

III. ALCOHOL AND DRUG POLICY

A. The following areas of prohibited conduct for students are a part of the Student Conduct Code.

1. Alcohol Beverage Policy

Winthrop University supports all federal, state and local laws relating to the possession and use of alcoholic beverages. Responsibility for good conduct rests with each individual community member.

Please note the following conduct is prohibited by law:

- The purchase, consumption, or possession of alcohol by any person under the age of 21.
- The sale or transfer of alcoholic beverages to any person under the age of 21.
- Driving or operating a motorized vehicle while under the influence of alcohol with a blood alcohol level above the legal limit permitted for drivers by South Carolina Law.
- The public or open display or consumption of alcohol in any place not specifically licensed for public consumption.
- Furthermore, any student or student group sponsoring social events are the hosts responsible for complying with all applicable laws and university regulations.

Any act which is a violation of the criminal law of the United States is also a violation of the Winthrop University Student Conduct Code.

In keeping with this code, consumption of beer and wine is permitted only in the following areas on campus: in the students' rooms who are of legal age; in licensed spaces; at University approved events and during University approved athletic events as allowed by the tailgating policy. **ALCOHOLIC BEVERAGE CONSUMPTION AT WINTHROP ATHLETIC EVENTS AND ALL PUBLIC PLACES ON CAMPUS IS STRICTLY PROHIBITED EXCEPT AS PERMITTED IN THE TAILGATING POLICY.**

Provision for Student Safety and Well-Being

The health and safety of Winthrop University Students is of the utmost priority. Students in danger due to intoxication are strongly encouraged to seek medical assistance. Any student who is hospitalized for intoxication or a serious injury resulting from intoxication will not be charged for alcohol and/or drug violations of the Student Conduct Code. Although, students hospitalized will not face disciplinary

Drug-Free Campus Statement

I. PURPOSE

The purpose of this statement is to demonstrate compliance with the Drug-Free Schools and Communities Act Amendments of 1989 (PL 101-226). This federal legislation requires Winthrop University to publish, in one document, the following which demonstrates the adoption and implementation of a program to prevent the illicit use of drugs and the abuse of alcohol by its students and employees:

A. An annual notification, in writing, to each student and employee of the university the following:

1. Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities;
2. a description of applicable legal sanctions under local, state, or federal law;
3. a description of health risks associated with the use of illicit drugs and the abuse of alcohol;
4. a clear statement of the disciplinary sanctions that Winthrop University will impose on students and employees.

II. ANNUAL DISTRIBUTION

Each student and employee at Winthrop University may request a copy of this statement annually. The information is available online at www.winthrop.edu/police. Effective and efficient means of distribution for each student (regardless of the length of the student's program of study) and each employee will be adopted.

action, they will be required to meet with the Dean of Students or Designee and may be required to undergo a substance abuse assessment and follow the recommendations.

Students seeking medical assistance for themselves or others in potentially dangerous situations caused by intoxication will not be charged assuming they follow the recommendations of the Dean of Students or Designee.

Please note the following important information and stipulations as they pertain to students seeking medical assistance for themselves or others:

- Seeking medical assistance only provides forgiveness from Winthrop University disciplinary action. The University's actions do not have an impact on any legal action as a result of law enforcement responsibilities. WUPD officers will use their discretion when aiding a student in need, as they also have an obligation to uphold the law.
- Seeking medical assistance only applies to violations of the Student Conduct Code as it pertains to dangerous alcohol or drug intoxication.
- Seeking medical assistance does not apply to other violations of the Student Conduct Code, such as theft, damage to property, assault, sexual misconduct, distribution of drugs, providing alcohol to minors, hazing, etc.
- This leniency will only be granted to those students "actively" assisting or providing aid to the intoxicated student, or Good Samaritans. This leniency may be revoked at any given time as deemed necessary by the Dean of Students or Designee.
- This leniency may be granted to students a second time only with extraordinary circumstances at the discretion of the Dean of Students or Designee.

Provision for Good Samaritans

Because emergency situations can potentially be life-threatening, the University will not charge students with university violations who call the Residence Life staff or WUPD or any university official in order to actively aid another student in need.

