



COLLEGE *of*  
CHARLESTON

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Drug-Free Schools and Communities Act Biennial Review  
Academic Years 2018-2019 and 2019-2020

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## Executive Summary

This biennial review is in compliance with the Drug-Free Schools and Campuses Act Amendments of 1989, which added section 1213 to the Higher Education Act. These amendments require that, as a condition of receiving funds or any other form of financial assistance under any Federal program, an institution of higher education (IHE) must certify that it has adopted and implemented a drug prevention program as described in this part. The Drug-Free Schools and Campuses Act requires institutions of higher education (IHE) to conduct a biennial review of their alcohol and other drug (AOD) policies and prevention programs in order to identify and implement needed changes. The objectives of the biennial review are to determine the effectiveness of, and to implement any needed changes to the AOD prevention program and to ensure that campuses enforce the disciplinary sanctions for violating standards of conduct consistently. The following is the report resulting from the biennial review of the AOD prevention program implementation and policy development and enforcement at The College of Charleston for the period of **August 1, 2018 through July 31, 2020**.

- The success of AOD prevention programming was measured and analyzed
- The Student Affairs AOD Working Group continued to implement and monitor its strategic plan to reduce AOD use on campus, updating the plan annually
- College Presidents have supported AOD prevention on campus. This includes AOD prevention messaging and other interactions with the campus community, as well as partners/alumni
- Public Safety and local law enforcement have maintained collaboration and thus enforcement efforts
- Increased AOD prevention efforts and programming in the residence halls
- Continued promotion for the Collegiate Recovery Program
- Newsletter was distributed to all faculty/staff each year outlining the DFSCA, campus trends, and resources for both students and employees

Students, faculty, and staff may request information about the Drug Free Schools and Communities Act by contacting the [Office of the Dean of Students](#) at 843.953.5522 or by going online to: <http://counseling.cofc.edu/drug-free-schools-act/information/index.php>

# I. Data on Student Substance Abuse

Data on student substance abuse at the College of Charleston comes from two primary sources. Incoming freshmen and transfer students under the age of 25 are mandated to complete an online alcohol assessment and education course from 3rd Millennium Classrooms called Alcohol-Wise. In addition to the alcohol module, students are also required to complete both a marijuana and sexual assault prevention module, called Marijuana-Wise and Consent and Respect. Data for this report is pulled from 3rd Millennium responses, <https://sms.3rdmil.com>. The second source for AOD data at the College of Charleston is from an online survey administered to current students called the Student Health Survey, which is conducted during the spring semester each year.

## A. Incoming Freshmen: Use, Misuse and Consequences

College of Charleston has partnered with 3rd Millennium Classrooms, whose mission is to help students address critical life skills such as alcohol abuse prevention and sexual assault prevention in higher education institutions across the country by using a motivational interviewing style and provide personalized feedback reports, with a goal of engaging students in a powerful learning experience that impacts behavior. Each year over 2 million students complete Alcohol-Wise for College - an online, non-opinionated, evidence-based alcohol abuse prevention course. As part of our comprehensive alcohol and sexual assault prevention program, College of Charleston expects each member of the first-year class to complete Alcohol-Wise, Marijuana-Wise, and Consent and Respect.

Whether they use alcohol/marijuana or not, these courses will empower them to make well-informed decisions about alcohol and/or marijuana, and help them better cope with the substance use and resulting behavior of their peers. The Consent and Respect Modules provide information about healthy relationships, the importance of consent and being a good communicator, and the many ways you can help create the safe, positive campus you want to be a part of. Students take Part I of the Alcohol-Wise module, and then complete Part II at least 30 days after, which assesses any behavioral changes in drinking related behavior once students have spent time on campus. Some of the findings for the 2018-2019 and 2019-2020 academic years are presented on the following page.

Data from Alcohol and Marijuana-Wise is compiled into an Outcome Report and distributed at the end of the academic year by 3rd Millennium. The data is used by multiple departments to identify and track trends and develop the strategic plan and goals for the upcoming year.

### 1. 3rd Millennium AOD Training Results

#### 2018-2019 3rd Millennium Enrollments

	<b>57%</b> Avg. Pre-Test Score		<b>81%</b> Avg. Post-Test Score		
3,152 Total enrollment	2,851 Part 1 Students	90% Part 1 completion %	1,547 Part 2 Students	54% Part 2 completion %	

#### 2019-2020 3rd Millennium Enrollments

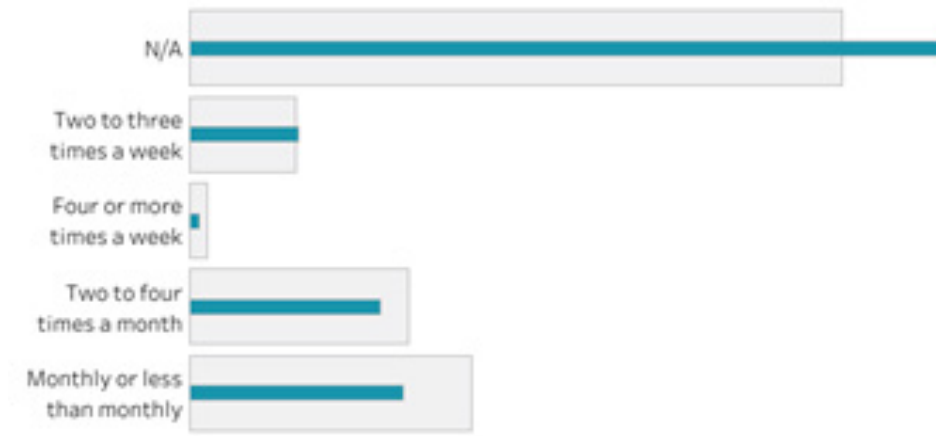
	<b>64%</b> Avg. Pre-Test Score		<b>83%</b> Avg. Post-Test Score		
3,078 Total enrollment	2,752 Part 1 Students	89% Part 1 completion %	1,149 Part 2 Students	42% Part 2 completion %	



## How often do you consume alcohol?

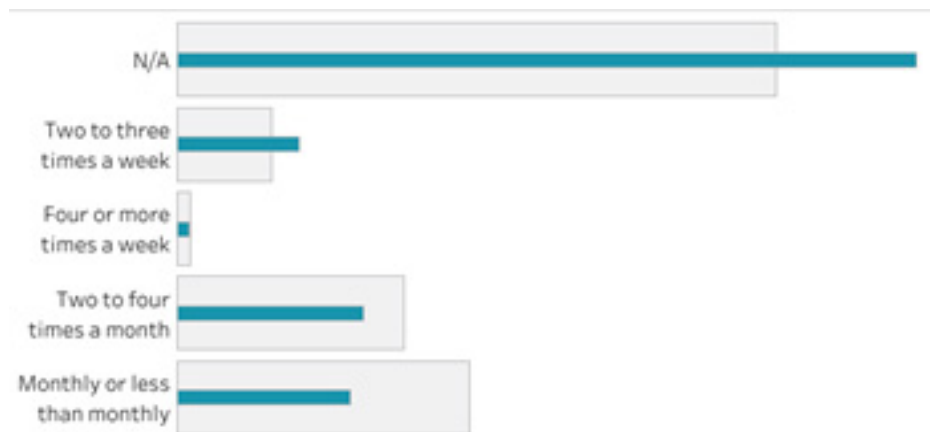
### 2018-2019

51% N/A, 22% monthly or less



### 2019-2020

49% N/A, 18% 2-4x/month



## Differences in Data from 2018-2019 and 2019-2020

- Percentage of incoming freshmen reporting they do not consume alcohol decreased by 2%, with 51% of incoming students reporting they do not consume alcohol in Fall 2018 and 49% of incoming freshmen reporting they do not consume alcohol in Fall 2019.
- Of those students that did report alcohol use, in Fall 2018 the largest plurality reported drinking monthly or less than monthly was 22%. In Fall 2019, of those students who did report alcohol use, the largest plurality reported drinking 2-4 times a month, 18%.
- This data suggests that incoming freshmen/transfer students in Fall 2019 drank more frequently than those entering in 2018, and the percentage of students abstaining from alcohol use was slightly less in Fall 2019.

## B. General Student Body: Use, Misuse and Consequences

During this time period, the Student Health Survey has been a significant resource when planning for AOD outreach/prevention on campus. The Student Health Survey is conducted in the Spring semester and has the advantage of allowing campus partners to have input in revisions each spring based on trends seen in

different departments, which has led to a more accurate representation of general student body AOD use.

The Student Health Survey (SHS) was developed in 2017 by College of Charleston faculty members who have extensive experience in survey development and have backgrounds in the academic fields of substance use and mental health. The Student Health Survey is an anonymous web-based survey that uses an anonymous linking procedure that can be used to follow students over time (See Galanti MR, Siliquini R, Cuomo L, et al. Testing anonymous link procedures for follow-up of adolescents in a school-based trial: the EU-DAP pilot study. *Prev Med* 2007;44:174-77). It is used to quantify and document college students' attitudes, perceptions, and opinions about alcohol and drugs, and to gather information on student mental health and support seeking behaviors. The survey also measures actual alcohol and drug use behaviors and motivations for use. The majority of measures used in the survey have been validated and have been adapted/adopted from sources such as the CORE Alcohol and Drug survey, the SAMHSA National Survey on Drug Use and Health, and academic literature on help-seeking behavior and mental health. The Student Health Survey is revised and conducted in the spring semester of every academic year and data is used by the Counseling Center to assess areas of concern, for prevention education by the Counseling Center Health Educator and AOD Counselor/Intervention Specialist, by the AOD WG to plan and evaluate intervention initiatives campus-wide, and for research and publication purposes by the faculty members who oversee data collection.

Data collected in 2018 and 2019 suggested a few trends with regard to student substance use behaviors. Whereas current marijuana use (i.e., past 30 day) had decreased from 28% in 2017 to 23% in 2018, it returned to 28% again in 2019. Current use of Cocaine and Designer drugs has remained relatively stable at 3% and about 0.03-0.5%, respectively. Current nonmedical use of amphetamines and narcotics have shown steady, albeit incremental decreases since 2017, with current nonmedical amphetamine use falling from 5% in 2017 to 4.5% in 2018, and 4% in 2019, and nonmedical use of narcotics falling from 1% in 2017 to 0.5% in 2018 and 2019. New 2018 measures of prescription drug misuse indicate that since 2018, fewer students are 1) overusing their prescription drugs (prevalence fell from 21% in 2018 to 15% in 2019), 2) intentionally using their prescription drugs to get high (prevalence fell from 15% to 10%), and 3) mixing their prescription drugs with alcohol (prevalence dropped from 35% to 30% in 2019). While current alcohol use has remained relatively stable (72% in both 2018 and 2019), past 2 week binge drinking increased from 41% to 49% in 2019. Finally, current tobacco and e-cigarette use (not counting JUUL) both fell from 2018 to 2019 (decreased from 13% to 10.5% and from 15% to 9%, respectively). However, JUUL vaporizers became increasingly popular as both awareness (56% to 92%) and ever use (31% to 50%) increased during that same period. With a few exceptions, these trends generally show stable and/or slightly declining rates of substance use among College of Charleston students.

The data that follows was collected from the Student Health Survey in Spring 2019 and Spring 2020 and allows for simple comparison between years to discover and track trends, which is then analyzed when considering new outreach, prevention and education efforts at the college. The demographics information is shown for Spring 2019.

## 1. Student Health Survey Results 2018-2020

### Sample

#### 2020

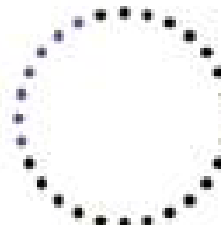
- 1,577 respondents (after deleting cases with missing data and duplicates); Not all cases have complete data

#### 2019

- 1,187 respondents completed the survey (After duplicates deleted)

#### 2018

- 1,485 students started the survey
- 1,195 completed at least part of the survey
- 1,048 students completed the survey



### Substance Use: Illicit Drugs

	2018	2019	2020
<b>Marijuana</b>			
Never	476 (41%)	474(37%)	592 (40%)
Ever (Tried but no past year use)	146 (13%)	158(12%)	183 (13%)
Past Year Use	274 (23%)	291(23%)	295 (20%)
Past 30 Day Use	272 (23%)	365(28%)	391 (27%)
<b>Cocaine</b>			
Never	1,001 (86%)	1,052 (83%)	1,203 (83%)
Ever	40 (3%)	65 (5%)	60 (4%)
Past Year Use	90 (8%)	113 (9%)	138 (9%)
Past 30 Day Use	31 (3%)	41 (3%)	53 (4%)
<b>Designer Drugs</b>			
Never	1,051 (91%)	1,130 (89%)	1,282 (88%)
Ever	42 (3.5%)	56 (4%)	65 (5%)
Past Year Use	65 (5.5%)	77 (6%)	89 (6%)
Past 30 Day Use	4 (0.3%)	5 (0.4%)	15 (1%)
<b>Amphetamines (Adderall, Ritalin)</b>			
Never	923 (79.5%)	1,015 (79.5%)	1,205 (83%)
Ever	70 (6%)	84 (6.5%)	69 (5%)
Past Year Use	116 (10%)	125 (10%)	117 (8%)
Past 30 Day Use	51 (4.5%)	49 (4%)	62 (4%)



## Substance Use: Illicit Drugs

	2018	2019	2020
<b>Narcotics (Vicodin, OxyContin)</b>			
Never	1,077 (93%)	1,171 (92%)	1,352 (93%)
Ever	46 (4.5%)	71 (5.5%)	68 (4.5%)
Past Year Use	28 (2.5%)	21 (2%)	22 (1.5%)
Past 30 Day Use	6 (0.5%)	7 (0.5%)	11 (1%)
<b>Benzodiazepines (Xanax)</b>			
Never	N/A	1,118 (88%)	1,307 (90%)
Ever	N/A	92 (7%)	84 (6%)
Past Year Use	N/A	45 (4%)	48 (3%)
Past 30 Day Use	N/A	16 (1%)	15 (1%)
<b>Hallucinogens</b>			
Never	N/A	1,097 (86%)	1,245 (86%)
Ever	N/A	54 (4%)	80 (5%)
Past Year Use	N/A	111 (9%)	115 (8%)
Past 30 Day Use	N/A	11 (1%)	14 (1%)



## Substance Use

	2018	2019	2020
<b>Mixing alcohol and prescription drugs</b>			
Yes (No prescription)	90 (8%)	119 (9%)	116 (8%)
<b>Prescription Drug Misuse</b>	308 (27%)= Have prescription	415 (33%)= Have prescription	431 (30%)=Have prescription
Overuse	65 (21%)	62 (15%)	77 (18%)
Intentional High	42 (14%)	42 (10%)	58 (13%)
Mixed with alcohol	108 (35%)	123 (30%)	142 (33%)
<b>Alcohol</b>			
Never	111 (9%)	115 (9%)	133 (10%)
Ever	27 (2%)	29 (2%)	20 (1.5%)
Past Year Use	194 (17%)	214 (17%)	229 (17%)
Past 30 Day Use	849 (72%)	936 (72%)	962 (71.5%)
<b>Binge Drinking (Past 2 weeks)</b>			
Yes	486 (41%)	562 (45%)	494 (34%)





## Substance Use: Nicotine Products

	2018	2019	2020
<b>Tobacco Use</b>			
Never	755 (64%)	705 (54.5%)	872 (62%)
Ever	94 (8%)	182 (14%)	194 (14%)
Past Year Use	187 (16%)	269 (21%)	181 (13%)
Past 30 Day Use	150 (13%)	136 (10.5%)	171 (12%)
<b>E-cigarette use</b>			
Never	750 (63%)	785(61%)	892 (62%)
Ever	73 (6%)	182(14%)	201 (14%)
Past Year Use	179 (15%)	191 (15%)	102 (7%)
Past 30 Day Use	184 (15%)	120 (9%)	234 (16%)
<b>JUUL</b>			
Never			796 (57%)
Ever	362 (31%)*	647 (50%)*	177 (13%)
Past Year Use			145 (10%)
Past 30 Day Use			278 (20%)

\*Includes past year and past 30 day. Question changed for 2020.

## Future Message Ideas/Suggestions

### Preliminary ideas (some based on the current context)

- 78% of CofC students say they would worry if their close friends regularly used Xanax without a prescription
- CofC students who spend less time on social media experience significantly fewer symptoms of depression and anxiety
- Raising awareness of the dangers of sharing nicotine-based products (particularly important amidst a pandemic)
  - E.g., spreading illnesses such as COVID-19, mumps, etc. (We'll research this a bit more)

### COVID-19 specific messaging

- 89% of CofC students report regularly washing their hands to prevent the spread of COVID-19
- 92% of students felt social distancing was an effective way to reduce spread of covid-19

### Issues to consider:

- Social media - they're using it a lot. Given this, are we comfortable with this message?
- COVID-19 specific messaging: May need to discuss further with administration?
- Message dissemination: How do we best reach students who may not be on campus or lingering in hallways? Is social media best? Email? Other platforms?



We are continuing to identify trends regarding substance use on campus through the use of the Student Health Survey conducted each spring. One consideration for our Spring 2020 numbers is that the survey

was conducted during the COVID-19 Pandemic and many students were completing the survey after returning home early for spring semester. This could have impacted the responses, particularly for past 30-day use questions. Overall, the percentages across nearly every substance category indicated the highest percentage of use in 2018, lowest in 2019, and the percentages in 2020 were between the two previous years. The data does not indicate any significant change in substance use over the past 3 years. This data will be used to assess our social norms campaign and identify areas for targeted intervention beginning Fall 2020.

## **II. Description of AOD Program Elements**

### **A. Individual Initiatives**

(More details available on The Counseling Center's website on the "Alcohol and Other Drugs" link: <http://counseling.cofc.edu/AOD/index.php>)

#### **1. Prevention Initiatives**

The College of Charleston is dedicated to providing a safe and welcoming college experience for all students. This includes multiple outreach and educational efforts to decrease or eliminate substance abuse. As part of our comprehensive student transition education effort, the college mandates (through the Dean of Students Office) that each incoming freshman and transfer student under the age of 25 complete a 2-3 hour block of online alcohol and marijuana education and sexual assault prevention (Alcohol-Wise, Marijuana-Wise, and Consent and Respect-Wise, 3rd Millennium). Incoming students (freshmen and transfer) are tracked individually and 100% compliance is monitored. Anyone not completing the course by the designated deadline has a hold placed on their registration and may be called into the Dean of Students Office to explain their non-compliance. Parents are also notified of the mandatory training to encourage student completion and successful prevention education. The registration holds have significantly increased compliance among students over the past two years and will remain a best practice for these mandatory trainings.

Substance misuse prevention efforts run throughout the school year, which include annual training of Resident Assistants and Residence Hall Directors, presentations during student and parent orientations, Greek Life organizations in partnership with their designated Risk Managers, and programming on campus specifically targeting alcohol and other drugs. A revision was made to the First Year Experience program in 2019, and alcohol education is now woven into the curriculum and discussed at multiple points throughout the semester rather than just one module.

Both formal and informal classes, lectures, discussions, and activities are offered by The Counseling Center's AOD Outreach/Prevention Specialist, Health Educator, and Master's Level Counseling Interns. In addition, there are other staff members who participate in "Do Not Drop That Class," where faculty can request a presentation for their class on various topics about alcohol or other drugs to enrich their curriculum. Both the Health Educator and Outreach/Prevention Specialist work with Students4Support (students trained in peer support, previously called the Cougar Counseling Team) to offer various health fairs and outreach activities. The Counseling Center staff works with various organizations across campus to help plan engaging, alcohol-free activities and students are encouraged to participate in the various programs that are developed, including a key partner, the Office of Student Life: <http://studentlife.cofc.edu/>. Special outreach messaging is also offered as new drug threats are discovered. Examples include warnings about mixing alcohol and prescription medication, misusing stimulant medications, and the continued incidents of binge drinking that are occurring on campuses across the nation. More information is available by calling The Counseling Center at 843.953.5640. A bi-annual newsletter designed by the AOD Counselor and the Dean of Students Office has also been developed and distributed to faculty and staff to increase campus-wide awareness of any emerging trends and suggestions for ways everyone on campus can help to decrease alcohol and drug use.

The Counseling Center teamed up with DAODAS to offer a free training for faculty and staff on the use of Narcan in June 2020. Over 30 faculty and staff members attended the training, which included an overview

of opioid use and addiction, warning signs, and discussion about campuses with Narcan programs and the benefits of those programs. Attendees were given one-time use Narcan pens and taught how to use them in the event of an overdose. Feedback was overwhelmingly positive and further discussion about what that program might look like on campus was supported by those at the training.

