 853a*

Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

#### *18 U.S.C. 922(g)*

Ineligible to receive or purchase a firearm.

Miscellaneous: Revocation of certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies.

Note: These are only Federal penalties and sanctions. Additional State penalties and sanctions may apply.

## Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)

Schedule	Substance/Quantity	Penalty	
II	Cocaine 500–4999 grams mixture	<p><b>First Offense:</b> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life.</p> <p>Fine of not more than \$5 million if an individual, \$25 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.</p>	
II	Cocaine Base 28–279 grams mixture		
IV	Fentanyl 40–399 grams mixture		
I	Fentanyl Analogue 10–99 grams mixture		
I	Heroin 100–999 grams mixture		
I	LSD 1–9 grams mixture		
II	Methamphetamine 5–49 grams pure or 50–499 grams mixture		
II	PCP 10–99 grams pure or 100–999 grams mixture		
II	Cocaine 5 kilograms or more mixture		<p><b>First Offense:</b> Not less than 10 yrs and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life.</p> <p>Fine of not more than \$10 million if an individual, \$50 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p> <p><b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>
II	Cocaine Base 280 grams or more mixture		
IV	Fentanyl 400 grams or more mixture		
I	Fentanyl Analogue 100 grams or more mixture		
I	Heroin 1 kilogram or more mixture		
I	LSD 10 grams or more mixture		
II	Methamphetamine 50 grams or more pure or 500 grams or more mixture		
II	PCP 100 grams or more pure or 1 kilogram or more mixture		

Substance/Quantity	Penalty
Any Amount of Other Schedule I & II Substances	<p><b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.</p>
Any Drug Product Containing Gamma Hydroxybutyric Acid	
Flunitrazepam (Schedule IV) 1 Gram	
Any Amount of Other Schedule III Drugs	<p><b>First Offense:</b> Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.</p>
Any Amount of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)	<p><b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.</p>
Any Amount of All Schedule V Drugs	<p><b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p><b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>

## Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances

<p>Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants</p>	<p><b>First Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.</p> <p><b>Second Offense:</b> Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.</p>
<p>Marijuana 100–999 kilograms marijuana mixture or 100–999 marijuana plants</p>	<p><b>First Offense:</b> Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.</p> <p><b>Second Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50million if other than an individual.</p>
<p>Marijuana 50–99 kilograms marijuana mixture, 50–99 marijuana plants</p>	<p><b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.</p>
<p>Hashish More than 10 kilograms</p>	<p><b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</p>
<p>Hashish Oil More than 1 kilogram</p>	
<p>Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight), 1–49 marijuana plants</p>	<p><b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.</p> <p><b>Second Offense:</b> Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.</p>
<p>Hashish 10 kilograms or less</p>	
<p>Hashish Oil 1 kilogram or less</p>	

## Health Risks and Campus Resources

There are numerous risks, both immediate and long-term, associated with the abuse and/or illegal use of alcohol and other drugs. Beyond the direct health impact to the person ingesting the alcohol or other drug, there are also academic, social, and familial impacts and implications to the larger college community.

Detailed information about specific drugs and their short and long-term health implications can be found by visiting the [National Institutes of Health, National Institute on Drug Abuse website](#).

Students are encouraged to reach out to members of the Assistant Dean's Office, the Harrison Health Center, or the Executive Director, Campus Wellness if they are concerned about their own alcohol or other drug use or the use of a friend. In addition to contacting private medical care, the following local resources are available:

- Anne Arundel County Substance Abuse Treatment Referral Line: 410-222-0117
- Kolmac Outpatient Recovery: 888-244-4421
- Pathways Treatment Center: 410-573-5400

## Policy Review

This policy is reviewed every summer in advance of the start of the fall semester. An updated policy review date is included at the end of the policy.

*Last reviewed Fall 2021*