In addition to exercising personal responsibility for their own health and safety, Winthrop students are expected to look out for the safety and welfare of their fellow students. In situations where students witness an individual experiencing severe intoxication or any serious injury after consuming alcohol or any

other drugs, Winthrop University strongly encourages students to call WUPD or notify a staff member trained to assess the student's condition, such as a Resident Assistant (RA) or Residential Success Coordinator (RSC).

Procedures for an Event That Serves Beer and/or Wine on Campus:

- I. Beer and wine may be served at group functions in licensed spaces on campus. Student organizations must request permission to serve beer and/or wine through the reservation system which is administered through the Office of Student Life and alcoholic beverages are always managed by university catering.
- II. University Departments looking to serve beer and/or wine on campus should also contact university catering at 803/323-2134.
- III. At all events where alcoholic beverages are served, alternative non-alcoholic beverages and food must also be available. Supervision may be required to insure Alcoholic Beverage Policies are observed.
- IV. Consumption of alcoholic beverages in the Residence Halls is permitted in students' rooms and apartments where the assigned residents of that particular room are of legal age. In rooms where there are both occupants that are of and under the legal age to drink, only the occupants of legal age are permitted to drink, and all alcohol must be kept separate from the belongings of those under the age. The determination of when a party is excessive will be at the discretion of the Residence Life Staff. There is a limit of 3 guests per resident assigned to the room that can be in attendance when alcohol is present, with minimal noise and the room door must remain closed.
- V. **Violations of the Alcoholic Beverage Policy Pertaining to Student Organizations**

A student or student organization that is found responsible or accepts responsibility for a major incident or is an accessory to misconduct involving a violation of this policy or other prohibited conduct outlined in the Student Conduct Code will be held accountable according to the process outlined in the Student Handbook.

Relevant staff in the Division of Student Affairs will review minor incidents of alleged violations of University policies by Student Organizations and determine sanctions as appropriate.

Sanctions imposed against groups failing to follow established guidelines and policies may include but are not limited to: specified hours of University service, fines and/or loss of campus privileges for a specified period of time (e.g. event restrictions), educational sanctions, or recommendation for revocation of the organization charter.

Appeals regarding actions and sanctions imposed for minor incidents may be submitted in writing to that Administrator for presentation to a review committee composed of the organization's advisor, two representatives from the Division of Student Affairs appointed by the Vice President for Student Affairs, and the a student serving on the Judicial Council.

2. Drug Policy

Winthrop University, as a matter of policy, prohibits the commission of any act which is a violation of a criminal law of the United States, a state law or a municipal ordinance. Laws and ordinances prohibit the unlawful manufacture, distribution, dispensation, possession or use of illegal drugs or controlled substances by students or employees as set forth in South Carolina Code of Laws, Section 44-53-110 et seq; the possession of drug paraphernalia (such as "roach clips," "bongs," water pipes, cocaine spoons) as defined in South Carolina Code of Laws, Section 44-53-110 and Section 44-53-391; the non-prescribed use of anabolic steroids as defined in South Carolina Code of Laws, Section 44-53-1510 et seq; and the distribution or delivery of an imitation ("look alike") non-controlled substance represented as a controlled substance as defined in South Carolina Code of Laws, section 44-53-390.

The university also prohibits the unlawful distribution, sale, possession or use of alcohol by students or employees as set forth in South Carolina Code of Laws, Section 61-13-210 et seq.

The WUPD has authority, as set forth in the South Carolina Code of Laws, Section 23-1-60, to enforce, investigate and take action in response to illegal activity on the campus or upon ground under the control of the university

Students are advised to familiarize themselves with the Winthrop University Student Conduct Code. This code is very specific in what is and what is not allowed. The Dean of Students Office will provide assistance in matters concerning the Student Conduct Code.

Employees are advised to familiarize themselves with personnel policies. These policies can be found in the Division of Human Resources, Employee Diversity and Wellness in Tillman Hall. The Division of Human Resources, Employee Diversity and Wellness will provide assistance and advice in these matters.