The Alcohol and Other Drug (AOD) Working Group continues to meet monthly in order to address substance abuse outreach, prevention and education across the campus. The group is chaired by the Dean of Students, and co-chaired by the AOD Counselor at The Counseling Center. This multidisciplinary team has members from across the campus including Residence Life, the College Recovery Program, the Office of Student Life, Fraternity and Sorority Life, and both faculty and community members. The working group has focused on using data collected from the Student Health Survey and 3rd Millennium to create social norms messaging on campus. The Working Group partners with the Women's Health Collective to gather student input for all its initiatives.

## **2. Counseling and Treatment Programs**

The College also has a coordinated response for students who violate a policy involving substances or who present to the Counseling Center voluntarily with substance-related concerns. This includes students who are reported by other students, observed by a Resident Assistant, reported to the Dean due to concerns about a student (through the college [FAST](#) reporting system - Faculty/Family/Friends Assisting Students in Trouble), and students whose care is managed by the multi-disciplinary team known as the Students of Concern Committee. Many of these students are directed by the Dean of Students to the Counseling Center for a substance abuse assessment and possible treatment. As a part of the assessment process, mandated students complete a self-assessment form which is then reviewed with a trained substance abuse counselor at the Counseling Center. The counselor considers the incident, the student's self-report about substance use, and the results of the in-person alcohol and other drug assessment to make a recommendation for any further counseling services. The most common recommendation is for students to attend two to four sessions of the ongoing AOD group led by AOD counselors at the Counseling Center. Other recommendations have included individual counseling sessions with an AOD counselor at the College or connecting the student with a higher level of care in the community. Student participation and prognosis for refraining from substance use is then reported to the Dean of Students.

For AY 2019-2020, The Counseling Center began using the CHOICES program for AOD groups. CHOICES is an evidence-based intervention for students who violated AOD policies and is considered a "gold star" practice by SAMHSA for mandated students. Utilizing the CHOICES workbook, groups are led by AOD counselors and consist of two 60-minute sessions a week apart. The program uses motivational interviewing as a basis for discussions about alcohol and other substance use. Feedback from students has been overwhelmingly positive, with multiple comments on the informative materials and thoughtful discussions.

The Counseling Center staff are all trained in various evidence-based practices related to students at risk for, or presenting with substance abuse problems, including Motivational Interviewing. The Counseling Center staff routinely bring in speakers from the community as part of its monthly professional development program to address new research and interventions to assist individuals with substance misuse issues and co-occurring mental health and substance abuse and attend conferences and workshops that address substance use disorders, treatment and recovery.

### **Additional Resources for Students:**

Charleston Center, 843.958.3300

MUSC Institute of Psychiatry, Center for Drug and Alcohol Programs, 843.792.9162

MUSC, Psychiatry Resident Clinic 843.792.9162

MUSC, Emergency Room 843.792.3826

Roper Hospital Emergency Department, 843.724.2010

Palmetto Lowcountry Behavioral Health, 843.747.5830

Alcohol and Drug Safety Action Program of S.C. 843.958.3300

Alcoholics Anonymous (near campus), Grace Episcopal Church, 98 Wentworth St, Charleston, Friday at 8:45pm and Sunday at 6:00 p.m.

Narcotics Anonymous (on campus), Robert Scott Small Bldg, Rm 319, Saturday at 9:00pm

### **Urine Drug Testing Services:**

Charleston Center, 843.958.3300

St. Andrews Medical Center, 843.763.2000

Lowcountry Drug Screening, 843.747.3224

## **B. Group Initiatives**

### **Sexual Assault** (substance related or not):

Office of Victim Services (OVS) 843.953.2273

People Against Rape (PAR) 843.745.0144

### **Cougar Shuttle**

The College of Charleston Cougar Shuttle service operates seven nights a week from 11:00 p.m. until 3:00 a.m. during the spring and fall semesters. Cougar Shuttle is free to all students who show a current Cougar Card. Students choosing to use the Cougar Shuttle should call 888.960.2227 to be picked up and transported to a destination anywhere on the Charleston peninsula. For more information, contact 843.953.2273.

### **On-Campus AOD Mutual Support Groups**

The Collegiate Recovery Program (CRP) hosts an open meeting on campus once a week.

Narcotics Anonymous holds an open meeting on campus every Saturday at 8:00pm.

Alcoholics Anonymous holds an open meeting on campus every Wednesday at 12:00pm.

### **Cougar Activities Board (CAB) and Late Night Alcohol Free Programming**

The Cougar Activities Board (CAB) is a student-run organization that provides programming to the College of Charleston community. Its mission is dedicated to co-curricular experiences that are inclusive and educational in order to cultivate a united campus.

Through the Office of Student Life and CAB, late night programming series are offered as alcohol-free alternatives for students to enjoy during the evenings throughout the school year. Thirty events are held each academic year. These have included events such as the following: annual Casino Night, spring break trip to

Universal Studios, Bubble Soccer, Bingo, American Horror Story watching party, Improv shows at Theater 99 and many more. Student Life offers Programming Grants for registered student organizations to host alcohol-free, all student body-inclusive activities throughout the year.

### **Weeks of Welcome**

The beginning of the fall semester is statistically a high risk time for students. Numerous activities are planned during those first six weeks to engage new students in campus activities, encourage socialization, and prevent consequences from AOD use. All activities are either AOD free or have restrictions to alcohol use. Examples of some of the activities offered for Weeks of Welcome for this Report are listed below:

- Late Night Laughs
- Winter Games
- Late Night Laser Tag
- Lecture Series

### **Cougar Countdown**

Cougar Countdown is a program for students to support their mind, body and spirit during the final days of each semester and during final exams. It is a mix of academic support, physical and emotional support, student activities programs. The events occur in various locations on campus and are supported by many campus offices, student groups and academic departments. As the semester draws to its busy close, we encourage students to refresh, refocus, and rejuvenate by taking advantage of the events and activities of Cougar Countdown! Examples include:

- Scheduled Study Breaks: Yoga, Meditation, Mini-Massages, and Zumba
- Extended Schedule of Late Night Study Spots in the Library, Dining Halls, Stern Center, and other campus buildings
- Pop-up breakfast and snack breaks sponsored by dining services, campus organizations, and local businesses
- Individual and Group Peer-Led Vent! Sessions

### **Alternative Fall Break & Spring Break**

The Center for Civic Engagement organizes volunteer service opportunities in which students travel during both fall and spring breaks. All participants pledge to be substance-free during the trip. These trips are designed and facilitated by students. The students travel domestically and internationally. Also, Residence Life plans an AOD-free alternative spring break event in a venue within walking distance to campus for those students who remain in the area.

### **SOUTH CAROLINA DRUG AND ALCOHOL PROGRAM RESOURCES**

#### **[South Carolina Department of Alcohol and Other Drug Abuse Services \(SCDAODAS\)](#)**

This program provides resource materials on drug and alcohol issues in the form of videos, books, journals and pamphlets through its DIAL service, Drug Information Access Line or on its SC website ([www.dAODas.state.sc.us](http://www.dAODas.state.sc.us)). Employees may also obtain referrals from SCDAODAS for drug and alcohol prevention and treatment programs. SCDAODAS may also provide technical assistance in setting up drug and alcohol prevention programs. Call 803- 896-5555 or 1-800-942-3425 for information.



## **The South Carolina Governor's Prescription Drug Abuse Prevention Council**

The council was created by Executive Order No. 2014-22 on March 14, 2014. The Council is comprised of representatives from each agency with a regulatory, enforcement or treatment role in this issue, including SLED, DHEC, LLR, South Carolina Board of Dentistry; South Carolina Board of Medical Examiners; South Carolina Board of Nursing; South Carolina Board of Pharmacy; a South Carolina Solicitor's Office; DHHS; DAO-DAS; and a South Carolina coroner. The Council was charged with the following: 1) to analyze available data to determine the extent of prescription drug abuse in South Carolina; 2) to develop a comprehensive state plan (Plan) to proactively combat and prevent drug abuse in South Carolina; 3) to assist and encourage local communities to engage existing coalitions or to establish new coalitions to combat prescription drug abuse; and, finally 4) to continue to meet as a Council and at least annually report the progress of the Council's efforts.

### **Alcohol/DUI Programs**

The State of South Carolina requires that person convicted of Driving Under the Influence participate in its state approved program, Alcohol Driving Safety Action Program (ADSAP). These are located in each SC County, usually through the local county Department of Alcohol and Other Drug Abuse Services Department. Many states also accept this program as meeting their requirements. In Charleston County call the Charleston Center at 843-958- 3300.

### **Assessment and Treatment for Employees/Employee Assistance Program**

The College of Charleston offers its employees comprehensive services through its contract [Employee Assistance Program](#) managed by Deer Oaks.

Questions about services should be directed to the [Human Resources Office](#).

#### RESPONSIBLE ADMINISTRATIVE OFFICE

The Office of Human Resources, in consultation with the Alcohol and Drug Abuse Services Coordinator, shall be responsible for overseeing all actions and programs relating to this policy. The Director of Human Resources and the Alcohol and Drug Abuse Services Coordinator shall conduct a biennial review of the policy and its implementation to determine its effectiveness, make necessary changes and ensure that disciplinary sanctions are consistently enforced

*A clear statement that the institution will impose disciplinary sanctions on students and employees (consistent with State and Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct is available in Appendix A, Part V.*

## **1. Sustaining an AOD Free Lifestyle**

### **Collegiate Recovery Program: Sustaining Recovery from Substance Abuse**

Our Collegiate Recovery Program (CRP) is an institutionally sanctioned and supported program for students in recovery from substance use disorder and addictive behaviors seeking a degree in higher education. It is a structured, healthy community where recovering students can thrive academically and socially while actively pursuing their recovery. The CRP provides students an opportunity to bond together in an alcohol-free and drug-free environment.

#### **Mission Statement**

The Collegiate Recovery Program at College of Charleston provides a safe and nurturing student-focused

community in which students in recovery from substance and/or addictive disorders can be empowered in furthering their academic, professional and personal potential to become healthy, responsible, productive members of society.

Our CRP aims to help our sober students stay substance-free through peer-to-peer support, group support and through connection to the local recovering community.

### **Goals for the Collegiate Recovery Program**

- Make connections with other recovering students
- Be involved in fun, sober events on- and off-campus
- Facilitate recovery support and accountability through case management, including weekly meetings and check-ins, support for transitions to campus, etc.
- Create opportunities to be of service to each other and potential students
- Make connections to resources for academic wellness and support
- Have access to a safe, supportive space where students can relax and recharge
- Challenge stereotypes and myths about addiction and recovery through outreach and education.

### **What can be expected of students in the Collegiate Recovery Program?**

- Practice abstinence-based recovery
- Attend local recovery meetings
- Attend CRP group recovery meetings
- Participate in community service projects
- Participate in interdisciplinary research opportunities dedicated to the promotion of sustainable long-term recovery from addictive behaviors.

## **C. Environmental Approaches**

### **1. Sanctions by the Office of the Dean of Students and Residence Life**

As an example of the various sanctions for student alcohol and drug offenses for academic years 2018-2019 and 2019-2020, are pulled from Maxient©, the electronic database software used by the Dean of Students Office. Note: 3rd Millennium was the online alcohol/marijuana education vendor during this time period.

<b>2018-2019</b>	<i>Sanctions and Amnesty Conditions</i>							<b>Totals</b>
<i>Violation</i>	Warning	Residential Probation + Warning + Online Education	Disciplinary Probation + AOD Assessment	Deferred Suspension + AOD Assessment	Suspended	Expulsion / Ban	Amnesty + AOD	
Alcohol Possession/Use	16	107	15	14	1			153
Drug Paraphernalia			1	22	1			24
Drug Possession/Use				1				1
Marijuana				57	4			61
Public Intoxication	1	3	10	4			41	59
<b>Totals</b>	17	110	26	98	6		41	298

<b>2019-2020</b>	<i>Sanctions and Amnesty Conditions</i>							<b>Totals</b>
<i>Violation</i>	Warning	Residential Probation + Warning + Online Education	Disciplinary Probation + AOD Assessment	Deferred Suspension + AOD Assessment	Suspended	Expulsion / Ban	Amnesty + AOD	
Alcohol Possession/Use	10*	215	40	27	1			293
Drug Paraphernalia	4		3	19				26
Drug Possession/Use	0					2		2
Marijuana				41		1		42
Public Intoxication	2		25	8	1		36	72
<b>Totals</b>	16	215	68	95	2	3	36	435

Numbers equal the number of students sanctioned or granted Amnesty. Numbers reflect cases from on and off campus. Numbers include cases where student found not in violation of original charge but received a sanction for a lesser charge. Numbers generated from Maxient reports #1204, #61 and #63. Every attempt was made to count students and not charges, but there may be instances where students with

multiple changes per incident were counted in more than one sanction category.

All alcohol and drug sanctions include parental notification; this includes amnesty cases as well.

Typical sanction for a first alcohol violation is warning and online education.

Typical sanction for a first marijuana violation is deferred suspension, AOD assessment at the Counseling Center or off campus and drug screening.

\*For 2019-2020 we had 131 cases of alcohol possession or use where the student was found Not In Violation of that offense, but was assigned a formal warning for the lesser offense of being in the presence of others violating our alcohol policy.

## Alcohol or Drug Related Deaths

There were no alcohol or other drug-related deaths on campus during the biennial period of 2018-2020.

## 2. Annual Security Report AoD Statistics

In calendar year 2018, there were 82 arrests (tickets) for liquor law violations and 79 arrests (tickets) for drug law violations issued by Public Safety within our campus footprint. Public Safety, Residence Life and the Office of the Dean of Students gave 139 conduct referrals related to liquor law violations and 75 conduct referrals related to drug law violations. The statistics for calendar year 2019 were not available at the time this report was released.

In addition, there were no reported alcohol or other drug related arrests for faculty or other staff during years 2018-2019 or 2019-2020.

ARRESTS	On Campus (Including in Residence Halls)			In Residence Halls			Non-Campus			Public Property		
	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Liquor Law	76	51	82	71	47	77	0	0	0	5	4	2
Drug Law	34	28	79	29	18	78	0	0	1	26	20	14
Weapons	0	0	0	0	0	0	0	0	0	1	0	0
DISCIPLINARY ACTIONS/ CONDUCT REFERRALS	On Campus (Including in Residence Halls)			In Residence Halls			Non-Campus			Public Property		
	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Liquor Law	144	133	139	143	131	137	0	0	0	0	0	0
Drug Law	64	49	75	63	48	73	0	0	0	0	0	0
Weapons	3	0	0	3	0	0	0	0	0	0	0	0

For additional explanation on Crime Statistics within this table please see the notes on page 18.

## 3. Presidential and Administrative Involvement

- Our Interim President, Steven Osbourne, held meetings with the leadership of all student organizations and stressed accountability around AOD issues during the fall of 2018.
- Our newest President, Andrew Hsu, has placed emphasis on AOD policies and resources since joining the college in Fall 2019. In August, he sent an email to students reminding them of the policies and his expectations that they will adhere to the policies.
- Additionally, emails were sent out to all students through the Dean of Students office and the EVP for Students Affairs during times where substance use has increased on campus (Halloween, returning to campus after breaks) with reminders about responsible alcohol use and safety tips specific to those events.

## Collaboration with local Police Departments

DOS and Public Safety closely collaborate with Charleston Police Department to ensure active enforcement efforts.

- Charleston Police Department provides DOS with information about off-campus offenses.
- Charleston Police Department joins Public Safety for patrols off-campus on weekends.
- CPD Vice unit performing decoy purchases at local establishments and sharing "Vice" list with DOS.
- CPD performs DUI checks

## III. AOD Program Goals and Outcomes

### 2018-2019 - Spotlight on stimulant medications

Outcome: CofC students will report a decrease in non-prescription use of stimulant medications when measured by the Student Health Survey Executive Report. This outcome supports the Student Affairs Division Goal 4, "Increased focus on student health, safety and wellness;" and the College's former Strategic Plan Goal 5, "Establish and promote a vibrant campus-life atmosphere dedicated to education of the whole person through integration of curricular and co-curricular or extracurricular activities."

Background: Results from the Student Health Survey in 2017 showed 5% of respondents reported non-medical use of stimulant medications in the past 30 days. Members of the AOD Working Group decided to address non-prescribed stimulant misuse through messaging as part of the social norms campaign for the 2018-2019 academic year.

Measure 1.1. The 2018-2019 AY was the second year of using the social norming approach to substance abuse prevention. This approach samples the student perceptions of substance abuse, the actual rate of use, and then uses positive discrepancies to counteract student over estimations of substance abuse. This approach has been found to help decrease actual substance use among various populations, including college students. The flyers for 2018-2019 included messaging about non-prescription stimulant medication use in an effort to challenge perceptions about how many students misuse these medications.

Results from the Student Health Survey administered during Spring 2018 and Spring 2019 were used to track changes in stimulant use throughout 2018-2019. Results from the SHS showed a slight decrease past 30 day use in use each year starting with the 5% baseline in 2017 to 4.5% in 2018, and 4% in 2019. The SHS data also shows that 27 % of students did report seeing the social norms campaign in 2018-2019 related to drug and alcohol use.

### 2018-2020

Data collected in 2018 -2020 suggested a few trends with regard to student substance use behaviors. Whereas current marijuana use (i.e., past 30 day) had decreased from 28% in 2017 to 23% in 2018, it returned to 28% again in 2019 and 27% in 2020. Current use of Cocaine and Designer drugs has remained relatively stable at 3.5% and about 0.03-0.5%, respectively. Current nonmedical use of amphetamines and narcotics have shown steady, albeit incremental decreases since 2017, with current nonmedical amphetamine use falling from 5% in 2017 to 4.5% in 2018, and 4% in 2019 and 2020, and nonmedical use of narcotics falling from 1% in 2017 to 0.5% in 2018 and 2019. Nonmedical use of narcotics was recorded at 1% in 2020. New 2018 measures of prescription drug misuse indicate that since 2018, fewer students are 1) overusing their prescription drugs (prevalence fell from 21% in 2018 to 15% in 2019 to 18% in 2020), 2) intentionally using their prescription drugs to get high (prevalence fell from 15% to 10%), and 3) mixing their prescription drugs with alcohol (prevalence dropped from 35% to 30% in 2019 and back up to 33% in



2020). While current alcohol use has remained relatively stable (72% in both 2018, 2019 and 2020), past 2 week binge drinking went up and then down from 41% to 49% in 2019 and down to 34% in 2020. Finally, current tobacco and e-cigarette use (not counting JUUL) both fell from 2018 to 2019 (decreased from 13% to 10.5% and from 15% to 9%, respectively) and then took a turn upwards in 2020 (to 12% and 16% respectively). However, JUUL vaporizers became increasingly popular as both awareness (56% to 92%) and ever use (31% to 50%) increased during that same period. The 2020 measure for ever use went down significantly to 13% (with a change in the question).

With a few exceptions, these trends generally show stable and/or slightly declining rates of substance use among College of Charleston students since spring 2017. The 2019-2020 campaign was impacted by the suspension of in-class instruction due to COVID-19. The AOD Working Group continues to review the 2020 results taking into consideration how returning home may have affected perceptions and use.

### **Goals for the Next Biennium**

- Continue to use data collected from 3rd Millennium, the Counseling Center's AOD Assessment, and the Student Health Survey to implement targeted outreach/prevention efforts.
- The AOD WG will continue to collaborate with faculty with an expertise in social norms interventions to address marijuana, cocaine, prescription drug misuse and tobacco products. This initiative was launched in the Spring 2017 semester with an initial focus on correcting student misperceptions of peer use of marijuana.
- The College President and other executives will continue to communicate regarding AOD misuse within Fraternity and Sorority Life and other student organizations and promote the following subjects: Alcohol Prevention, Bystander Intervention, and CofC AOD Policies.
- Follow a comprehensive prevention strategic plan that includes complementary efforts in enforcement.
- Continue to ground all strategies in evidence-based practices.
- Conduct Student Health Survey to gather data on the success of intentional prevention efforts.
- Remain informed of new research, so that interventions may be targeted effectively.
- Increase student involvement in prevention efforts, including but not limited to event planning and social media involvement.
- Continue to support and expand the Collegiate Recovery Program.
- Increase programming to target higher-risk populations on campus based on the SHS and 3rd Millennium data.

## **IV. Summary of Strengths and Weaknesses**

### **Our Strengths:**

- We have clear and advertised alcohol and drug policies on campus, including a "Good Samaritan/Amnesty" policy where student safety comes first and students are encouraged to contact public safety or emergency medical services for themselves or another student without fear of reprisal or disciplinary action.
- We develop and prioritize using evidence-based practices related to AOD prevention. We do so by utilizing environmental strategies via collaboration between several groups (The Counseling Center, City of

Charleston Police Department, and partnerships with other local law enforcement agencies, Student Life, Greek System), motivational interviewing, cognitive-behavioral therapy, brief and accessible assessment and treatment services, social norms, and population level prevention (online prevention tools).

- We practice data-driven prevention including collecting data (SHS, 3rd Millennium, Social Norms Campaign, feedback from attendees to our programs) on student attitudes and behaviors concerning substance abuse and tailor prevention strategies according to the needs identified in the data. Our AOD strategic plan was developed in response to data collected on the above mentioned surveys.
- The Counseling Center implemented CHOICES, an evidence-based clinical intervention, to address high risk use by students who are identified through risky behaviors (public intoxication, emergency transport to local ER, falls or fights, etc). All AOD Counselors were trained to facilitate the groups and future goals include cross-training campus partners in facilitation of CHOICES groups. We have an effective process of coordinated care between the Dean of Students Office, the Counseling Center, and community partners for students needing partial hospitalization or hospitalization for more severe substance use disorders. Our assessment process includes individualized assessment and feedback, an individual session with a counselor or two CHOICES group counseling sessions. Students complete a pre-AOD counseling survey and at their last session of individual or group counseling, complete the post-AOD counseling survey. This data is compiled by the Counseling Center and used to address both efficacy of groups and allows group leader to track trends and tailor group activities to these trends.
- We practice inter-disciplinary and collaboration and partnership. Multiple campus offices and departments to enhance existing programs: The Counseling Center, Dean of Students, Office of Victim Services, Public Safety, Residence Life, Cougar Shuttle, Fraternity and Sorority Life, Athletics, New Student Programs, the President's Office, as well as faculty in key Academic Departments, e.g., Psychology, Sociology and Public Health.
- The Charleston City Police Department and Public Safety collaborate regularly for enforcement efforts including fake ID checks, party dispersal, and joint patrols. These result in additional accountability for our students on and off campus. Additionally, students are now being ticketed for possession of a fake ID upon discovery, whereas in the past the student had to be actively using the fake ID to get ticketed.
- Alcohol-free events and activities are planned throughout the semesters for students, including numerous late night events, welcome week, alternative spring breaks and alcohol-free graduation ceremonies.
- We have dedicated AOD staff members that provide evidence-based alcohol and drug treatment to sanctioned students and those voluntarily requesting alcohol and drug treatment.
- Our Health Educator (working in the Counseling Center) manages Students 4 Support (previously Cougar Counseling Team), an active peer counseling program that provides support to students who want to discuss personal coping issues and also conducts presentations on AOD prevention in groups and classrooms. This group is also trained by the Director of the Collegiate Recovery Program.

### **Our Weaknesses:**

- Our campus is located in a popular tourist destination with a high alcohol density, and attempts at collaborating with restaurant/bar owners to address underage and binge drinking have not been as successful as desired.
- We need more students involved in the planning and orchestrating of AOD prevention efforts. We are continuing to look at ways to better utilize students enrolled in our Public Health curriculum.
- We need to target more specific subpopulations at risk for AOD problems at CofC.

- Lack of a specific AOD Outreach/Prevention department impacts our ability to plan and implement more frequent programming on campus. We have been looking at options for creating this department, which would allow campus partners to combine efforts rather than duplicate them.

## **V. Procedures for Distributing Annual AOD Notifications**

Alcohol and drug policies are distributed to all enrolled students by email on the first day of each semester. This includes continuing education students, students studying abroad, students who are only enrolled in one class for academic credit, and students taking a leave of absence. Each student receives by email the entire student handbook, which includes these policies. This information is also available to students on the College of Charleston's website dedicated to this report. (<http://counseling.cofc.edu/drug-free-schools-act/index.php>) Copy of the Student Handbook in its entirety and specific notice of all alcohol and drug policies are available through links on the DOS webpage and The Counseling Center's webpage.

Freshmen students participating in Freshman Seminar now get alcohol and other drug education throughout the semester instead of one specific presentation during the semester. All freshmen and transfer students attend an oral presentation of these policies during orientation by professionals from the above mentioned offices. Students are connected to the relevant campus policies through the customized content we insert into our on-line prevention program. Freshmen and transfer students under the age of 25 are also responsible for completing mandatory Alcohol, Marijuana and Consent and Respect during their first semester. The program through 3rd Millennium allows lessons to be highly customized, from CofC-specific statistics to on-campus resources available to students.

Leaders of student organizations must attend the Organizational Summit or its new online version in order to be allocated a budget. During the Summit, alcohol and drug policies are covered and special attention is given to the policies covering hosting events with alcohol present.

All new employees must sign off during their orientation that they have read the relevant employee alcohol and drug policies. They are presented information about the institution's EAP and its resources for substance abuse assistance. New faculty are presented during their orientation the information about how to report a student they believe is experiencing the negative side effects because of the use of alcohol and/or other substances. A bi-annual newsletter (located in Appendix 5) written by the AOD Outreach/Prevention Specialist and the Office of the Dean of Students is digitally distributed to faculty and staff each semester, and includes changes to AOD policies, trends, and a link to the Drug Free Schools Act.

## **VI. Distribution of AOD Policies**

See Appendix 1 for details.

## **VII. Recommendations for Revising AOD Programs**

Utilizing a continuous process improvement model, the AOD Working Group will use data from the outcomes related to current initiatives and past initiatives to plan future efforts to decrease student misuse and abuse of alcohol and drugs. An important part of this process is the continued utilization of multiple data sources (emergency room transports, Charleston Police Department and Public Safety ticketing, Residence Life alcohol and drug violations, 3rd Millennium and Student Health Survey data, and other data streams as they become available). Additionally, the AOD WG will continue to partner with campus resources to improve the process and outcomes of its intervention strategies, as it has in the past using the Schools of Health and Human Performance and Humanities and Social Sciences faculty expertise in research design and marketing.

# Appendix 1: Policies for Students

## A. Alcohol Policies

### Distribution of Policies

Emails containing AOD policies and notifications were sent each academic year as follows:

Date	Office	Content
August	Office of the President	AOD Policies & Resources
August	Dean of Students	Honor Code, AOD Policies, Sexual Misconduct Policies & Sanctions
Spring	Dean of Students	Honor Code, AOD Policies, Sexual Misconduct Policies & Sanctions
August	Office of the President	AOD Policies & Resources
Per Semester	Student Affairs Employee News-letter	AOD Data, Interventions & Resources

### Parental Notification and Alcohol and Drug Violations

#### Parental Notification and Alcohol and Drug Violations

1. Achieving autonomy and acceptance of one's personal responsibility are student development goals promoted throughout every facet of collegiate life. Such goals are promoted within the Family Rights and Privacy Act (FERPA). In 1998, however, amendments to FERPA gave colleges and universities the option to notify parents or guardians of a student's violation of any federal, state, or local law, or an institutional disciplinary policy relating to the use or possession of alcohol or a controlled substance. The amendment clearly recognizes the cooperative partnership colleges have with parents and guardians that moves beyond enrollment to those times when intervention is a practical response to prevent the loss of a student's personal and collegiate goals.

2. In support of our mutual investment in the success of each student and the preservation of a climate conducive to living and learning, an official of the College will notify parents or guardians when a student under the age of 21 at the time of disclosure regarding the College's determination that the student violated federal, state or local law or College policy governing the use or possession of alcohol or a controlled substance.

### Alcohol Policies

#### 1. Residence Life and Campus Housing

**1.1.** Approximately 85 percent of our residence hall population is not of legal age to purchase or drink alcoholic beverages. Accordingly, the following restrictions apply: a limited amount of beer and wine is allowed in residence halls and houses for students over 21. Where allowed, beer and wine must be in the private possession and control of the owner. All persons consuming alcohol must be of legal drinking age and are responsible for their behavior and actions. **NO KEGS, LIQUOR OR CAFFEINATED ALCOHOLIC BEVERAGES** are allowed in the residence hall system at any time. Residential students are strongly encouraged to know the pertinent rules and procedures as listed in The Guide to Residence Living.

#### 2. Alcohol-Related Violations (possession, use, public intoxication, possession of multiple empty

**alcohol containers, etc.). The College of Charleston will impose on students the following sanctions and other sanctions for proven violations of its alcohol policies. Responses from incidents that originate within the Residence Halls, On Campus or Off Campus.**

**2.1.** First Violation (Resolution by Residence Life staff/Student Affairs official) Sanctions may include, but are not limited to:

- A.** Receive a probation period or be placed on residence life probation for a set amount of time if a residential student and incident occurs within the residential system;
- B.** Have a parental/guardian notification letter sent concerning the violation;
- C.** Participate in an alcohol risk reduction program and/or assessment at The Counseling Center. Fees will be charged; and/or
- D.** Educational activities.

Failure to complete first offense sanctions will result in a fine (\$150.00 or more) and other sanctions.

**2.2.** Second Violation (Resolution by Residence Life and Housing staff/Student Affairs official/Conduct Body) Sanctions may include, but are not limited to:

- A.** Be placed on probation, residence life probation or deferred disciplinary suspension (one more violation and student is suspended from enrollment) and possibly moved within or removed from residence life housing for a minimum of one semester, depending on the specific circumstances; If a student is removed from residence life housing for disciplinary reasons full payment of the contract is due if a residential student and incident occurs within the residential system;
- B.** Have a parental/guardian notification letter sent concerning the violation;
- C.** Participate in an alcohol risk reduction program and/or assessment at the Counseling Center or through an off-campus provider. Fees will be charged. Failure to complete second offense sanctions will result in a fine (\$200.00 or more) and other sanctions unless student is on deferred suspension.

**2.3.** Third Violation (Resolution by Student Affairs official/Conduct Body) Sanctions may include, but are not limited to:

- A.** Be removed from residence life housing with full payment of the contract due if a residential student and incident occurs within the residential system;
- B.** Be placed on disciplinary suspension from the College for a minimum of one semester;
- C.** Have re-admission to the College dependent on successful completion of a preapproved substance abuse counseling program; and
- D.** Have a parental/guardian notification letter sent concerning the violation.

### **3. Noise Violations and other Related Disruptive Behaviors -Responses for Off- Campus Incidences**

**3.1.** First Violation (Resolution by Student Affairs official) Sanctions may include, but are not limited to:



**A.** Receiving a warning or probationary period; and

**B.** Educational and restorative activity.

**3.2.** Second Violation (Resolution by Student Affairs official/Conduct Body) Sanctions may include, but are not limited to:

**A.** Be placed on probation or deferred disciplinary suspension for a minimum of one semester;

**B.** Have a parental/guardian notification letter sent concerning the violation if appropriate;

**C.** Educational and restorative activity;

**D.** Denial of on-campus housing and other privileges; and

**E.** Complete a pre-approved substance abuse/risk reduction program or assessment at the Counseling Center or an off-campus provider. Fees will be charged. Failure to complete second offense sanctions will result in a fine (\$200 or more) and other sanctions unless student is on deferred suspension.

**3.3.** Third Violation (Resolution by Student Affairs official/Conduct Body) Sanctions may include, but are not limited to:

**A.** Be placed on disciplinary suspension from the College for a minimum of one semester;

**B.** Have re-admission to the College dependent on successful completion of a preapproved substance abuse counseling program; and

**C.** Have a parental/guardian notification letter sent concerning the violation if appropriate.

#### **4. South Carolina Scholarships - Hope, Life, Palmetto - and Violations of State Alcohol and Drug Laws**

Students who have been adjudicated delinquent or have been convicted or pled guilty or nolo contendere to any South Carolina alcohol or other drug-related misdemeanor offense more than once are ineligible for the scholarship for one academic year after the adjudication, conviction, or plea occurred. The student will lose eligibility the next academic year immediately following conviction and will lose the scholarship for the fall and spring terms.

### **Procedures for the Use of Alcohol on Campus or During College Sponsored Events**

#### **1. PURPOSE**

These Procedures describe the process that will be used by the College to review requests for allowing *alcoholic beverages* to be available during events that are either held on College Property or are sponsored by the College (each individually referred to as "an "Event". When the term "Event" is used in these Procedures it means any College gathering where alcohol will be available). The Procedures are not intended to change the existing substantive policies dealing with the permitted uses of alcohol on campus or on College owned or rented property ("College Property"). Those policies are recited in the *Employee Drug and Alcohol Abuse Policy* (for faculty and other employees) and in the *Compass* and other publications directed to students (for students and student organizations).

#### **1.1 Events include gatherings that are --**

- A.** Sponsored by the College or an approved College organization to take place on or off College Property;
- B.** Advertised or promoted using the name and/or resources of the College;
- C.** Held off College Property, but using student fees or other College resources to finance the Event; or
- D.** Held on College Property by third-parties.

## **2. IDENTIFICATION AND RANKING OF RISKS**

### **2.1 Categories**

The purposes for an Event can be diverse and may include such matters as raising funds for the College, enhancing the College's public image, hosting Alumni gatherings or other cultural, social or professional meetings, or merely providing a meeting place or performance space for third-parties not affiliated with the College. In general, however, these Procedures recognize three different types of entities that may host an Event. The types of entities that may host an Event are categorized as follows:

- A. Affiliate or Third-Party Sponsored Events:** These Events could be hosted by the College Foundation, the College Alumni Association or non-affiliated third-parties such as a business, a non-profit organization or other legal entity.
- B. Student Sponsored Events:** These Event would include those sponsored by an approved student organization, such as a sorority or a fraternity, as well as, any other approved group or organization of students.
- C. College Employee or College Sponsored Events:** These Events would be hosted by the President, Board of Trustees, the Faculty Senate, a School or a department, a College manager, or any recognized academic or employee unit or organization.

### **2.2 Risk Assessment**

When determining the risk of alcohol abuse associated with an Event, College reviewing authorities will consider at least the following factors:

- A.** the location of the Event;
- B.** the number of underage students or other underage persons who are expected to be in attendance as guests;
- C.** the number of underage persons who will have access to the Event by, for example, working as servers or volunteers;
- D.** the sponsor of the Event;
- E.** the history of the Event and of the conduct of participants during the Event;
- F.** the estimated number of total guests to attend the Event;
- G.** the primary purpose of the Event; and
- H.** the publicity surrounding the Event and/or the public perception of the Event.

## 2.3 Standards

The considerations and standards used by the College to review an application for an Event shall include the following:

- A.** The College will not approve an Event if, in the exercise of its sole discretion, it has determined that holding the Event will present an unreasonable risk to the health or safety of the College community and/or to the property of the College, or that the Event will be conducted in a way that would portray the College or the members of the College Community in a false light or otherwise subject it or them to public ridicule or disgrace.
- B.** The higher the risk assessment, the more stringent shall be the requirements of the *Alcohol Management Plan* (see 3.3).

## 3. APPROVAL PROCESS

**3.1.** All sponsors of Events must complete and submit the appropriate approval form to the College office having management responsibility of the College site. Sponsors of Affiliate or Third-Party Sponsored Events, Student Sponsored Events, or College Employee or College Sponsored Events utilizing College owned or rented property shall complete the form entitled Event Planning and Notification.

**3.2.** If any alcohol will be available at a student sponsored Event, there shall be a conclusive presumption that underage students will be in attendance.

**3.3.** An Alcohol Management Plan attached to the Form described in section 3.1 shall be required for every Event where alcohol will be served. Depending on the risk assessment made pursuant to Section 2.2, the alcohol management plan shall address the following issues with the specificity needed to adequately address the perceived risk:

- A.** how the organization will prevent underage persons from having access to alcohol;
- B.** the type and amount of alcohol that will be available at the Event;
- C.** the type and amount of food that will be served;
- D.** the starting time and ending time of the Event;
- E.** the Event security that will be provided by the organization members themselves;
- F.** the number of police requested from College Public Safety, or if the Event is to be held off campus, a description of the security available; and
- G.** if a Student Sponsored Event, appropriate acknowledgement that Public Safety will contact the Student Affairs staff member on-call if a police action is required or similar serious or exigent circumstance arises.

**3.4.** In addition to any other Form that may be required to rent or use a College facility or to rent or use a site not located on College Property (if any), the Event Planning and Notification Form, described in Section.3.1, where alcohol will be available must be pre-approved by the Department of Public Safety before the Event may be held. In addition to the requirements of the preceding sentence,

- A.** all Forms for Student Sponsored Events, including those prepared by recognized student organizations, must also be pre-approved by the Office of Student Life, The Graduate School or Office of Fraternity and Sorority Life, as appropriate; and

**B.** all Forms for other than student Events where alcohol will be available shall also be pre-approved by the College's Director of Events or Sponsoring Department.

#### **4. ON CAMPUS ALCOHOL SERVICE PROVIDERS**

Notwithstanding any other provision of these Procedures to the contrary, the College's Director of Events is authorized to review the licensure of any alcohol service provider that is named for a particular Event. The Director shall also issue such guidance as may be appropriate, from time to time, to promote the safe use of alcohol during approved Events including, but not limited to, the training of alcohol servers. The Director will act for the Office of the President in all such matters.

#### **ADVERTISING AND SANCTIONS. THIS SECTION IS SEPARATE FROM THE ABOVE POLICY AND APPLIES ONLY TO STUDENT ORGANIZATIONS.**

##### **1. ADVERTISING OF STUDENT ORGANIZATION-SPONSORED EVENTS WHERE ALCOHOLIC BEVERAGES WILL BE CONSUMED.**

**1.** Advertising of student organization-sponsored events where alcoholic beverages will be consumed must be consistent with the educational philosophy of the College of Charleston and follow these conditions:

- A.** Advertisement for any event where alcoholic beverages are being served must note the availability of non-alcoholic beverages and food as prominently as the alcoholic beverages.
- B.** The message conveyed in the event promotion must not encourage the use of alcohol.
- C.** Publicity must not convey that consumption of alcohol is the purpose or reason for the event.
- D.** Promotion must not refer to the amount/quantity of alcohol to be present
- E.** Advertisements for events must not portray drinking as a solution to personal or academic problems or as necessary for social, sexual, or academic success.
- F.** Alcoholic beverages must not be provided as awards, door prizes, or giveaways to individuals or campus organizations.

##### **2. SANCTIONS**

**2.1.** Violations of these policies on or off-campus will be subject to the following responses for student organizations:

###### **A. First Violation - Sanctions may include, but not limited to:**

- i. Group is on social/event suspension for minimum of one month. The exact time period is to be determined by the Director of Student Life or Director of Fraternity and Sorority Life.
- ii. Group executive board must schedule and attend a meeting with the Campus Substance Abuse Prevention Coordinator to develop a risk reduction plan.
- iii. Social/event suspension remains in place until meeting and plan are completed.
- iv. Failure to comply with sanctions for the first offense may result in sanctioning as imposed under a second violation.

## **B. Second Violation - Sanctions may include, but not limited to:**

- i. Loss of campus privileges including access to the organization account for a minimum of three months, excluding summer months.
- ii. Entire organization must attend a 6-hour alcohol risk reduction seminar (deadline to be set by the disciplinary administrator).
- iii. Must pay a \$500.00 fine to the Office of Student Life or Fraternity and Sorority Life or plan an alcohol-free social event for the entire student body on a weekend.
- iv. Letter of notification to be sent to the national organization, sponsoring agency or academic department.
- v. Failure to comply with sanctions for the second offense may result in sanctioning as imposed under a third violation.

## **C. Third Violation**

- i. The sanction for a third violation is suspension of recognition by the College for a time period consistent with the level of infraction up to a permanent suspension from the College of Charleston campus. This will be determined by the Director of Student Life or Director of Fraternity and Sorority Life in conjunction with the Dean of Students and/or Executive Vice President for Student Affairs.

## **Student Tailgate Policy**

### **1. SUMMARY OF POLICY**

In an effort to continue to develop student life at the College of Charleston and promote an increased sense of institutional pride and school spirit, this policy has been created for use of the space and facilities adjacent to the Carolina First Arena for student tailgates and events held prior to athletic contests.

#### **1.1. PURPOSE**

The purpose of the Student Tailgate Policy is to assist student organizations and/or on-campus departments in the coordination of tailgates and activities and ensure that existing institutional policies related to event planning and risk management are appropriately applied.

#### **1.2. DEFINITIONS**

**A. Facilities** - the facilities that will be available for use for student tailgates will include the area adjacent to the student entrance to the Carolina First Arena and the Practice Gym.

**B. Reservable Space** - the facilities included in this policy are to be considered reservable space. Use of the space for tailgates activities must be scheduled in advance through the Director of Operations for Athletics.

**C. Sponsoring Organization** - recognized student organization or on-campus department hosting the event.

**D. Amplified Sound** - use of a public address system and/or speakers to broadcast information or music

### 1.3. PROCEDURES

**A. Limitations of use** – tailgates and pre-game activities must be limited to the area adjacent to the student entrance to the Carolina First Arena and the Practice Gym. Reservation of the space is limited to recognized student organizations and on-campus departments for student-only events. Individual tailgating will not be permitted.