A description of the applicable legal sanctions, under federal law, for the unlawful possession or distribution of illicit drugs and alcohol is contained in Appendix A which is copied directly from the Federal Registry.

B. The following areas of misconduct for employees are taken from the Drug-Free Work Place Policy of Winthrop University:

1. It is the policy of Winthrop University that the work place shall be free from the illegal possession, use, manufacture or distribution of controlled substances (as defined in the Controlled Substances Act). Controlled substances include, but are not limited to marijuana, heroin, cocaine, hashish, and hallucinogens.
2. The unlawful manufacture, distribution, dispensation, possession or use of controlled substances on property owned or controlled by Winthrop University is prohibited. Any illegal substances discovered on university property will be turned over to the appropriate law enforcement agency and may result in criminal prosecution.
3. Off-the-job illegal activity or substance abuse, which could have an adverse effect on an employee's job performance, may be considered in violation of this policy.
4. Employees are expected to report for work and remain in condition to perform assigned duties at work, free from the effects of controlled substances.

IV. HEALTH RISKS

A. Students and employees are hereby notified that the effects of alcohol abuse include, but are not limited to, the following

- Alcoholism damage to brain cells
- Malnutrition (if drinker does not eat a balanced diet)
- Increased risk of cirrhosis, ulcers, heart disease, heart attack and cancers of liver, mouth, throat and stomach Degeneration of muscle and bone
- Blackouts, memory loss
- Hallucinations
- Poor concentration

- Personality disorders and increased tension, anger, isolation
- Delirium tremens (DTs) – shaking, hallucinations, etc. – due to withdrawal from alcohol
- Poor grades
- Social conflicts
- Accidents and injuries
- Poor health

B. Students and employees are hereby notified that the effects of illegal drug usage include, but are not limited to, the following:

1. Amphetamines

- Loss of appetite and malnutrition
- Extreme irritability
- Changes in emotional, social and intellectual behavior
- Mental dependency

2. Barbiturates

- Slurred speech, irritability, anger
- Drug-related deaths
- Liver problems
- Addiction, physical and mental
- Extreme social withdrawal
- Dangerous reactions when mixed with alcohol

3. Cocaine (Coke)

- Brain damage
- Assaultive and irritable behavior
- Mucus membrane damage in nose, throat and sinuses
- Physical and mental dependence

4. Hallucinogenic Drugs (PCP and LSD)

- Addiction
- Mental illness in specific personalities
- Suicidal actions
- Numbness in arms and legs
- Psychotic behavior
- Paranoia or feeling everyone is against you
- Flashbacks for as long as two years after use
- Intensification of sensory reactions

5. Marijuana (Pot, Grass, Weed, Reefers, Hashish)

- Hormone level changes
- Irritation of membranes in throat and lungs
- Mental response changes
- Decreased energy and drowsiness
- Heightened desire for sweets
- Possible loss of muscle coordination

6. Narcotics (Codeine, Demerol, Opium, Morphine, Heroin)

- Addiction, physical and mental
- Poor appetite
- Severe constipation
- Hepatitis
- Depression of the central nervous system

7. Sedatives and Tranquilizers

- Confusion
- Depression of central nervous system
- Calmness and sleepiness
- Relief of anxiety and depression temporarily
- Addiction
- Harmful reaction with alcohol
- Visual and auditory problems with continued use

V. AVAILABLE DRUG OR ALCOHOL COUNSELING

Students seeking assistance with drug or alcohol abuse problems can find free, professional and confidential help at Health and Counseling Services located in 203 Crawford Building.

Employees seeking assistance with drug or alcohol abuse problems can get initial help and a referral to a local agency by contacting the university's Director of Human Resources and Affirmative Action or Health and Counseling Services located in 203 Crawford Building. This assistance is free, professional and confidential.