**B. Reservation/ Preparation of Space** – sponsoring organizations must reserve the facilities no less than one week prior to the date of the proposed event. Reservations will be coordinated by the Director of Operations for Athletics. Athletics will provide and install the floor covering in the Practice Gym prior to the scheduled event. In the event that no activity is scheduled, the Practice Gym will not be available for pre-game activities and will remain locked.

**I. Occupancy** – Attendance at events in the facilities will be limited to occupancy rates established by the Fire Marshal.

**II. Responsibilities of Sponsoring Organizations** – student organizations or on-campus departments hosting the event are responsible for providing all staffing and equipment for the proposed activity (this includes security personnel, sound equipment, tables, trash cans, recycling bins, etc.) as well as set-up and clean-up related to the activity.

**III. Entry/Exit** – A valid College of Charleston student identification card will be required to enter the event or activity. Individuals that leave the area prior to the end of the scheduled activity will be denied re-entry and will be ineligible for access to the athletic contest. All student participants will be required to enter the Carolina First Arena through the designated student entrance.

**IV. Use of Alcohol** – The College of Charleston’s alcohol policy shall regulate any use of alcohol at pre-game activities within the facilities. The Authorization to Host a Student Event form must be completed and submitted to the Office of Student Life for review no less than two weeks (fourteen business days) prior to the date of the proposed event. Individuals determined to be inebriated or unable to care for themselves will be denied entry to the activity and/or to the athletic contest.

**V. Duration of Tailgates/Activities** – Pre-game activities will be limited to two (2) hours. Activities must end 15 minutes prior to the start of the scheduled athletic contest.

**VI. Use of Amplified Sound** – Due to the proximity of the facilities to local business and residences, amplified sound must be limited to the Practice Gym.

**VII. Open Flames/Personal Grills** – No open flames or personal grills may be used.

**VIII. Damages** – Sponsoring organizations are responsible for all costs associated with any damage and/or repairs that result from the scheduled activity.

### 1.4. FUTURE REVISION

This Student Tailgate Policy can be revised at any time in accordance with the College’s *Campus Wide Policy Making Procedures*.

## B. Drug Policy from the Student Handbook

### 1. Introduction

The College of Charleston is concerned with both the welfare of the College community and the academ-



ic and personal development of each student. The College strives to create a healthy environment where the illegal and/or improper use of drugs does not interfere with learning, performance, or development. Abuse of drugs disrupts this environment and places at risk the lives and well-being of the members of the College community, as well as the potential for students to contribute to society. It is important for all members of the college community to take responsibility for preventing the illegal and/or improper use of drugs from negatively affecting the community's learning environment and the academic, physical, and emotional well-being of its students. Since there are numerous means by which the use of drugs may adversely affect both students and the College community, it is important that the College issue to all students a clear statement of policy concerning the illegal and/or improper use of drugs.

**1.1.** This policy is intended to accomplish the following:

- A.** To promote a healthy and safe learning environment.
- B.** To demonstrate the commitment of the College to the provision of:
- C.** Education and prevention services designed to help prevent illegal and/or improper use of drugs.
- D.** Early intervention and referral services related to the illegal and/or improper use of drugs.
- E.** To encourage and facilitate the use of treatment and support services by those students who seek or are in need of assistance.
- F.** To define expectations for student behavior with respect to the illegal and/or improper use of drugs.
- G.** To identify appropriate disciplinary procedures for those students who engage in illegal and/or improper drug-related behaviors.

## **2. Education, Prevention, Intervention, and Treatment**

**2.1.** The College's first obligation in dealing with drug problems is to educate the College community. This obligation is addressed by a variety of prevention and education programs which are offered, including formal and informal classes, lectures, discussions, and activities that address both drug-abuse prevention and drug-related problems. Students are encouraged to participate in the numerous campus organizations and activities which promote drug-free experiences. The College is proud to have a Collegiate Recovery Program. A list of student organizations is available in the Stern Student Center and at [www.studentlife.cofc.edu](http://www.studentlife.cofc.edu). Current information about the risks and statistics related to drug use is available to students. Educational efforts also address personal intervention skills to help members of the College community to better respond to students demonstrating problems related to the use of drugs. As drug abuse is a societal issue, the College will also conduct research and offer expertise in this area as a public service.

**2.2.** A second responsibility of the College is to promote an atmosphere where students who have a problem with drug use will have the opportunity to seek help. Each student seeking assistance will be provided an opportunity for an individual diagnostic assessment and will be offered information on, or referral to appropriate services which address the improper use of drugs, including the misuse of prescription or over-the-counter drugs.

**2.3.** Available services may include educational activities, structured groups, counseling, and self-help groups. Some of these services are offered on campus at no cost to the student, such as the Collegiate Recovery Program. The cost of off-campus services is the responsibility of the student.

- A.** Students may receive assessment, counseling, and educational services from the Counseling Cen-

ter, (Robert Scott Small Building, 3rd floor, 953-5640), or from off-campus treatment providers.

**B.** This policy is not intended to create obligations or restrictions which may interfere with the confidential nature of counseling, clinical, or therapeutic relationships. Confidentiality will be maintained in accordance with state and federal laws.

### **3. Violations**

**3.1.** This policy prohibits, on or off campus:

**A.** The unlawful manufacture, intent to distribute, distribution, dispensation, trafficking, possession, attempted purchase, or use of illegal drugs or controlled substances\*, including prescription medications and/or use of non-anabolic steroids.

**B.** The possession or sale of drug paraphernalia (such as roach clips, water bongs, home-made bongs, glass pipes, cocaine spoons).

**C.** The manufacture, intent to distribute, distribution, dispensation, trafficking, possession, attempted purchase or use of imitation ("look alike") or synthetic substances including but not limited to substances such as K2, Spice, Bath Salts, etc.

**D.** The manufacture, intent to distribute, distribution, dispensation, trafficking, possession, or use of psychoactive plant which produces hallucinogenic effects including but not limited to substances such as Salvia.

\* The term "controlled substances" when used in this policy shall refer to those drugs and substances whose possession, sale, or delivery results in criminal sanctions under South Carolina law.

**3.2.** As citizens, students have responsibility for knowing of and complying with the provisions of state law referenced above. Any student who violates any of these laws is subject to prosecution and punishment by the civil authorities as well as to disciplinary procedures conducted by the College which may precede criminal or civil proceedings. It is not "double jeopardy" for both the civil authorities and the College to proceed to sanction a person for the same specified conduct.

### **4. Sanctions**

**The College of Charleston will impose on students the following sanctions and other sanctions for proven violations of its drug policies.**

The College considers any violation of the drug policy to be a serious offense. The College will respond to all reported violations of this policy in accordance with the disciplinary procedures published in the *Student Handbook*. Residential students will be referred to the Office of the Dean of Students for resolution. The sanctions imposed by the College for students found responsible for drug-related violations follow:

#### **4.1. Distribution, dispensation, trafficking, or manufacturing illegal drugs and/or controlled substances**

**A.** Prior to hearing -- Because acts such as the manufacturing, distributing, dispensing and trafficking of illegal drugs and controlled substances are threats and dangers to both the health and safety of the community, when there is reason to believe, based on available facts, that the student represents an immediate threat to the safety, health, or welfare of herself/himself, other persons, or property, the College may immediately suspend alleged offenders prior to a hearing, in accordance with policies as published in the *Student Handbook*.

**B.** Following the hearing - For students found responsible for manufacturing, distribution, dispensing, or trafficking of illegal drugs (including marijuana) and/or controlled substances, the College's response will likely be:

- i)** At a minimum disciplinary suspension for two years or more and at a maximum expulsion in accordance with disciplinary procedures as published in the *Student Handbook*.
- ii)** Removal from residence life housing with full payment of the contract due, if a residential student and incident occurred within the residential system.
- iii)** Have re-admission to the College dependent on successful completion of a pre-approved substance abuse counseling program.
- iv)** Have a parental/guardian notification letter sent concerning the violation.

#### **4.2. Possession with intent to distribute**

For students found responsible for possession with intent to distribute illegal drugs (including marijuana) and/or controlled substances, the College's response will likely be:

- A.** At a minimum disciplinary suspension for one year and at a maximum disciplinary suspension for two years or more in accordance with disciplinary procedures as published in the *Student Handbook*.
- B.** Removal from residence life housing with full payment of the contract due, if a residential student and incident occurred within the residential system.
- C.** Have re-admission to the College dependent on successful completion of a pre-approved substance abuse counseling program.
- D.** Have a parental/guardian notification letter sent concerning the violation.

#### **4.3. Possession and/or use of illegal drugs and illegal possession and/or use of controlled substances**

For students found responsible for the possession/use of illegal drugs (including marijuana weighing one ounce or more) and/or illegal possession/use of controlled substances (including the illegal possession/use of prescription medications and certain synthetic drugs), the College's response will likely be:

- A.** Placed on disciplinary suspension from the College.
- B.** Removal from residence life housing with full payment of the contract due, if a residential student and incident occurred within the residential system.
- C.** Have re-admission to the College dependent on successful completion of a pre-approved substance abuse counseling program.
- D.** Have a parental/guardian notification letter sent concerning the violation.

#### **4.4. Possession and/or use of marijuana -weighing under one ounce -**

For students found responsible for *only* the possession and/or use of marijuana, for a first offense the College's response will likely be:

- A.** Placed on deferred disciplinary suspension from the College for not less than one semester.

Deferred suspension means that the disciplinary suspension is held in abeyance as long as all other sanctions are completed by stated deadlines, all illegal substance screens/tests are negative, and there are no other violations.

**B.** Participate in a drug and alcohol risk reduction program and/or assessment at the Counseling Center. Fees will be charged.

**C.** Participate in periodic drug and alcohol testing at the student's expense for not less than one semester.

**D.** Educational activities.

**E.** Have a parental/guardian notification letter sent concerning the violation.

#### **4.5. Possession and/or use of marijuana -weighing one ounce or less-**

For students found responsible for *only* the possession and/or use of marijuana, for a **second** offense the College's response will likely be:

**A.** Removal from residence life housing with full payment of the contract due, if a residential student and incident occurred within the residential system.

**B.** Placed on disciplinary suspension from the College.

**C.** Have re-admission to the College dependent on successful completion of a pre-approved substance abuse counseling program.

**D.** Have a parental/guardian notification letter sent concerning the violation.

#### **4.6. Possession and/or sale of drug paraphernalia --**

For students found in violation for the possession and/or sale of drug paraphernalia, the College's response will be:

**A.** Determined on a case-by- case basis in accordance with disciplinary procedures as published in the *Student Handbook*.

#### **4.7. The manufacture, intent to distribute, distribution, dispensation, trafficking, possession, or use of imitation ("look alike") or synthetic substances including but not limited to substances such as K2, Spice, etc., the College's response will be:**

**A.** Determined on a case-by- case basis in accordance with disciplinary procedures as published in the *Student Handbook*.

#### **4.8. The manufacture, intent to distribute, distribution, dispensation, trafficking, possession, or use of psychoactive plant which produces hallucinogenic effects including but not limited to substances such as Salvia, the College's response will be:**

**A.** Determined on a case-by- case basis in accordance with disciplinary procedures as published in the *Student Handbook*.

#### **4.9. Eligibility for Financial Aid**

Students found in violation of the drug laws jeopardize their ability to receive federal financial aid,

College of Charleston scholarships and South Carolina Scholarships for which they might otherwise be eligible. Students can regain their eligibility to receive federal financial aid. Please contact the Office of Financial Aid and Veterans Affairs for further information.

#### **4.10. Drug-Free Workplace Policy**

The Federal Drug-Free Workplace Act of 1988 prohibits the unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs in the workplace and provides for sanctions against faculty, staff, and the student employees, permanent or temporary, who violate this policy. Pursuant to federal and state law, the policy also requires grant or contract employees to notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after the conviction. Any student employee who violates the drug-free workplace policy is subject to prosecution and punishment by civil authorities, as well as to disciplinary procedures by the College and may also be terminated from his or her position of employment by the supervising department.

### **C. Good Samaritan/Medical Amnesty Policy**

#### **1. SUMMARY OF POLICY**

This policy provides that any student who is in need of medical care during an alcohol or other drug-related emergency (as defined in Section 3.2 and from here forward shortened to AOD—alcohol and other drugs), and who receives or actively seeks out such care in a timely fashion, may do so without fear of being subjected to Student Conduct action.

This policy only applies to College policies as outlined in the Student Code of Conduct. This policy does not impact any legal or judicial charges or proceedings.

This policy is intended for one-time use only by an individual student and is not intended to apply to students with repeat incidents of violations of our AOD policies.

#### **2. PURPOSE**

The purpose of the Good Samaritan/Medical Amnesty Policy is to encourage a student to seek assistance when that student is in need of medical attention or when that student knows of another student in need of medical care due to an AOD emergency (an "AOD-Related Medical Emergency"). Those who receive medical attention for their abuse of alcohol and/or other drugs will also receive education concerning their own habits so that they may make healthy decisions in the future.

#### **3. DEFINITIONS**

3.1 Conditional Amnesty – Students who report an AOD-Related Medical Emergency in accordance with this Policy will not be subjected to formal student conduct action. As a condition for this courtesy, however, the student or students involved will be required to undertake a series of affirmative measures to redress any damages they may have caused and to receive one or more interventions to assist them in correcting unacceptable behavior.

Conditional amnesty granted under this Policy does not negate the laws and ordinances enforced by local, state, and federal law enforcement authorities. Nor will it excuse violations of other College policies. If any policy or law violation beyond alcohol and/or drug consumption and abuse are committed, conditional amnesty will not apply. Such other violations may include, but are not limited to, disorderly conduct, threats of harm to others, hazing, property damage, sexual Harassment/Abuse, alcohol and/or drug distribution, assault, and/or other crimes. Students who have been charged with such other violations in direct relation to the incident in which they pursue amnesty will not qualify for amnesty. Moreover, any organization providing alcohol and/or other drugs to students during an event or gathering at

which multiple students become ill will not qualify for amnesty.

This Policy will only apply in cases under the jurisdiction of Residence Life and the Office of the Dean of Students.

3.2 AOD-Related Medical Emergency - AOD-Related Medical Emergencies include alcohol overdose and alcohol poisoning and/or drug overdose and drug poisoning that warrant immediate medical attention to protect the health of the student or others. Signs of AOD-induced distress may include, but are not limited to, one or more of the following:

- A. Unresponsiveness to shouting and vigorous shaking;
- B. Skin that is pale, clammy, bluish, or blotchy;
- C. Depressed respiration lapses in breathing;
- D. Mental confusion, memory problems, unusual behavior, stupor, unconsciousness, or coma;
- E. Dizziness, fainting or sudden changes in blood pressure;
- F. Rapid heartbeat, seizures, convulsions, or rigid spasms; or
- G. Vomiting while asleep or unconscious coupled with failure to wake.

3.3 Medical Attention - In order for a student to qualify for conditional amnesty, he/she must receive or actively seek out medical attention. This may include a range of efforts evidencing an unequivocal intention to receive medical help, such as a voluntary examination by College of Charleston First Responders/EMS, contacting local EMS, or seeking transportation to or visiting a hospital for more intensive care. It also includes asking for the assistance of Student Health Services. A student will qualify for conditional amnesty only if the student makes no effort to resist the help of the College, local emergency staff, or healthcare clinicians. Medical intervention must be sought at the time of the observed conditions that give rise to a reasonable suspicion of alcohol and other illegal drug use.

3.4 Helper - A helper is any student or student organization who seeks help for a student suffering from an AOD overdose or poisoning. Although helpers are appreciated and encouraged to take action if they see a student in need, their amnesty is also conditional. Helpers that are found to have committed other violations of law or College policies such as hazing (see Section 3.1 above) are held accountable for their actions. They will not be eligible for amnesty and may receive student conduct sanctioning as a result of their infractions. Amnesty for individual helpers only applies to College policy and not to local, state, or federal law enforcement processes. If the amnesty incident is connected to a hazing incident, the student organization will be charged following student conduct procedures.

## **4. PROCEDURES**

4.1 Assignment of a Conduct Officer - In the event that an AOD-Related Medical Emergency should arise, the Office of Student Affairs {EC1} (the "Office") will be notified. Thereafter, a Conduct Officer will be assigned by the Office to the parties involved. The Conduct Officer may be a Residence Life Official or a Student Affairs official. Each student will be sent a written notice that he/she must meet with the assigned Conduct Officer for a conversation.

4.2 Decision - The assigned Conduct Officer(s) will make the decision of whether the concerned student(s) qualifies for conditional amnesty under this Policy after giving full consideration to the circumstances of the case.



4.3 Assignment of Amnesty Conditions - Should the student(s) qualify for conditional amnesty, the Conduct Officer(s) will evaluate the case and surrounding circumstances in order to assign appropriate conditions as alternatives to sanctioning. These conditions will be educational or therapeutic in nature, designed to benefit the student and improve his/her future decision making. These conditions will most likely include mandatory sessions with a professional in the Counseling Center and possible parental notification. All service fees for assigned substance abuse counseling will be waived if the student qualifies for conditional amnesty.

4.4 Failure to Complete Conditions - If the student fails to agree to the amnesty conditions, or fails to satisfactorily complete the assigned conditions deemed necessary by his/her Conduct Officer, conditional amnesty will not be given, and any amnesty previously given shall be revoked. Student conduct charges will be filed. Thereafter, the case will be turned over to the Office of Residential Student Rights and Responsibilities of the Department of Residence Life or the Office of the Dean of Students where it will be subject to conduct processes. This will most likely result in the creation of a formal conduct record of the incident in question and, if culpability is found, may require the imposition of student conduct sanctions.

4.5 Documentation and Record Keeping - If a student qualifies for conditional amnesty, documentation or evaluation of the case will not be placed in any student conduct record. A record, however, will exist in the Division of Student Affairs that the incident transpired, but this record is not normally reportable to outside employers, agencies or other higher education institutions without the permission of the student. However, some background checks for local, state and/or Federal employment may require full disclosure and release of student records, in which case, the record of the incident may be reported. In addition, the College may be served with a subpoena or other legal process that requires that the College produce the record. In such cases, the College will comply with all applicable provisions of law. In addition to the foregoing, the record will exist in the Division of Student Affairs to track the student's behavior should there be another incident of a similar nature.

#### 4.6 Amnesty for Multiple AOD - Related Medical Emergencies

A. For those needing assistance - This policy is intended for one-time use only by any individual student. It is intended to serve as a wake-up call and a way for students to improve their decision-making skills as well as to learn healthy habits of living. Amnesty, under this Policy, is not considered a right. It should be viewed as an opportunity and is not to be abused by those who break rules of conduct on repeated occasions. Accordingly, any student needing medical attention for an AOD-Related Emergency on more than one occasion may not receive amnesty even if all other terms and conditions of this Policy are met. The granting of any form of amnesty remains a matter of discretion with the Division of Student Affairs.

B. For Helpers - Helpers, or those who seek help for the endangered student, are not limited to only one use of the Good Samaritan/Medical Amnesty Policy. It is expected that members of the College of Charleston community will always make an effort to help a fellow student that is in need even if they have been using alcohol and/or other drugs themselves. Notwithstanding the foregoing, if a Conduct Officer has reasonable suspicions that the Good Samaritan/Medical Amnesty Policy is being abused in any way, he/she may hold in abeyance the amnesty to a helper until an investigation of the incident is completed.

## 5. Future Revisions

This Good Samaritan/Medical Amnesty Policy can be revised at any time in accordance with the College's Campus Wide Policy Making Procedures.

## D. Other AOD Policies for Students

### College of Charleston Athletics Drug Testing Guidelines

## 7.5 Drug Testing Policy

### 7.5.1 Purpose

The College of Charleston Athlete Department, its coaching staff, physicians, athletic trainers, and administrators strongly believe that the use of illegal drugs, abuse of prescribed medication, or the abuse of alcohol are detrimental to the physical and mental well-being of its student-athletes. Improper drug use poses a risk of health and safety to the student-athlete, is against the law, and a violation of department rules. Therefore, the Athletic Department has implemented a mandatory drug testing program, education, and counseling to protect the health and safety of the student-athlete association to the College of Charleston. The central goal of the College of Charleston Athletics drug abuse policy is to discourage the use of illegal drugs, create a leveling playing field for its students-athletes, and to provide help for those student-athletes with a drug / alcohol related issue.

### 7.5.2 Testing

Mandatory random testing for NCAA banned substances and/or illegal "street" drugs will take place throughout the academic year on various dates. Also, individual teams and individual athletes who qualify for post-season NCAA competition will be tested prior to departure for NCAA post-season play. Other teams or individuals qualifying for post-season competition may also be subject to testing. In addition, the NCAA will conduct a minimum of one test per year at our institution. Mandatory individualized testing may also occur. (See 7.5.4) 45

## **College of Charleston Athletics Department Alcohol Policy For Student Athletes Under 21 Years of Age**

### A. First Offense

- Counseling assessment and feedback.
- Four (4) hours of community service.
- Suspension for two (2) traditional season contests or 10% of the scheduled contests, whichever is less (within 2 weeks after confirmation of offense).

### B. Second Offense

- Counseling assessment and feedback.
- Eight (8) hours of community service.
- Suspension for four (4) traditional season contests or 20% of the scheduled contests, whichever is less (within 2 weeks after confirmation of offense).

### C. Third Offense

- Counseling assessment and feedback.
- Sixteen (16) hours of community service.
- Suspension from competition for a minimum of one academic semester.

### D. Fourth Offense

- Permanent loss of athletic scholarship.
- Dismissal from team.

## **College of Charleston Athletics Department Alcohol Policy For Student Athletes Over 21 Years of Age**

### A. First Offense

- Counseling assessment and feedback.
- Two (2) hours of community service.
- Suspension for one (1) traditional season contest or 5% of the scheduled contests, whichever is less (within 2 weeks after confirmation of offense).

### B. Second Offense

- Counseling assessment and feedback.
- Four (4) hours of community service.
- Suspension for two (2) traditional season contests or 10% of the scheduled contests, whichever is less (within 2 weeks after confirmation of offense).

### C. Third Offense

- Counseling assessment and feedback.
- Eight (8) hours of community service.
- Suspension for four (4) traditional season contests or 20% of the scheduled contests, whichever is less (within 2 weeks after confirmation of offense).

### D. Fourth Offense

- Permanent loss of athletic scholarship
- Dismissal from team

All sanctions are cumulative. If the student athlete commits no violations for 2 calendar years, then penalties are reset to zero.

## **AOD Related Policies for Student Organizations**

### **ORGANIZATION SPONSORED EVENTS WITH ALCOHOL:**

Policies are designed to ensure that group functions are conducted in compliance with South Carolina state alcoholic beverage laws and College of Charleston regulations. The policies are also intended to discourage irresponsible use of alcoholic beverages and emphasize responsible drinking behavior, thereby minimizing the liabilities of the 37 College of Charleston and of the sponsoring group. This policy is written for all recognized student organizations and offices working with student organizations at the College of Charleston. When planning an event, make sure this policy is read in its entirety. Sorority and Fraternity-sponsored events are also subject to the stipulations listed in Risk Management Policy for Interfraternity, National Pan-Hellenic and College Panhellenic Fraternities and Sororities at the College of Charleston.

## **ON-CAMPUS STUDENT ORGANIZATION SPONSORED EVENTS WITH ALCOHOL:**

Any recognized student organization and office working with student organizations sponsoring an off-campus event with alcohol must adhere to the following:

- No student organization sponsored event that includes alcohol shall exceed four (4) hours. Under NO circumstances are alcoholic beverages to be sold by the sponsoring organization.
- This policy is for beer and wine only. No distilled spirits are permitted at any College of Charleston function sponsored or co-sponsored by student organizations on the College of Charleston campus. BEER-ALUMINUM CANS ONLY, NO BEER BOTTLES; WINE BOTTLES PERMITTED.
- The event may be BYOB or the student organization may contract with a third party vendor to serve and/or sell alcoholic beverages at approved functions and locations. If a third-party vendor is utilized, they will be restricted to the amount of alcohol to be purchased, the service method, the number of drinks per individual and the timeframe of the service. These determinations will be made on a case-by-case basis.
- At least one organization representative must attend the Student Organization Summit. A student organization may not have social functions involving alcohol unless a representative has attended the Summit.
- Responsibility for the proper conduct of all individuals attending functions rests primarily with the organization sponsoring the event. At least one event manager must be identified. Event manager must remain sober while carrying out their duties during the event.
- The event must be registered with the Director of Student Life at least TWO WEEKS (14 business days) in advance. The signature of the organization's advisor is required. Event Planning and Notification Form can be found online at [studentlife.cofc.edu](http://studentlife.cofc.edu) and on OrgSync.
- Greek lettered organizations must register their events with the Director of Fraternity and Sorority Life at least TWO WEEKS (14 business days) in advance.
- A method of identifying participants under the age of 21 must be in place during the event.
- If BYOB, the limitation is one six-pack of beer (cans only) or one liter of wine per participant.
- No personnel, including security is to be paid in cash for working the event. Policies have been established for payment of all personnel. See the Business Manager in the Dept. of Student Life to arrange for payment.
- Campus areas designated for consuming alcoholic beverages at a student sponsored event are: Barnet Courtyard, Cistern Yard, Stern Center Garden, and P Parking Lot (located behind fraternity housing off Wentworth Street).
- Non-alcoholic beverages and unsalted food for fifty (50%) percent of anticipated guest attendance must be available at every function.

## **OFF-CAMPUS STUDENT ORGANIZATION SPONSORED EVENTS WITH ALCOHOL:**

Any recognized student organization and office working with student organizations sponsoring an off-campus event with alcohol must adhere to the following:

- No student organization sponsored event that includes alcohol shall exceed four (4) hours.

- At least one organization representative must attend the Student Organization Summit. A student organization may not have social functions involving alcohol unless a representative has attended the Summit.
- Responsibility for the proper conduct of all individuals attending functions rests primarily with the organization sponsoring the event. At least one event manager must be identified. Event manager must remain sober while carrying out their duties during the event.
- The event must be registered with the Director of Student Life at least TWO WEEKS (14 business days) in advance. The signature of the organization's advisor will also be required. The Event Planning and Notification Form can be found at [studentlife.cofc.edu](http://studentlife.cofc.edu) and on OrgSync.
- A method of identifying participants under the age of 21 must be in place during the event.
- The event must be a BYOB or at a location with an approved liquor license. If BYOB, the limitation is one six-pack of beer or one liter of wine per participant.
- Arrangements for the presence of security officers (Public Safety, City of Charleston, or a private security company) must be made at least two weeks in advance. Security officers must be present at all times. The organization is responsible for all related costs.
- No personnel, including security is to be paid in cash for working the event. Policies have been established for payment of all personnel. See the Business Manager in the Office of Student Life to arrange for payment.
- Non-alcoholic beverages and unsalted food for fifty (50%) percent of anticipated guest attendance must be available at every function.

### **ATTENDANCE, GUEST PROCEDURES, AND VIOLATIONS:**

The following attendance, guest and advertising guidelines and procedures shall be in effect and followed at all functions where alcoholic beverages will be consumed on and 39 off the College of Charleston campus. Sorority and Fraternity-sponsored events are also subject to the stipulations listed in Risk Management Policy for Interfraternity, National Pan-Hellenic and College Panhellenic Fraternities and Sororities at the College of Charleston.

**Attendance:** Every member, including alumni, in good standing of the sponsoring organization will be permitted to attend that sponsor's event. The number of participants allowed access to a function will be controlled by pre-established limits for the specific facility or locale.

**Guest Procedures:** Those attendees (age 21 and over) consuming alcohol must have their College I.D. and driver's license checked to confirm their age; must have their coolers, etc., inspected as the one six pack per person or one liter bottle wine limit is in effect if BYOB; and must have their hands stamped or marked or wristband applied designating that they are 21 or older.

No shuttling shall be permitted. Each person may bring one six-pack or one liter bottle of wine into the site one time if BYOB. Individuals shall not be permitted to leave and return to the function site with additional alcohol.

No intoxicated person(s) will be admitted to the function.

**Advertising:** Advertising of student organization-sponsored events where alcoholic beverages will be consumed must be consistent with the educational philosophy of the College of Charleston and follow these conditions:

- Advertisement for any event where alcoholic beverages are being served must note the availability of non-alcoholic beverages and food as prominently as the alcoholic beverages.
- The message conveyed in the event promotion must not encourage the use of alcohol.
- Publicity must not convey that consumption of alcohol is the purpose or reason for the event.
- Promotion must not refer to the amount/quantity of alcohol to be present
- Advertisements for events must not portray drinking as a solution to personal or academic problems or as necessary for social, sexual, or academic success.
- Alcoholic beverages must not be provided as awards, door prizes, or giveaways to individuals or campus organizations.

Violations: Any person who is a member of the College of Charleston community violating any procedures shall be subject to accountability under the alcohol policy penalty provisions found below. Non-College of Charleston guests violating these 40 procedures

shall be removed from the premises and arrested. They will also be prosecuted as deemed necessary by the Public Safety officials.

No under-aged student should be wearing a wristband or hand stamp or be provided alcoholic beverages. Any failure to comply with this will be considered a violation of the alcohol policy, Honor System, and state law.

The first person detected being in violation of campus, local or state alcohol or drug ordinances will be ticketed and removed from the event. The second person in violation will be ticketed, removed from the event and cause the event to be shut down.

Sanctions: Violations of these policies on or off-campus will be subject to the following responses.

First Violation Sanctions may include, but not limited to:

- Group is on social/event suspension for minimum of one month. The exact time period is to be determined by the Director of Student Life or Director of Fraternity and Sorority Life.
- Social/event suspension remains in place until meeting and plan are completed.

Failure to comply with sanctions for the first offense may result in sanctioning as imposed under a second violation.

Second Violation Sanctions may include, but not limited to:

- Loss of campus privileges including access to the organization account for a minimum of three months, excluding summer months.
- Entire organization must attend a 6-hour alcohol risk reduction seminar (deadline to be set by the disciplinary administrator).
- Must pay a \$500.00 fine to the Office of Student Life or Director of Fraternity and Sorority Life or plan an alcohol-free social event for the entire student body on a weekend.
- Letter of notification to be sent to the national organization, sponsoring agency or academic depart-



ment.

Failure to comply with sanctions for the second offense may result in sanctioning as imposed under a third violation.

Third Violation: The sanction for a third violation is suspension of recognition by the College for a time period consistent with the level of infraction up to a permanent suspension from the College of Charleston campus. This will be determined by the Director of Student Life or Director of Fraternity and Sorority Life in conjunction with the Dean of Students and/or Executive Vice President for Student Affairs.

## **AOD Related Policies in Residence Life & Housing**

### **Alcohol**

Please refer to the College of Charleston Code of Conduct for full reference on Alcohol and complete Policies.

Residents of legal age (21 years old or older) are allowed a 6 pack of beer or 1 liter of wine. *Residents are responsible for their own trash removal; if alcohol containers/refuse in excess of the alcohol limit is present, residents of the suite may be held accountable for an alcohol violation.* Liquor and caffeinated alcoholic beverages are prohibited.

Non-residents are not permitted to bring their own alcohol into the residential facility. All persons consuming alcohol must be of legal drinking age. *Residents are responsible for the actions of their guests. If a guest violates the alcohol policy, the resident may be subject to the conduct process and sanctions.*

Residents and their guests of legal drinking age may consume alcohol only in the presence of others of legal drinking age, including assigned roommates. Residents under the legal age of 21 are not permitted to possess, consume, be in the presence of alcohol, or possess alcohol beverage containers in the residence halls/houses.

- **Alcohol Storage:** Residents 21 or older must store alcohol and alcohol containers outside of plain view and in their assigned portion of the room. Residents under 21 may not have empty alcohol containers for decorative purposes, including shot glasses and flasks.
- **Alcohol Common Source Containers and Paraphernalia:** The use or possession of common source containers (e.g., a keg) or devices to promote rapid alcohol consumption (e.g., a beer bong) is prohibited in residence halls/houses. Drinking games are not permitted in residence halls/houses.
- **Intoxication/ Drunkenness:** This is a violation of College of Charleston policy as well as South Carolina state law. Residents perceived to be intoxicated are subject to undergo evaluation by CofC First Responders and/or Charleston County EMS. This evaluation will determine whether a resident is admitted to the building or transported to a local emergency room. If transported, a medical professional will evaluate the resident. Parents/guardians will be notified according to our parental notification policy. Students should note that alcohol violations are handled in coordination with Student Affairs. If a student is adjudicated by Student Affairs for an alcohol violation not in the residence halls, any alcohol violation within the halls will be considered a second alcohol violation and forwarded accordingly. Likewise, if a student with an alcohol violation from within the halls is later adjudicated through Student Affairs for an alcohol violation outside the halls, it will be considered a second alcohol violation and forwarded to the appropriate individuals.

Please Note: Alcohol violations are cumulative throughout a student's enrollment at The College of Charleston. An additional alcohol violation, even a year or more after a first alcohol violation, will be considered a second offense and forwarded to the appropriate campus authorities.

## **Drugs/Drug Paraphernalia**

Please refer to the College of Charleston Code of Conduct for full reference on Drug and Drug Paraphernalia.

Any paraphernalia found will be confiscated and not returned. Hookahs are considered paraphernalia and not allowed in residence halls or houses. If there is suspicion of the presence of illegal drugs, particularly due to smell indicative of marijuana, Residence Life staff members will be authorized to enter the suite to further assess the situation.

Residents are responsible for the actions of their guests. If a guest violates the drug/drug paraphernalia policy, the resident may be subject to the conduct process and sanctions. If perceived to be under the influence of any substance that may put one at risk of harm to self or others, residents and/or guests will be evaluated by medical professionals to determine whether transport to a local emergency room is necessary. Parents/guardians will be notified according to our parental notification policy.

## **Facilitating or Accepting Improper Behavior**

Facilitating or accepting improper behavior is defined as aiding or choosing not to confront a person violating the Honor Code, Code of Conduct or other regulations, choosing not to leave such a situation, and/or choosing not to tell a college staff member about the violation.

## **Fraternity & Sorority Life Risk Management Policy**

### SECTION 2: ALCOHOL AND DRUGS

1. The possession, sale, use or consumption of ALCOHOLIC BEVERAGES, while on chapter premises or during a fraternity event, in any situation sponsored or endorsed by the chapter, or at any event an observer would associate with the fraternity, must be in compliance with any and all applicable laws of the state, province, county, city, (inter)national organization and institution of higher education, and must comply with either the BYOB or Third Party Vendor Guidelines.
2. No alcoholic beverages may be purchased through or with chapter funds nor may the purchase of same for members or guests be undertaken or coordinated by any member in the name of or on behalf of the chapter. The purchase or use of a bulk quantity or common source(s) of alcoholic beverage, for example, kegs or cases, is prohibited.
3. OPEN PARTIES, meaning those with unrestricted access by non-members of the fraternity, without specific invitation, where alcohol is present, are prohibited.
4. No members, collectively or individually, shall purchase for, serve to, or sell alcoholic beverages to any minor (those under legal drinking age).
5. The possession, sale or use of any ILLEGAL DRUGS or CONTROLLED SUBSTANCES while on chapter premises or during a fraternity event or at any event that an observer would associate with the fraternity is strictly prohibited.
6. No chapter may co-sponsor an event with an alcohol distributor or tavern (tavern defined as an establishment generating more than half of annual gross sales from alcohol) at which alcohol is given away, sold or otherwise provided to those present. This includes any event held in, at or on the property of a tavern as defined above for purposes of fundraising. However, a chapter may rent or use a room or area in a tavern as defined above for a closed event held within the provisions of this policy, including the use of a third party vendor and guest list. An event at which alcohol is present may be conducted or co-sponsored with a charitable organization if the event is held within the provisions of this policy.

7. No chapter may co-sponsor, co-finance or attend or participate in a function at which alcohol is purchased by any of the host chapters, groups or organizations.

8. All recruitment or rush activities associated with any chapter will be non-alcoholic. No recruitment or rush activities associated with any chapter may be held at or in conjunction with a tavern or alcohol distributor as defined in this policy.

9. No member or pledge, associate/new member or novice shall permit, tolerate, encourage or participate in "drinking games." The definition of drinking games includes but is not limited to the consumption of shots of alcohol, liquor or alcoholic beverages, the practice of consuming shots equating to one's age, "beer pong," "century club," "dares" or any other activity involving the consumption of alcohol which involves duress or encouragement related to the consumption of alcohol.

10. No alcohol shall be present at any pledge/associate member/new member/novice program, activity or ritual of the chapter. This includes but is not limited to activities associated with "bid night," "big brother - little brother"/"big sister - little sister" events or activities, "family" events or activities and initiation. All organizations, members, and guests are also responsible for following all Alcohol and Drug Policies as well as the Procedures for Events with Alcohol On and Off Campus Hosted by Student Organizations as outlined in the College of Charleston Student Handbook.

### **Alcohol-Free Graduation Ceremony**

(<http://cofc.edu/commencement/information/alcohol-policy.php>)

The College of Charleston observes a strict no-alcohol or other drugs policy prior to and during the commencement ceremonies. Ceremony participants, graduation candidates and guests are prohibited from bringing alcoholic beverages or other drugs onto the premises or consuming alcoholic beverages during the ceremonies. Any person determined by College personnel to be impaired will be removed from the premises and prohibited from participating in the ceremony.

All graduates planning to participate in the commencement ceremony must acknowledge by their signature that they have read and understand the policy as well as the consequences for violating the policy prior to receiving tickets to commencement.

In support of the policy, a "no alcohol or other drugs zone" for Cistern commencement ceremonies that includes Cistern Yard, Randolph Hall and the block bordered by St. Philip, George, Coming and Calhoun has been established.

- Within this zone, alcohol or other drugs will be confiscated.
- There will be a bag check for graduates entering ready rooms in Maybank Hall.
- Secure storage for personal effects will be provided in Maybank Hall but you are advised to bring as few personal belongings as necessary. No bags will be allowed on stage.
- No outside food or beverages will be allowed in Maybank Hall (exception for documented medical necessity only).
- Once admitted to the TD Arena and Johnson Center, graduates will not be permitted to exit this area and return. Staff will monitor entrances and exits with support from Public Safety.
- Impaired or inebriated students will be removed from the ready room area, pulled from line, or removed from the stage prior to walking.
  - Using a predetermined protocol, public safety officers and EMS will evaluate students believed to be

impaired or inebriated.

- If it is determined that a student is unable to participate in the ceremony, he/she will be escorted from the Cistern area and transported to a local hospital by EMS if deemed necessary or turned over to a responsible party (family member or friend).

For December commencement, a similar “no alcohol or other drugs zone” encompasses TD Arena and Johnson Center. Similar rules and processes apply within this zone.

All graduates planning to participate in the commencement ceremony must acknowledge by their signature that they have read and understand the policy as well as the consequences for violating the policy prior to receiving tickets to commencement.

The audience will be reminded prior to the ceremony that any student determined to be impaired will not be allowed to participate in the ceremony.

## **Appendix 2: Policies for Employees**

### **A. AOD Policy for Employees**

Employee Drug and Alcohol Abuse Policy #CofC.HR.DA.03 Revised 12/2001

The Drug-Free School and Communities Act, Public Law 101-226, requires that as a condition of receiving funds or any other form of financial assistance under any federal program, all institutions of higher education must adopt and implement programs to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. The College of Charleston has such programs in place. In addition, the College is developing a program to comply with the new federal regulations which require as of January 1, 1995, drug and alcohol education and testing of employees whose job requires them to have a Commercial Driver’s License.

The policy below, Employee Drug and Alcohol Abuse Policy, is a description of College policies and programs and a statement of information required to be distributed annually to all employees under the Drug-Free Schools and Communities Act. It contains information the College also is required to provide under the Drug-Free Workplace Act of 1988, Public Law 100-690, and the State of South Carolina Substance Abuse Laws. It is important that all employees are aware of the information contained in the below document and understand that the College is committed to maintaining a drug-free campus for its employees and students. Please read this document carefully. If you have any questions, you should call the Office of Human Resources at 3-5512. The Policy is discussed at every new employee orientation and is distributed within the Annual Security Report to all employees via email. Hard copies are made available in Human Resources and Public Safety.

THE LANGUAGE USED IN THIS POLICY DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE COLLEGE OF CHARLESTON. THE COLLEGE OF CHARLESTON RESERVES THE RIGHT TO REVISE THE CONTENTS OF THIS POLICY AND PROCEDURE, IN WHOLE OR IN PART.

The College of Charleston is dedicated to the pursuit and dissemination of knowledge. The illegal or abusive use of drugs or alcohol by members of the campus community jeopardizes the safety of the individual and the campus community, and is adverse to the academic learning process. The College of Charleston is therefore committed to having a campus that is free of the illegal or abusive use of drugs and alcohol. In keeping with this commitment, it is the policy of the College that the illegal or abusive use of drugs or alcohol is prohibited on College property or as part of College activities.