FEDERAL TRAFFICKING PENALTIES - MARIJUANA

QUANTITY	DESCRIPTION	FIRST OFFENSE	SECOND OFFENSE
1,000 kg or more; or 1,000 or more plants	MARIJUANA mixture containing detectable quantity*	Not less than 10 years, not more than life. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$10 million individual, \$50 million other than individual.	Not less than 20 years, not more than life. If death or serious injury, not more than life. Fine not more than \$20 million individual, \$75 million other than individual.
100 kg to 999 kg or 100 to 999 plants	MARIJUANA Mixture containing detectable quantity*	Not less than 5 years, not more than 40 years. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$5 million individual, \$25 million other than individual.	Not less than 10 years, not more than life. If death or serious injury, not more than life. Fine not more than \$20 million individual, \$75 million other than individual.
50 to 100 kg	MARIJUANA	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million other than individual.	Not more than 30 years. If death or serious injury, not more than life. Fine of not more than \$2 million individual, \$10 million other than individual.
10 to 100 kg	HASHISH		
50 to 99 plants	MARIJUANA		
1- 100 kg	HASHISH OIL	Not more than 5 years. Fine not more than \$250,000, \$1 million other than individual.	Not more than 10 years. Fine not more than \$500,000 individual, \$2 million other than individual.
Less than 50 kg	MARIJUANA		
Less than	HASHISH		
Less than	HASHISH OIL		

* Includes Hashish and Hashish Oil
Marijuana is a schedule I controlled substance

COMPARISON OF PENALTIES FOR USE, POSSESSION, SALE

FIRST OFFENSE

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State/Schools	Use Penalties	Possession Penalties	Sale Penalties
SOUTH CAROLINA			
I/II narcotics	—	1 yr.; \$5,000	15 yrs.; \$250,000
I/II non-narcotics	—	1 yr.; \$5,000	5 yrs.; \$15,000
III	—	1 yr.; \$5,000	5 yrs.; \$15,000
IV	—	1 yr.; \$5,000	3 yrs.; \$10,000
V	—	1 yr.; \$5,000	3 yrs.; \$10,000
Marijuana	—	30 days; \$500	0-5 yrs.; \$5,000

FEDERAL TRAFFICKING PENALTIES

CSA	PENALTY		QUANTITY	DRUG	QUANTITY	PENALTY	
	1st OFFENSE	2nd OFFENSE				1st OFFENSE	2nd OFFENSE
I and II	Not less than 5 years. Not more than 40 years. If death or serious injury, not less than 20 years. Not more than life. Fine of not more than \$5 million individual, \$25 million other than individual.	Not less than 10 years. Not more than life. If death or serious injury, not less than life. Fine of not more than \$8 million individual, \$50 million other than individual.	5-49 gm of 50-499 gm mixture	METHAMPHETAMINE	50 gm or more or 500 gm or more mixture	Not less than 10 years. Not more than life. If death or serious injury, not less than 20 years. Not more than life. Fine of not more than \$10 million individual, \$50 million other than individual.	Not less than 20 years. Not more than life. If death or serious injury, not less than life. Fine of not more than \$20 million individual, \$75 million other than individual. 2 or more prior offense: Life imprisonment Fine of not more than 20 million if individual, \$75 million if not individual
			100-999 gm mixture	HEROIN	1 kg or more mixture		
			500-4,999 gm mixture	COCAINE	5 kg or more mixture		
			5-49 gm mixture	COCAINE BASE	50 gm or more mixture		
			10-99 gm or 100-999 gm mixture	PCP	100 gm or more or 1 kg or more mixture		
			1-9 gm mixture	LSD	10 gm or more mixture		
			*40-399 gm mixture	FENTANYL	400 gm or more mixture		
			*10-99 gm mixture	FENTANYL ANALOGUE	100 gm or more mixture		
	DRUG QUANTITY	FIRST OFFENSE					
	Others*	Any	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million not individual.	Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million not individual.			
III	All	Any	Not more than 10 years. Fine not more than \$500,000 individual, \$2.5 million not individual.	Not more than 20 years Fine not more than 1 million individual, \$5 million not individual.			
IV	All	Any	Not more than 5 years. Fine not more than \$250,000 individual, \$1 million not individual.	Not more than 10 years. Fine not more than \$500,000 individual, \$2million not individual.			
V	All	Any	Not more than 1 year. Fine not more than \$100,000 individual, \$250,000 not individual. SECOND OFFENSE	Not more than 4 years. Fine not more than \$200,000 individual, \$500,000 not individual.			