In order to inform all College employees of their responsibilities under this policy, and to meet the College’s responsibilities as set forth in the Federal Drug Free Workplace Act of 1988, Drug-Free Schools and Com-

munities Act Amendments of 1989, Public Law 101-226, and the South Carolina Code of Laws as amended concerning alcoholism the following information is provided:

- I. Prohibited conduct
- II. Employee's Disciplinary sanctions.
- III. Applicable legal sanctions under federal, state and local laws.
- IV. Health risks associated with the use of illegal drugs and the abuse of alcohol.
- IV. Drug and alcohol information and treatment program resources.

## I. PROHIBITED CONDUCT

The following policies and rules are consistent with those mandated under the Federal Drug Free Workplace Act of 1988, and the State of South Carolina Code of Laws. In an effort to provide a drug-free workplace and environment, the College of Charleston prohibits the unlawful manufacture, distribution, dispensation, possession, or use of any controlled substance in the workplace. The term controlled substance refers to all illegal drugs and to legal drugs used without a physician's order as further delineated in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812). It does not prohibit taking prescribed medication under the direction of a physician.

All College of Charleston faculty and staff members, as a condition of their employment, must abide by the terms in this policy.

- (1) When the College learns or suspects that an employee has committed a controlled dangerous substance or alcohol offense at the workplace, the College shall take appropriate action in accordance with the Code of Conduct.
- (2) All employees shall cooperate fully with law enforcement authorities in the investigation and prosecution of suspected criminal violations.
- (3) In addition, those faculty and staff members engaged in the performance of a federal grant or no later than 5 days after such conviction. The supervisor or department head must then promptly report contract will notify their supervisor or department head of any criminal drug convictions in the work place the violation to the Office of Human Resources. Within 10 days of the reported conviction, the College must provide written notice to any federal sponsor of grants or contracts on which the convicted employee was working. Possible penalties for failure to comply include suspension or termination of specific grants or even debarment of the entire College from the receipt of federal funds. The College of Charleston as a matter of policy, prohibits the unlawful manufacture, distribution, dispensation, possession or use of controlled substances and illegal drugs by students and employees as set forth in the State of South Carolina Code of Laws, Section 44-53-110 et seq; possession or sale of drug paraphernalia (such as roach clips, bongs, water pipes, cocaine spoons) Section 44-53- 110 and Section 44-55-391; the non-prescribed use of anabolic steroids and other prescription drugs 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 Section 44-53-390.

### I. a. Alcoholic Beverages on College Premises

The Office of the President controls the use, possession or distribution of alcohol by employees on College premises at College sponsored activities. This policy prohibits the possession or use of alcohol by any person under the age of 21 or the furnishing of alcohol to a person known to be under the age of 21.

### I. b. Policy on Possession or Use of Common Containers of Alcohol

#### I. Prohibited Conduct

The College prohibits the possession or use of kegs, punch bowls, and other common containers of alcoholic beverages of a similar nature on College property, except for possession and use as authorized by the Office of the President and its agents.

## II. Disciplinary Sanctions

The College may take appropriate disciplinary and/or legal action against any individual found in violation of this policy. If the individual is a student or an employee of the College, additional administrative penalties may also be taken.

### II. EMPLOYEE'S DISCIPLINARY SANCTIONS

- (1) If an employee reports to work under the influence or while at work is subsequently found to be under the influence, action will be taken in accordance with the College's Code of Conduct.
- (2) If an employee is found to be drinking alcoholic beverages or using drugs on the job the employees shall be dismissed.
- (3) Disciplinary action for conviction of a felony will be conducted in accordance with the Code of Conduct.
- (4) General Sanctions. Any employee found to be in violation of any of the provisions of this policy shall be subject to disciplinary action under the College's Code of Conduct and applicable penalties contained in Article 64A of the Annotated Code of South Carolina. Disciplinary action includes sanctions up to and including termination. As a condition of continued employment, the College will require an employee to successfully participate in a drug abuse assistance or rehabilitation program in accordance with the Employee Assistance Program.

### III. LEGAL SANCTIONS UNDER FEDERAL, STATE AND LOCAL LAWS RELATING TO ALCOHOL AND DRUG USE

Employees at the College of Charleston are subject to federal, state, and local laws for the possession and distribution of illegal drugs. Federal law states that it is unlawful to possess a controlled substance, including marijuana, cocaine, LSD, PCP, heroin, designer drugs, etc. (Federal Law, Title 21 USCA, Sections 841 and 844 to 845). 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 \$1000 and/or imprisonment up to 3 years. The penalties increase if the possession includes intent to manufacture, distribute, or dispense a controlled substance, especially if done 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 be liable for an amount up to \$10,000 in civil penalties. In addition to Federal laws, the State of South Carolina has its own laws dealing with distribution, manufacturing, and possession of controlled substances. For instance, any person who unlawfully manufactures or distributes any narcotic drug may be fined up to \$25,000 and may be imprisoned for up to 20 years for a first offense. Information regarding additional laws can be obtained by contacting the South Carolina Commission on Alcohol and Drug Abuse Drug Information Access Line at 1-800-942-DIAL

Employees at the College of Charleston are subject to state and local laws for drinking and obtaining alcohol. It is illegal in the State of South Carolina for any person under 21 to drink alcohol. It is also illegal for a 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. The penalty is a fine of up to \$200 and suspension of driver's license for a period of ninety days for a first offense. It is also illegal to consume alcohol on any public property or highway, unless authorized by the governmental entity that has jurisdiction over the property, with penalties including a fine of up to \$100.

Employees are also subject to state and local laws governing drinking and driving. A person may not drive or attempt to drive while intoxicated or under the influence of alcohol. Any individual with a Blood Alcohol Concentration (B.A.C.) of 0.10% or more will result in a violation of Driving Under the Influence of Alcohol. With a BAC level less than 0.10%, the BAC may be considered with other evidence and the person may



be charged with a DUI. Any of these violations will result in fines, imprisonment, or both. It is also unlawful to drive while under the influence of any Controlled Dangerous Substances whether or not they are illicit (prescribed or unlawfully obtained). A person can still be charged with these violations even though they possess a driver's license from another state.

## **B. AOD Testing for Employees**

Begins next page.

# COLLEGE of CHARLESTON

## OFFICIAL POLICY

9.1.6.1

**Policy on Alcohol and Drug Testing**

7/26/2016

### **Policy Statement**

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

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### **Policy Manager and Responsible Department or Office**

Human Resources

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### **Policy**

#### **1.0 PURPOSE**

The College of Charleston ("College") recognizes the importance of maintaining and operating a drug-free Workplace. By providing such a Workplace, the College has the opportunity to maximize its levels of productivity, enhance its competitive position in the marketplace, and reach its desired level of success without experiencing the costs, delays, and tragedies associated with work-related accidents resulting from substance abuse. Our students are also provided a safer environment in which to learn and enjoy the

benefits of their education and Campus experiences.

It is the intention of this Policy to prevent, to the extent practicable, drug abuse and the tragedies associated with work-related accidents and to deter the corresponding losses in the form of workers' compensation claims, personnel, and economic productivity. It is the College's intent to achieve this purpose in a way that balances respect for individuals with the need to maintain a safe, productive, and drug-free learning and living environment. While the College will offer help to those who need it, the College does not tolerate the illegal use of nonprescription or prescription drugs, the use of controlled substances or the abuse of alcoholic beverages.

This Policy shall be provided to all employees immediately after its approval by the Board of Trustees. Thereafter, all new employees will receive a copy of this Policy and will sign an acknowledgement of receipt as a condition of employment or continued employment. This Policy is intended to supplement the College's Policy on Employee Drug and Alcohol Abuse and should not be deemed as replacing that latter Policy.

## 2.0 DEFINITIONS

The terms below shall have the meaning ascribed next to each -

2.1 Alcohol - shall mean any "alcoholic beverage" including any spirituous malt, vinous, fermented, brewed (whether lager or rice beer), or other liquors or a compound or mixture of them by whatever name called or known which contains Alcohol and is used as a beverage.

2.2 Controlled Substance - shall mean a drug, substance, or immediate precursor in Schedules I through V in the following Sections of South Carolina law: S.C. Code Ann. §§ 44-53-190, 44-53-210, 44-53-230, 44-53-250, and 44-53-270, or a "controlled substance analogue", as defined in S.C. Code Ann. § 44-53-1 10.

1 Adopted from the Preamble to 1997 Act No. 92, effective, June 10, 1997, and S.C. Code Ann. § 41-1-15. See Appendix A.

### 01.A 6.I.I.U

Included within these definitions are such substances as marijuana, cocaine, opiates, phencyclidine (PCP), and amphetamines (including methamphetamine).

2.3 Designated Employee or Employee -- shall mean all employees and volunteers of the College who: (a) perform services on College owned or leased property ("College Property");

(b) represent the College at another location or are performing College work at another location; or (c) are attending a professional seminar or other event for which the College has paid or will pay part or all of the expenses associated with the employee or volunteer's travel, lodging or attendance.

2.4 Designated Employer Representative ("DER") - shall mean the College's Director of Environmental Health and Safety

2.5 Employee Assistance Program (EAP) -- shall mean a confidential assessment, referral, and short-term problem-solving service available to eligible employees and family members. Enrollment in the EAP is automatic as part of the health plan coverage. The EAP helps participants deal with problems affecting personal and work life, such as:

- (a) conflicts within the family and Workplace,
- (b) personal and emotional concerns,
- (c) Alcohol and substance abuse,
- (d) financial and legal problems,
- (e) elder and child care, and
- (f) career concerns and other challenges.

2.6 Employee Position Assessment - shall mean an assessment of an employee's employment position, as actually performed and as contained in the applicable position description, to determine if the nature and extent of the employee's job duties and responsibilities pose a significant threat to the safety or health of the employee or others if such duties or responsibilities are neglected or improperly performed. This assessment is to be made by the College's Director of Environmental Health and Safety.

2.7 Illicit Drug -- shall mean any Controlled Substance that is in the possession of or is consumed by a Designated Employee, or any prescription or non-prescription drug illegally in the possession of, or is consumed by a Designated Employee in contravention of law.

2.8 Law Enforcement Position -- shall mean the Chief of Campus Police and all of those College positions who report directly or indirectly through one or more Supervisors to the College's Chief of Police.

2.9 Management - shall mean those College employees who are managers or Supervisors at one or more reporting levels above a Designated Employee in the same supervisory chain.

2.10 Occupational Medical Clinic - shall mean that medical facility selected by the College from time to time to evaluate the nature and extent of physical injuries associated with workers'

compensation claims.

2.11 Safety Sensitive and High Risk Position -- shall mean those College positions in which the impaired performance of an incumbent would present a substantial risk of injury to self or others and includes positions that require one or more of the following activities: (i) driving or maintenance of powered vehicles; (ii) the operation or maintenance of boilers, elevators, construction equipment or similar dangerous machinery; (iii) the handling of hazardous materials (including, but not limited to, direct access to federally designated

biological agents and toxins);

(iv) dispensing Controlled Substances or prescription medications; (v) providing clinical services to students; (vi) being in an unsupervised setting with minor children; or (vii) being responsible for reporting on, inspecting, or furthering environmental or fire safety on College Property.

2.12 Supervisor - shall mean the College employee who directly supervises a Designated Employee and who is responsible for directing and evaluating that Designated Employee's job performance.

2.13 Testing - shall mean the process of collecting and evaluating, through the use of generally accepted clinically methods, human fluids or breath in order to determine the presence and/or concentration of Alcohol and/or Illicit Drugs in the human body. By way of example, and not by limitation, the term includes the following:

(a) Event-Related (Accident/Injury) Testing -As further described in Section 5.0, this is Testing of a Designated Employee in a Safety-Sensitive and High Risk Position or Law Enforcement Position that takes place after and as part of an accident or incident investigation when the event has occurred on College Property, has resulted in death or serious bodily injury or significant property damage, and involves the acts or omissions of such an Employee.

(b) Pre-Employment or Testing After Hire - As further described in Section 6.0, Testing that takes place as a condition for either employment or entering duty in a position considered to be a Safety-Sensitive and High Risk Position or Law Enforcement Position, or the Testing of current College employees transferring into such a position.

(c) Random Drug Testing -As further described in Section 7.0, this pertains to the Testing of Designated Employees occupying a Safety-Sensitive and High Risk Position or Law Enforcement Position while on the job.

(d) Reasonable Suspicion Testing -As further described in Section 8.0, this means Testing based on a good faith reasonable belief that a Designated Employee has violated the College's Policy on Employee Drug and Alcohol Abuse that is triggered by the first-hand observations of two or more supervisors or managers of those suspect behaviors and conditions listed in Section 8.1.

2.14 Workplace - shall mean the physical locations that are under the control of the College where Designated Employees perform one or more functions of their assigned job or volunteer responsibilities or duties.

### 3.0 APPLICABILITY

This Policy applies to all Designated Employees of the College. In addition, Designated Employees who are employed by the College to operate commercial vehicles must also comply with the requirements implemented by the College under the Federal Motor Carrier Safety Regulations codified at Title 49 CFR Part 382 and the South Carolina Commercial Driver License Act (S.C. Code Ann. § 56-1-2005 et seq.).

#### 4.0 TESTING

4.1 Limitation on Required Testing. In order to achieve the purposes of this Policy the College may require Designated Employees occupying a Safety-Sensitive and High Risk Position or Law Enforcement Position, or potential Designated Employees selected for employment with the College in a Safety-Sensitive and High Risk Position or Law Enforcement Position, to undergo Drug Testing for Alcohol or Illicit Drugs in certain defined circumstances.

4.2 Optional Testing. All Employees would be given an option to undergo Testing when the Employee's behavior and/or condition have been deemed suspect and have been witnessed and documented in accordance with this Policy.

4.3 Permitted Testing Circumstances. As further described in Sections 5.0, 6.0, 7.0 and 8.0, in total there are four situations when Testing is permitted:

- (a) Event-Related Testing
- (b) Pre-Employment Testing or Testing After Hire
- (c) Random Drug Testing
- (d) Reasonable Suspicion Testing

#### 5.0 EVENT-RELATED (ACCIDENT/INJURY) TESTING

5.1 Criteria. A Designated Employee in a Safety-Sensitive and High Risk Position or Law Enforcement Position may be subject to event-related testing after and as part of an accident or incident investigation when the event has occurred on College Property. Event-related testing of Designated Employees will take place when the Chief of Police, the appropriate Executive Vice President and the Senior Vice President for Legal Affairs concur in a good faith determination that:

- (a) an event occurred on College Property and involved death or serious bodily injury or significant property damage, or the Designated Employee has received a citation in connection with the event or there is reasonable suspicion of impaired motor or sensory skills (as indicated by the types of observations listed in Section 8.1) by the Employee involved and
  - (b) the Designated Employee involved occupies a Safety-Sensitive and High Risk Position or Law Enforcement Position.
-



5.2 Chief of Police. In the event that such Executive Vice President or the Senior Vice President are not available, the Chief of Police may make such determination based solely on his/her reasonable judgment.

#### 6.1 PRE-EMPLOYMENT TESTING OR TESTING AFTER HIRE

6.2 Testing Requirement. Individuals selected for hire in Safety-Sensitive and High Risk Positions or Law Enforcement Positions, or current College employees transferring into such a position, shall be subject to a drug test for Alcohol or Illicit Drugs as a condition for either employment or entering duty in that position.

#### 6.3 Notice to Job Applicants.

(a) Position recruitment announcements for Safety-Sensitive and High Risk Positions or Law Enforcement Positions shall announce to potential applicants that the person selected for the position will be subject to Testing for Illicit Drugs and Alcohol and that such Testing is being required for the protection of the campus community and for self. The notice shall also specify that the position is subject to random and event-related testing after hire and that the applicant selected shall be requested to sign a statement acknowledging and consenting to the requirement for Testing under this Policy in the event that he/she is selected for the position. The failure to sign such a statement, or to agree to the terms therein, shall make the applicant not qualified for the position.

(b) All job applicants shall be advised of the possibility of testing upon reasonable suspicion for a violation of the College's Policy on Employee Drug and Alcohol Abuse.

#### 6.3 Time for Job Applicant Testing.

(a) A person who is selected for a Safety-Sensitive and High Risk Position or a Law Enforcement Position and who is not a current College Employee shall be tested prior to entering into and performing the duties of such a position, except that the appropriate Executive Vice President may waive the requirement of pre-testing if such Executive Vice President determines, after diligent inquiry, that a delay in filling the position will present a higher risk to the Campus Community than the delay that would be occasioned by pre-testing and awaiting the test results. In that latter event, Testing shall be conducted no later than 15 workdays after the Employee begins performing the duties of the Safety-Sensitive and High Risk Position or a Law Enforcement Position.

(b) A person who is selected for a Safety-Sensitive and High Risk Position or a Law Enforcement Position and who is a current College Employee shall be tested prior to entering into and performing the duties of such a position.

#### 6.4 Responsibility of Human Resources.

(a) From time to time, but no less frequently than annually, the Office of Human Resources, in consultation with the Designated Employer Representative, will publish on its official College web page a list of positions that are deemed to be Safety-Sensitive and High Risk Positions and Law Enforcement Positions. It shall also provide links on that web page to this Policy and to all of the statutes cited in this Policy.

(b) Determinations made pursuant to the first sentence of subsection (a) of what positions should be regarded as a Safety-Sensitive and High Risk Positions or Law Enforcement Positions shall be made by the DER after conducting an Employee Position Assessment for each job or related groups of jobs under consideration .

#### 7.1 RANDOM DRUG TESTING

All Employees occupying a Safety-Sensitive and High Risk Position or Law Enforcement Position shall be subject to Random Drug Testing while on the job . Such testing shall be subject to the following:

(a) The determination of who is to be tested shall be based on a computer program designed to produce statistically random results and operated by one or more persons in the Office of Human Resources;

(b) The Supervisor shall be timely and confidentially notified of those who are to be randomly tested so that arrangements can be made to perform the essential functions of the Employee's job during the time of testing;

(c) To the extent practicable such Testing shall take place on campus; and

(d) All Testing is to be conducted in a manner that is consistent with the provisions of Section 9.1 and that is otherwise fully respectful of the rights of the individual being tested.

## 8.1 REASONABLE SUSPICION PROCEDURE

8.2 Observations. A Designated Employee is subject to Testing based on a good faith reasonable belief that the Employee has violated the College's Policy on Employee Drug and Alcohol Abuse. This reasonable belief must be based on the first-hand observations of two or more supervisory or management personnel who have observed the Employee displaying one or more of the following behaviors or conditions:

- (a) altered or slurred speech or repetitively incoherent speech;
- (b) making statements divorced from reality without reasonable explanation;
- (c) unexplained and abrupt or radical changes in conduct such as violent outburst without reasonable explanation;
- (d) inability to walk steadily or in a straight line;
- (e) inability to perform normal functions of the Employee's position safely and with reasonable care because of obviously impaired motor skills or sensory perceptions;
- (f) the smell of Alcohol on the person of the Employee or at the Employee's workstation; or
- (g) the presence of Alcohol or Illicit Drugs or drug paraphernalia at the Employee's work station or on the Employee's person.

8.3 Removal from Work Area. If one or more of the behaviors or conditions described in Section 8.1 are observed the immediate Supervisor should direct the Designated Employee to a private area. The second Supervisor or Manager who witnessed the conduct or behavior should also proceed to that area. Thereafter, the observed behavior and condition shall be discussed with the Designated Employee and such Employee shall be given a reasonable opportunity to explain his/her behavior and condition.

8.3 At Least Two Witnesses. If both witnesses to the Designated Employee's behavior and condition believe that one or more of the circumstances described in Section 8.1 are evident, both witnesses must describe, in writing, the Employee's behavior and condition (see Appendix B). That description shall record behavior, physical conditions and other observations only and is not to speculate as to the causes for the behavior or conditions. The reporting Superior shall immediately notify the Director of Human Resources (the "Director") who shall, in turn, notify the Designated Employer Representative, the appropriate Executive Vice President in the supervisory chain, and the Senior Vice President for Legal Affairs. In the event that timely notification cannot be made under the circumstances to all such persons, the Executive Vice

President (or his/her designee at a level no lower than a Vice President) is authorized to make such a determination without consultation and based on his/her reasonable judgment.

8.4 Determinations. If the Director and the appropriate Executive Vice President determine Testing is appropriate, the reporting Supervisor and such other persons as may be designated by the Executive Vice President, shall accompany the Employee to a discrete location on campus for Testing. The test shall be administered and evaluated by the Occupational Medicine Clinic designated from time to time by the College.

8.5 Refusal; Lack of Cooperation. If the Employee refuses to proceed with the Testing, the Supervisor is to contact the Director of Human Resources. The Employee will be suspended immediately, without pay, pending an HR review of the incident. A determination of appropriate disciplinary action, if any, will follow. While immediate suspension means that the Employee must leave the Workplace, s/he should not be allowed to drive home alone. If the Employee refuses to use alternative transportation arrangements and leaves alone in his/her own vehicle, the Supervisor shall notify the College Department of Public Safety as soon as practicable. If possible, the Supervisor shall also obtain a witness to corroborate the refusal of alternative transportation and shall document that refusal.

8.6 Transportation after Testing. When Testing occurs, the manager/Supervisor is to make immediate arrangements, following Testing, for the Employee to return home (e.g. Supervisor, relative, another Employee, cab). The Employee should not be allowed to drive home alone. If the Employee refuses alternative transportation arrangements and leaves alone in his/her own vehicle, the Supervisor shall notify the College Department of Public Safety as soon as practicable. If possible, the Supervisor shall also obtain a witness to corroborate the refusal of alternative transportation and shall document the incident.

8.7 Actions after Testing. Upon receipt of the confirmed test results by the Designated Employer Representative, the DER will notify the persons designated in Section 9.5 and such persons shall, in turn, consider the appropriate course of action under the College's Policy on Employee Drug and Alcohol Abuse. If the test results are negative, the Designated Employee is to be returned to work at the next regular shift and shall be paid for that portion of the shift that was missed as a result of the Testing. A confirmed positive test result will result in immediate suspension, without pay, of the Designated Employee, as further described in Section 9.6.

8.8 President's Decisions Regarding Senior Management. The President may, in the exercise of his/her reasonable discretion, order the Testing of any Executive Vice President or Senior Vice President if the President has a good faith reasonable belief that such a vice president has violated the College's Policy on Employee Drug and Alcohol Abuse.

## 9.1 TESTING PROTOCOL

9.2 Drug or Alcohol Test Standards. Testing conducted under this Policy by the College's Occupational Medicine Clinic shall be performed in a manner that is consistent with regulations of the United States Department of Transportation (Title 49 Code of

Federal Regulations Part 40), except that -

- (a) Testing for Illicit Drugs or Alcohol concentrations may take place using urine, saliva, or breath only. Instant qualitative Testing (to detect the presence of a substance only) is permissible, provided that a quantitative test is used to confirm all questionable qualitative tests, and suspected adulterated or substituted specimens; and
- (b) The Designated Employee who consents to being tested shall be required to sign the appropriate authorization to allow the Testing and to permit the sharing of test results with those employees and representatives of the College who have a need- to-know in order to perform their assigned employment responsibilities or duties.

9.3 Cutoff Levels. Confirmed concentrations at or above the cutoff levels listed below, or such other levels as may be from time to time promulgated by the United States Department of Transportation for application under 49 CFR Part 40 ("Cutoff Levels"), shall be deemed a violation of the College Policy on Employee Drug and Alcohol Abuse:

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<u>SUBSTANCE</u>	<u>CUTOFF LEVELS</u>
Alcohol	002 g/210 liters breath
Marijuana	15 Dg/mL <sup>a</sup>
Cocaine	150 <u>ng/mL</u>
<u>Opiat</u>	
Morphine, Codeine	2,000 ng/mL
6-Acetylmorphine (6-AM)	10 ng/mL <sup>b</sup>
<u>mphetamines</u>	
Amphetamine	500 ng/mL
Methamphetamine	500 ng/mL <sup>c</sup>
Phencyclidine (PCP)	25 <u>ng/mL</u>

<sup>a</sup> Nanogrmm per milliliter. One nanogram equals one billionth of a gram.

<sup>b</sup> Test for 6-AM when morphine concentration exceeds 2,000 ng/mL.

<sup>c</sup> Specimen must also contain amphetamine at 200 ng/mL or higher.

9.4 Timing. Event-Related Testing and Reasonable Suspicion Testing shall take place within 4 hours of the event described in Section 5.1, or the reasonable suspicion determination made pursuant to Section 8.4, as may be relevant.

9.5 Re-Testing. The tested Employee may elect to have a second test, provided that such

test is conducted within the time period required under Section 9.3. If the second test results materially differ from the original test results, both tests results shall be deemed non-conclusive and no disciplinary action shall be taken against the Employee. In such an event, however, the Employee shall be sent home for the remainder of the shift/work period but, if the Employee is considered a non-exempt employee under the Fair Labor Standards Act, such Employee shall be paid for that time and the time expended for Testing.

9.5 Disclosure of Test Results.

(a) The results of a test for Alcohol or Illicit Drugs shall be provided only to the Designated Employer Representative who, in turn, shall inform the following individuals of the confirmed results: ( 1) the Director of Human Resources; (2) the immediate Supervisor of the Employee; (3) the appropriate Senior or Executive Vice President and/or the President, as may be appropriate under the circumstances; and (4) to the Senior Vice President for Legal Affairs and to such law enforcement authorities as the Senior Vice President for Legal Affairs may deem appropriate under the circumstances.

(b) In addition to the disclosures described in subsection (a) and under Section 14.0, such tests results may also be disclosed when, in the reasonable judgment of the Senior Vice President for Legal Affairs, the results are: ( 1) relevant to an administrative or judicial action that the Employee is taking or is threatening to take against the College as a result of anything arising out of the Testing or the attending circumstances; (2) subpoenaed or required to be disclosed pursuant to a Court order or other legal process; or (3) otherwise allowed to be disclosed under applicable law.

9.6 Confirmed Positive Test Results.

(a) If an Employee tests positive for an Illicit Drug or has a breath Alcohol level above the Cutoff Levels and a medical clinician employed by the College's Occupational Medicine Clinic (the "Medical Review Officer" or "MRO") determines that no reasonable medical explanation exists to excuse the confirmed positive, adulterated or substituted specimen, the Employee shall be immediately suspended without pay by the College until such reasonable time as may be necessary to consider the imposition of disciplinary or other remedial actions.

(b) If a successful job applicant for a Safety-Sensitive and High Risk Position or Law Enforcement Position tests positive for an Illicit Drug or has a breath Alcohol level above the Cutoff Levels, and the MRO determines that no reasonable medical explanation exists to excuse the confirmed positive, adulterated or substituted specimen, the job offer extended to that applicant shall be immediately withdrawn. If that applicant has already been hired pursuant to Section 6.3(a) as a contingent hire subject to such test results, such person shall be terminated from employment.

9.7 Cost of Testing. The College shall pay for the costs of Testing under this Policy,



except that, the Employee shall pay for all (a) confirmed tests that produced a substance concentration level above the Cutoff Levels; and (b) Testing required as a condition for a Return to Duty determination under Section 10.0 including but not limited to participation in the EAP for a fixed period of time.

#### 10.0 RETURN TO DUTY

An Employee suspended or disciplined due to a confirmed positive Illicit Drug or Alcohol test above the Cutoff Levels shall not be returned to duty in any capacity unless that person is re- tested and the results of the test are confirmed negative in accordance with the Cutoff Levels. In addition to the foregoing, the College may impose other restrictions for a return to duty including, but not limited to, evidence of rehabilitation or treatment.

#### 11.0 DISCIPLINE; REFUSAL TO TAKE TEST

Employees who fail or refuse to report and reasonably cooperate with Testing under the conditions described in Section 8.0 may be evaluated for Alcohol abuse or the use of Illicit Drugs under the College's Employee Drug and Alcohol Abuse Policy on the basis of Management, Supervisor, employee and other observations only. In addition, those Employees occupying a Safety-Sensitive and High Risk Position or Law Enforcement Position who refuse to report and reasonably cooperate with Testing under Sections 5.0 (Event Related Testing) or 7.0 (Random Drug Testing) will be considered for disciplinary action, up to and including termination, for insubordination and refusal to comply with a material condition for continued employment.

#### 12.0 APPEALS

All appeals from discipline taken as a result of enforcement of this Policy are subject to the appropriate grievance procedures of the College, provided that the Employee is otherwise entitled to a grievance procedure under law. All complaints of misuse of this Policy based on discrimination, retaliation, ethnic profiling, knowingly making a false statement, or similar inappropriate motivations, are also subject to such disciplinary actions and grievance procedures as are otherwise available.

#### 13.0 TRAINING

No Superior shall be permitted to take any action under this Policy without first receiving such training as may be determined appropriate by the Director of Human Resources and the Designated Employer Representative.

#### 14.1 RECORDS RETENTION

The Director of Human Resources shall maintain records of all determinations and Testing as may be conducted under this Policy ("Policy Records"). Except as otherwise specifically provided for herein, Policy Records shall be maintained on a strictly confidential basis and shall

be maintained separately from the official personnel file of an Employee. In addition to the persons designed in Section 9.5, such Policy Records shall not be made available to any person, other than the Employee to whom they pertain, to those authorized by the Employee to receive such information (evidence by a written "Employee Authorization"), to such employees of HR who have a need-to-know to perform the responsibilities or duties of their respective jobs. An Employee Authorization shall contain at least the following elements:

- (a) the name of the person who is authorized to obtain the information;
- (b) the purpose of the disclosure;
- (c) the precise information to be disclosed;
- (d) the duration of the consent;
- (e) the manner and effect of revoking the consent; and
- (f) the signature of the person authorizing release of the information.

#### 15.0 NOTICE TO EMPLOYEES

The Director of Human Resources shall provide notice of this Policy to all members of the College Community. Members of the College Community shall be periodically surveyed to ascertain their experience with the Policy and their recommendations for such changes to the Policy as may be appropriate to further its purposes.

#### 16.0 POLICY ADMINISTRATION

This Policy shall be maintained by the Director of Human Resources, in consultation with the Designated Employer Representative, who shall report periodically, but no less often than quarterly, to the President's Executive Team on all activities conducted pursuant to this Policy. In addition, the Director shall suggest such changes to the Policy as he/she may believe appropriate to further its purposes.

#### 17.0 AMENDMENTS

This Policy may be amended at anytime in accordance with the College's Campus-wide Policy Making Procedures.

#### 18.0 EFFECTIVE DATE

This Policy shall be deemed effective as of October 1, 2010.

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## Appendix A

### S.C. Code Ann. § 41-1-15 (2007)

§ 41- 1-15. Establishment of drug prevention program in Workplace; confidentiality of information concerning test results.

(A) Notwithstanding any other provision of the law, an employer may establish a drug prevention program in the Workplace pursuant to Section 38-73-500(8) which shall include:

( 1 ) a substance abuse policy statement that balances the employer's respect for individuals with the need to maintain a safe, productive, and drug-free environment. The intent of the policy shall be to help those who need it while sending a clear message that the illegal use of nonprescription controlled substances or the abuse of alcoholic beverages is incompatible with employment at the specified Workplace; and

(2) notification to all employees of the drug prevention program and its policies at the time the program is established by the employer or at the time of hiring the employee, whichever is earlier.

(B) All information, interviews, reports, statements, memoranda, and test results, written or otherwise, received by the employer through a substance abuse Testing program are confidential communications, but may be used or received in evidence, obtained in discovery, or disclosed in any civil or administrative proceeding.

(C) Employers, laboratories, medical review officers, insurers, drug or Alcohol rehabilitation programs, and employer drug prevention programs, and their agents who receive or have access to information concerning test results shall keep all information confidential. Release of such information under any other circumstance shall be solely pursuant to a written consent form signed voluntarily by the employee tested or his designee unless the release is completed through disclosure by an agency of the State in a civil or administrative proceeding, order of a court of competent jurisdiction, or determination of a professional or occupational licensing board in a related disciplinary proceeding. The consent form must contain at a minimum:

( 1 ) the name of the person who is authorized to obtain the information;

(2) the purpose of the disclosure;

(3) the precise information to be disclosed;

(4) the duration of the consent; and

(5) the signature of the person authorizing release of the information.

(D) Information on test results shall not be released for or used or admissible in any criminal proceeding against the employee.

History:

Added by 1997 Act No. 92. § 2, eff June 10, 1997.

The Preamble of 1997 Act No . 92 provides as follows:

"Whereas, the members of the General Assembly recognize the importance of all employers and employees in the State to maintain and operate in a drug-free Workplace, and promote the participation of businesses in drug prevention programs. Through such participation , employers have the opportunity to maximize their levels of productivity, enhance their competitive positions in the marketplace, and reach their desired levels of success without experiencing the costs, delays, and tragedies associated with work related accidents resulting from substance abuse by employees; and

"Whereas, nationally, the cost of substance abuse in the Workplace is estimated at a staggering one hundred billion annually, and this cost is paid by employers in many different ways; and

"Whereas, the intention of the act is to provide incentive for employers to prevent drug use and the tragedies associated with work related accidents and to deter the corresponding losses in the form of workers' compensation claims, personnel, and economic productivity ; and

"Whereas, since workers' compensation insurers typically provide support services to employer clients, the General Assembly believes that insurers will compete for the business of employers participating in drug prevention programs and will provide the appropriate premium credit for various classes of employment with a successful program due to the administrative cost savings in many ways including those from a reduction in work related accidents by employees with substance abuse and litigation expenses;"

APPENDIX B

BEHAVIOR/INCIDENT DOCUMENTATION FORM

Name of Observed Employee: \_\_\_\_\_

Location of Observations: \_\_\_\_\_ Date \_\_\_\_\_

Time \_\_\_\_\_ A.M. \_\_\_\_\_ P.M.

WHEN THERE IS REASONABLE SUSPICION THAT AN EMPLOYEE AT WORK IS UNFIT FOR DUTY, THE SUPERVISOR OR MANAGER OBSERVING THE BEHAVIOR AS WELL AS ANOTHER SUPERVISOR/MANAGER AS WITNESS, IF POSSIBLE, MUST COMPLETE THE CHECKLIST BELOW. WHERE "OTHER" IS CHECKED, PLEASE DESCRIBE. DOCUMENT ONLY OBSERVED EVENTS OR CONDITIONS. DO NOT EXPRESS REASONS OR OPINIONS.

OBSERVATION CHECKLIST

Walking:

\_\_\_\_ Holding on \_\_\_\_ Stumbling \_\_\_\_ Unable to walk  
\_\_\_\_ Unsteady \_\_\_\_ Staggering \_\_\_\_ Swaying  
\_\_\_\_ Falling  
\_\_\_\_ Other \_\_\_\_\_

Standing:

\_\_\_\_ Swaying \_\_\_\_ Feet wide apart \_\_\_\_ Unable to stand  
\_\_\_\_ Rigid \_\_\_\_ Staggering \_\_\_\_ Sagging at knees  
\_\_\_\_ Other \_\_\_\_\_

Speech:

\_\_\_ Whispering \_\_\_ Slurred \_\_\_ Shouting  
\_\_\_ Incoherent \_\_\_ Slobbering \_\_\_ Silent  
\_\_\_ Rambling \_\_\_ Mute \_\_\_ Slow  
Other \_\_\_\_\_

Demeanor:

\_\_\_ Cooperative \_\_\_ Calm \_\_\_ Talkative \_\_\_ Polite  
\_\_\_ Sarcastic \_\_\_ Sleepy \_\_\_ Crying  
\_\_\_ Sleeping on job \_\_\_ Argumentative \_\_\_ Excited  
Other \_\_\_\_\_

Actions:

\_\_\_ Hostile \_\_\_ Fighting \_\_\_ Profanity \_\_\_ Drowsy



\_\_\_Threatening\_\_\_Hyperactive\_\_\_Erratic\_\_\_Calm  
\_\_\_Resisting communication  
Other

\_\_\_Bloodshot\_\_\_Watery\_\_\_Droopy\_\_\_Dilated  
\_\_\_Glassy\_\_\_Closed  
Other

\_\_\_Flushed\_\_\_Pale\_\_\_Sweaty  
Other

Appearance:

\_\_\_Neat\_\_\_Unruly\_\_\_Messy\_\_\_Dirty

Clothing:

\_\_\_Stains on clothing\_\_\_Having odor\_\_\_Partially dressed  
\_\_\_Bodily excrement stains  
Other

Breath:

\_\_\_No alcoholic odor\_\_\_Faint alcoholic odor\_\_\_Alcoholic odor  
\_\_\_Sweet/pungent tobacco odor\_\_\_Heavy usage, breath spray  
Other

Movements:

\_\_\_Fumbling\_\_\_Jerky\_\_\_Nervous  
\_\_\_Slow\_\_\_Normal\_\_\_Hyperactive  
Other

Eating:

\_\_\_ Gum Chewing \_\_\_ Candy \_\_\_ Mints  
Other \_\_\_\_\_

Miscellaneous:

\_\_\_ Presence of Alcohol and/or drugs in associate's possession or vicinity  
\_\_\_ On-the-job misconduct by employee  
\_\_\_ Employee admission concerning Alcohol use and/or drug use or possession  
\_\_\_ If there are witnesses to employee's conduct, list below:

\_\_\_\_\_  
\_\_\_\_\_

Other Observations: (if accident, provide details)

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Employee's Explanation of Reasons for His/Her Conduct:

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ONCE ABOVE PORTION OF FORM HAS BEEN COMPLETED BY YOU AND A WITNESS, YOU ARE NOW READY TO TAKE A POSITION WITH THE EMPLOYEE. BE CERTAIN TO FOLLOW COLLEGE PROCEDURES AS OUTLINED IN OUR POLICY ON ALCOHOL AND ILLICIT DRUG TESTING

\_\_\_ Employee HAS agreed to testing \_\_\_ Employee HAS NOT agreed to testing

\_\_\_\_\_  
Supervisor/Manager Signature Date

\_\_\_\_\_  
Witness Signature Date

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**Departments/Offices Affected by the Policy**

All Departments

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**Procedures Related to the Policy**

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**Related Policies, Documents or Forms**

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<b>Issue Date:7/26/2016</b> <b>Date of Policy Revision:7/26/2016</b>	<b>Next Review Date:10/26/2020</b>
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<b>POLICY APPROVAL</b> <b>(For use by the Office of the Board of Trustees or the Office of the President)</b>	
Policy Number: 9.1.6.1	
President or Chairman, Board of Trustees <i>Alan E. McQuinn, Pres.</i>	Date: <i>7/26/16</i>

**Appendix 3: Tobacco-Free Campus Policy for all persons on Campus**

Begins next page.

# COLLEGE of CHARLESTON

## OFFICIAL POLICY

6.1.5

**Tobacco-Free Campus Policy**

04/12/2019

### **Policy Statement**

It is the intent of this Tobacco-Free Campus Policy to promote a safe, clean, and healthy environment for College of Charleston (hereafter, "College") employees, students, visitors, and guests. The Policy shall promote the existence of a tobacco-free environment for our campus community, so that the negative effects of tobacco use are minimized for community members.<sup>1</sup>

Reasonable and ongoing efforts shall be made to alert the campus community, including visitors to campus, regarding the status of the College as a tobacco-free campus. Appropriate signage on campus shall describe the Policy.

Effective implementation of this policy depends on the courtesy, cooperation, and respect of all members of the campus community.

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### **Policy Manager and Responsible Department or Office**

Office of the President

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<sup>1</sup> As of the most recent updating of this College Policy, information on tobacco cessation programs is available from the South Carolina Department of Health and Environment Control (DHEC) at <https://scdhec.gov/health/tobacco-cessation> and from the College of Charleston at <http://tobaccofree.cofc.edu/>.



## Policy

### 1.0 DEFINITION

Except as otherwise specified in this Policy, "tobacco products" include, but are not limited to, cigarettes; cigars; pipes; chewing tobacco; snuff; electronic cigarettes<sup>2</sup>; water pipes (hookahs); bidis; kreteks; and all other technologies or devices allowing for the ingestion, combustion, inhalation, or other use of tobacco.

### 2.0 STATEMENT OF POLICY

Use of all tobacco products is prohibited in all College-owned or leased buildings; in all buildings on College-owned or leased land; on all College-owned or leased property, including outdoor seating areas; and in all College-owned, leased, and rented vehicles. Use of tobacco products is prohibited in all those places here identified, including but not limited to, offices (including private offices), classrooms, laboratories, stairwells, elevators, restrooms, hallways, porches and piazzas, rooftops, indoor and outdoor athletic facilities, residence halls and historic properties, shuttle buses, shuttle bus stops, parking structures and parking areas on College-owned or College-leased property, sidewalks on College-owned or College-leased property, lobbies and waiting areas, outdoor benches, green spaces on campus, and other common areas.

Use of tobacco products is permitted in personal vehicles parked or being driven on College-owned or leased property, provided that the windows and doors of such personal vehicles are closed (i.e., tobacco products are used in an enclosed vehicle space) and tobacco waste products are stored in the vehicle and disposed of at off-campus locations.

This policy does not restrict or prohibit the lawful possession of tobacco products on the College of Charleston campus.

### 3.0 EXCEPTIONS

The President of the College (or the President's designee), at his or her sole discretion, may permit limited and appropriate individual exceptions to this policy in support of the requirements of sponsored research related to tobacco, consistent with the mission of the College. Such exceptions must be made in writing and shall be in effect only for the duration of the research study. Smoke produced in the conduct of such sponsored research shall be treated as a contaminant and controlled.

The President of the College (or the President's designee), at his or her sole discretion,

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<sup>2</sup> Electronic cigarettes use liquid nicotine, which is derived from tobacco plants. Some electronic cigarettes are marketed with flavors, which have been popular with some users of high school and university age. In the past, testing by the Food and Drug Administration found known carcinogens and toxic chemicals in some of the nicotine cartridges for two leading brands of electronic cigarettes. Representatives of the Federal Government previously have sought to decrease youth use of electronic cigarettes so that rates of nicotine addiction are reduced in the youth and adult populations. See <https://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm625884.htm>.

may permit limited and appropriate individual exceptions to this policy (e.g., in support of religious or artistic activities), consistent with the obligations of Constitutional law and other applicable laws and regulations. Such exceptions must be made in writing and shall be in effect only for the duration of the activity approved by the President (or the President's designee). Smoke produced in the conduct of such activity shall be treated as a contaminant and controlled.

Use of tobacco products may be permitted on properties the College owns but leases or regarding which the College otherwise conveys an interest (e.g., an easement) to a non-College party, according to the provisions of the applicable lease or agreement, upon a compelling reason, and with the prior written approval of the Executive Vice President for Business Affairs (or her or his designee).

#### **4.0 SALE AND ADVERTISEMENT OF TOBACCO PRODUCTS**

The sale, sampling, or advertisement of tobacco products shall be prohibited on the College of Charleston campus and in all College publications.

#### **5.0 POLICY COVERAGE**

This Policy shall be applicable to the College of Charleston Board of Trustees; faculty and staff of the College, whether part-time, full-time, or temporary; students while attending or employed by the College; contractors and consultants performing work or providing services on College-owned or leased property; individuals and organizations renting, leasing, or otherwise granted permission to use campus facilities; College affiliates; alumni and alumnae, guests, visitors, or invitees of the College; and members of the general public. All members of the campus community and members of the general public shall comply with this Policy.

#### **6.0 POLICY VIOLATION AND DISCIPLINE**

Employees of the College may be disciplined for violation of this policy, consistent with the provisions of College Policy 9.1.2. Students of the College may be disciplined for violations of this Policy, consistent with the Student Code of Conduct.

Other individuals who violate Policy 6.1.5 and are not covered by the terms of Policy 9.1.2 or the Student Code of Conduct may be warned by the Department for Public Safety. Visitors or members of the general public who refuse to comply with the Policy may be asked to leave campus by representatives of the Department of Public Safety.

#### **7.0 POLICY MAINTENANCE**

Unless other individuals are designated by the President of the College, the Vice President of Human Resources and the Executive Vice President for Student Affairs shall be responsible for the maintenance of this Policy. Those responsible for the maintenance of the policy shall cause a review of this Policy to be undertaken at least once during each five-year period.

## **8.0 OPERATING PROCEDURES**

The President's Executive Team, subject to review and determination by the President of the College, may approve operating procedures to implement this Policy. Such procedures may not be inconsistent with this Policy nor may they eliminate or expand the scope of the prohibitions already described in the Policy.

## **9.0 EFFECTIVE DATE**

Effective July 1, 2014, the predecessor Policy 6.1.5, "Smoking Policy," as adopted in 2006, was repealed in its entirety and replaced by an earlier version of the current Policy, "Tobacco-Free Campus Policy."

## **10.0 AMENDMENTS**

This Policy may be amended consistent with the provisions of the Campus Wide Policy Formation Procedures.

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### **Departments/Offices Affected by the Policy**

All Divisions, Schools, Programs, and Offices of the College of Charleston

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### **Procedures Related to the Policy**

None.

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### **Related Policies, Documents or Forms**

*Faculty/Administration Manual*  
*Student Handbook*  
College Policy 9.1.2, "Employee Code of Conduct"

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<p style="text-align: center;"><b>POLICY APPROVAL</b> <b>(For use by the Office of the Board of Trustees or the Office of the President)</b></p> <p>Policy Number: 6.1.5</p> <p>President or Chairman, Board of Trustees <i>Stephen C. DeBore</i> Date: <i>1/29/19</i></p>
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## Appendix 4: South Carolina Laws Related to Students and Employees

### SOUTH CAROLINA ALCOHOLIC BEVERAGE LAWS

NOTE: Likely actual fines (including court costs and administrative fees) are provided. The information provided below is produced by the S. C. Department of Alcohol and Other Drug Abuse Services online at: <http://www.daodas.state.sc.us/>

**Purchasing, attempting to purchase, consuming, or knowingly possessing beer or wine (or other fermented beverages) if you are under the age of 21 (In instances where beer or wine is discovered in the presence of minors [e.g., at a party], but no one is holding the beverages and no one claims ownership, law enforcement in some jurisdictions have charged all those present with "constructive possession," carrying the same penalties as for actual purchase or possession.)**

A fine of no less than \$100 nor more than \$200 and/or imprisonment for up to 30 days for the first offense. Mandatory completion of alcohol prevention intervention/education program. Program must be a minimum of eight hours and cost to the person may not exceed \$150.

Lose your driver's license for 120 days for a first offense and one year for a second or subsequent offense. *S.C. Code Ann. Section 63-19-2440*

**Lying or providing false information about your age to purchase beer, wine, or liquor**

A fine of no less than \$100 nor more than \$200 and/or imprisonment for up to 30 days.

Lose your driver's license for 120 days for a first offense and one year for a second or subsequent offense. *S.C. Code Ann. Sections 61-4-60, 20-7-8925, 56-1-746*

**Lending a driver's license or personal identification card to any other person or knowingly permit the use of it by another**

A fine of no less than \$100 nor more than \$200 or imprisonment for up to 30 days for a first offense.

A fine of no more than \$500 or imprisonment for up to six months for a second or subsequent offense.

Lose your driver's license for 120 days for a first offense and one year for a second or subsequent offense. *S.C. Code Ann. Sections 56-1-510(2), 56-1-746*

**Providing false information on an application to obtain a driver's license or personal identification card**

A fine of no less than \$100 nor more than \$200 or imprisonment for up to 30 days for a first offense.

A fine of no more than \$500 or imprisonment for up to six months for a second or subsequent offense. Lose your driver's license for 120 days for a first offense and one year for a second or subsequent offense.

*S.C. Code Ann. Sections 56-1-510(5), 56-1-746*

**Altering a driver's license**

A fine of up to \$2,500 or imprisonment for up to six months - or both.

Lose your driver's license for 120 days for a first offense and one year for a second or subsequent offense. *S.C. Code Ann. Sections 56-1-515(1), 56-1-746*

**Selling or issuing a false driver's license**

A fine of up to \$5,250 or imprisonment for up to six months - or both.

Lose your driver's license for 120 days for a first offense and one year for a second or subsequent offense. *S.C. Code Ann. Sections 56-1-515(1), 56-1-746*

**Using someone else's driver's license or personal identification card**

A fine of up to \$100 or imprisonment for up to 30 days.

Lose your driver's license for 120 days for a first offense and one year for a second or subsequent offense. *S.C. Code Ann. Sections 56-1-515(2), (4), 56-1-746*

### **Using an altered driver's license or identification card containing false information**

A fine of up to \$100 or imprisonment for up to 30 days.

Lose your driver's license for 120 days for a first offense and one year for a second or subsequent offense.

*S.C. Code Ann. Sections 56-1-515(2), (4), 56-1-746*

### **Possessing an altered or invalid driver's license or personal identification card**

A fine of no more than \$200 or imprisonment for up to 30 days for a first offense.

A fine of no more than \$500 or imprisonment for up to six months for a second or subsequent offense.

Lose your driver's license for 120 days for a first offense and one year for a second or subsequent offense.

*S.C. Code Ann. Sections 56-1-510(1), 56-1-746*

### **Violating any alcohol-related laws if you are a student**

Additional penalties (besides those cited previously) include:

- ineligibility for state-funded grants and/or scholarships (e.g., the LIFE Scholarship) for one year upon second conviction; and
- ineligibility for the refundable state individual income tax credit.

*S.C. Code Ann. Sections 59-149-90, 59-149-20, 59-113-20, 59-142-10, 12-6-3385*

### **Providing alcohol to underage youth and allowing underage drinking; Giving beer, wine, or liquor to anyone who is under the age of 21, including serving anyone in your home except your child or spouse**

A fine of no less than \$200 and no more than \$300 and/or imprisonment for up to 30 days for a first offense.

A fine of no less than \$400 and no more than \$500 and/or imprisonment for up to 30 days for a second or subsequent offense.

*S.C. Code Ann. Sections 61-4-90, 61-6-4070*

### **Selling beer, wine, or liquor to anyone under the age of 21**

A fine of no less than \$200 and no more than \$300 and/or imprisonment for up to 30 days for the first offense.

A fine of no less than \$200 and no more than \$300 and/or imprisonment for up to 30 days for a second or subsequent offense.

Mandatory completion of a DAODAS approved merchant education program.

*S.C. Code Ann. Sections 61-6-4080, 61-4-50*

### **Purchasing beer, wine, or liquor for someone who cannot lawfully buy these beverages**

A fine of no less than \$200 and no more than \$300 and/or imprisonment for up to 30 days for the first offense.

A fine of no less than \$200 and no more than \$300 and/or imprisonment for up to 30 days for a second or subsequent offense.

*S.C. Code Ann. Sections 61-4-80, 61-6-4075*

### **Allowing underage drinking to occur in a hotel/motel room you have rented**

A fine of no more than \$1000 or imprisonment for up to 30 days.

*S.C. Code Ann. Section 45-2-40 (C)*

## **OFFENSES RELATED TO ALCOHOL USE AMONG THE GENERAL POPULATION**

### **OPEN CONTAINERS**

#### **Having an open container of beer or wine in a motor vehicle of any kind, except in the trunk or luggage compartment**

A fine of no more than \$100 or imprisonment for up to 30 days.

*S.C. Code Ann. Section 61-4-110*

**Having an open container of liquor anywhere that is not allowed by state law. (Examples of approved locations include private residences, hotel/motel rooms, licensed establishments, etc.)**

A fine of no more than \$100 or imprisonment for up to 30 days.

*S.C. Code Ann. Sections 61-6-2600, 61-6-4020, 61-6-4710*

**UNDERAGE YOUTH AND DUI**

**Driving a motor vehicle with a BAC of .02% or higher if you are under the age of 21**

Suspension of driver's license for three months.

Suspension of driver's license for six months if you have had a DUI conviction within the past five years.

Mandatory enrollment and completion of an ADSAP if license is suspended.

*S.C. Code Ann. Section 56-1-286*

**Operating a motor vehicle while under the influence of alcohol or drugs. If you have a BAC of .08% or higher, it will be inferred that you were driving while under the influence of alcohol. A BAC that is at least .05% but less than .10% may be considered with other evidence to determine guilt or innocence.**

A fine of up to \$400 or imprisonment no less than 48 hours and no more than 30 days and suspension of driver's license for six months for a first offense.

A fine of no less than \$2,000 and no more than \$5,000 and imprisonment no less than 5 days and no more than one year and suspension of driver's license for one year for a second offense.

A fine of no less than \$3,800 and no more than \$6,300 and imprisonment from 60 days to three years, and suspension of driver's license for two years for a third offense.

A third or subsequent offense is considered a felony offense.

Imprisonment from one to five years and permanent revocation of driver's license for a fourth or subsequent offense.

If the third offense occurs within five years of the first offense, the driver's license is suspended for four years.

If the third or subsequent offense occurs within 10 years of the first offense, the vehicle used must be confiscated if the offender is the owner or a resident of the household of the owner.

Mandatory enrollment and completion of an ADSAP if license is suspended.

The name and address of any person whose license is suspended shall be released to the public.

*S.C. Code Ann. Sections 56-5-2930, 56-5-2990, 56-5-6240, 56-5-2933*

**Refusing to submit to testing or certain level of alcohol concentration (0.15%)**

Suspension of driver's license for 60 days if you have had a prior DUI conviction within the past 10 years.

Suspension of driver's license for 30 days if you have an alcohol concentration of 0.15%.

Suspension of driver's license for two months for a second offense.

Suspension of driver's license for three months for a third offense.

Suspension of driver's license for four months for a fourth or subsequent offense.

Suspension of driver's license for six months if you refuse to submit to a test.

Suspension of driver's license for nine months for a second offense.

Suspension of driver's license for twelve months for a third offense.

Suspension of driver's license for fifteen months for a fourth or subsequent offense.

*S.C. Code Ann. Sections 56-5-2950, 56-5-2951*

**Refusing to submit to testing to determine your blood alcohol concentration (BAC) level if you are under the age of 21**

Suspension of driver's license for six months to one year. Suspension of driver's license for one year if you have had a prior DUI conviction within the past 5 years.

*S.C. Code Ann. Section 56-1-286 (F)*



**Driving a vehicle while under the influence of alcohol or other drugs and causing great bodily injury to any other person**

Mandatory fine of no less than \$5,100 and no more than \$10,100 and imprisonment for no less than 30 days and no more than 15 years.

This crime is considered a felony offense.

*S.C. Code Ann. Section 56-5-2945*

**Driving a vehicle while under the influence of alcohol or other drugs and causing death to any other person**

Mandatory fine of no less than \$10,100 and no more than \$25,100 and imprisonment for no less than 1 year and no more than 25 years.

This crime is considered a felony offense.

*S.C. Code Ann. Section 56-5-2945*

**Commission of a felony DUI offense**

Additional penalties (besides fines and imprisonment as identified above) include:

- ineligibility to vote until sentence is served (including probation and parole);
- possible denial of entry to the armed forces or restriction in regard to certain jobs within the armed forces;
- ineligibility to work for a federal law enforcement agency;
- possible denial of employment by federal or state agencies; and
- ineligibility to file to run for any office in the state or its political subdivisions until 15 years or more after the completion of sentence (including probation and parole).

*S.C. Code Ann. Sections 7-5-170, 7-5-120, AETC 36-2002, AR-601-210 S.C. Const. Art. VI, §1, Art. III, §7*

**NOTE:**

- All convictions are placed on a permanent criminal record. All alcohol offenses are misdemeanors except a felony DUI conviction.
- For underage drinking laws, alcohol offenses can be "stacked." In other words, a person charged and convicted of three separate offenses can receive all three fines or jail terms, not just the largest of the three.
- Persons convicted of first offense DUI:
  - Are required to show proof of financial responsibility to the Department of Highways and Public Transportation, usually in the form of a guarantee of high-risk insurance coverage, for three years.
  - Are required to complete an Alcohol and Drug Safety Action Program (ADSAP) before becoming eligible to apply to the Department of Highways and Public Transportation for driver's license reinstatement.
  - May be eligible for a provisional driver's license upon meeting requirements. \*All accidents resulting in injury or death of a person under age 21 as a result of DUI are investigated.

**PUBLIC DRINKING**

**Being grossly intoxicated on any highway or at any public place or public gathering; using obscene or profane language on any highway or public place or gathering or in hearing distance of any school or church; while under the influence discharges any firearm while upon or within fifty yards of any public road or highway, except upon his/her own premises**

A fine of no more than \$100 or imprisonment for up to 30 days.

*S.C. Code Ann. Section 16-17-530*

**Consuming alcoholic liquor in a public conveyance**

A fine of no more than \$100 or imprisonment for up to 30 days.

*S.C. Code Ann. Section 61-6-4720*

## **SELLING OR POSSESSING KEGS**

### **Selling a keg of beer without the proper identification tag or forms**

A fine of no less than \$200 and no more than \$300 for a first offense.

A fine of no less than \$400 and no more than \$500 for a second or subsequent offense.

*S.C. Code Ann. Section 61-4-1920*

### **Possessing a keg of beer that does not have the proper tag**

A fine of no more than \$500 and/or imprisonment for up to 30 days.

*S.C. Code Ann. Section 61-4-1930*

### **Purposely or allowing the removing, altering, or obliterating of the tag on a keg of beer**

A fine of no more than \$500 and/or imprisonment for up to 30 days.

*S.C. Code Ann. Section 61-4-1940*

## **BE AWARE THAT STATE ALCOHOL LAWS ARE SUBJECT TO CHANGE**

## **INFORMATION ON SOUTH CAROLINA DRUG LAWS**

The following is a partial list of South Carolina's drug laws. For more information and a complete list of laws relating to offenses, please see Chapter 53, Title 44 of the South Carolina Code of Laws, as amended.

## **MARIJUANA–HASHISH**

### **Possession of 1 ounce or more of marijuana, or 10 grams or more of hashish**

A fine of no less than \$100 and no more than \$200 or imprisonment for up to 30 days for a first offense.

A fine of no less than \$200 and no more than \$1000 and/or imprisonment for up to 1 year for a second or subsequent offense.

*S.C. Code Ann. Section 44-53-370 (d)(4)*

### **Manufacture, distribution, or possession with the intent to distribute**

A fine of no more than \$25,000 and/or imprisonment for up to fifteen years for a first offense.

A fine of no more than \$50,000 and/or imprisonment for no less than 5 years and no more than 30 years for a second offense.

A fine of no more than \$50,000 and/or imprisonment for no less than 10 years and no more than 30 years for a third or subsequent offense.

*S.C. Code Ann. Section 44-53-370 (b)(2)*

### **Trafficking (more than 10 lbs. and less than 100 lbs.) of marijuana**

A fine of \$10,000 and imprisonment no more than 1 year and no less than 10 years for a first offense; no part of which may be suspended nor probation granted.

A fine of \$15,000 and imprisonment no more than 5 years and no less than 20 years for a second offense; no part of which may be suspended nor probation granted.

A fine of \$25,000 and mandatory imprisonment of 25 years for a third or subsequent offense; no part of which may be suspended nor probation granted.

*S.C. Code Ann. Section 44-53-370 (e)(1)(a)*

### **Trafficking (100 lbs. to 2,000 lbs. of marijuana, or 100 to 1,000 marijuana plants regardless of weight)**

A fine of \$25,000 and mandatory imprisonment of 25 years; no part of which may be suspended nor probation granted.

*S.C. Code Ann Section 44-53-370 (e)(1)(b)*

**Trafficking (2,000 lbs. to 10,000 lbs. or more of marijuana, or 1,000 or more marijuana plants regardless of weight)**

A fine of \$50,000 and mandatory imprisonment of 25 years; no part of which may be suspended nor probation granted.

*S.C. Code Ann. Section 44-53-370 (e)(1)(c)*

**LSD, COCAINE, AND HEROIN**

**LSD Possession**

A fine of no more than \$5,000 and/or imprisonment up to 2 years for a first offense.

A fine of no more than \$5,000 and/or imprisonment up to 5 years for a second offense; offender is guilty of a felony.

A fine of no more than \$10,000 and/or imprisonment up to 5 years for a third or subsequent offense; offender is guilty of a felony.

*S.C. Code Ann. Section 44-53-370 (d)(1)*

**Cocaine Possession (less than one gram)**

A fine of no more than \$5,000 and/or imprisonment up to 3 years for a first offense; may required drug treatment and rehabilitation program.

A fine of no more than \$7,500 and/or imprisonment up to 5 years for a second offense; offender is guilty of a felony.

A fine of no more than \$12,500 and/or imprisonment up to 10 years for a third or subsequent offense; offender is guilty of a felony.

*S.C. Code Ann. Section 44-53-370 (d)(3)*

**Manufacture, distribution, or possession with the intent to distribute cocaine (10 grains < 10 grams)**

A fine of no more than \$25,000 and/or imprisonment up to 15 years for a first offense.

A fine of no more than \$50,000 and/or imprisonment for no less than 5 years and no more than 30 years for a second offense.

*S.C. Code Ann. Section 44-53-370 (e)(2)(a)*

**Trafficking cocaine (10 grams to 28 grams).**

A fine of \$25,000 and imprisonment of no less than 3 years and no more than 10 years for a first offense; no part of which may be suspended nor probation granted.

A fine of \$50,000 and imprisonment of no less than 5 years and no more than 30 years for a second offense; no part of which may be suspended nor probation granted.

A fine of \$50,000 and mandatory imprisonment of no less than 25 years and no more than 30 years for a third or subsequent offense; no part of which may be suspended nor probation granted.

*S.C. Code Ann. Section 44-53-370 (e)(2)(a)*

**Manufacture, distribution, or possession with the intent to distribute heroin, opium, or morphine (4 grams < 14 grams)**

A fine of \$50,000 and imprisonment of no less than 7 years and no more than 25 years for a first offense; no part of which may be suspended or probation granted.

A fine of \$100,000 and mandatory minimum imprisonment 25 years for a second or subsequent offense; no part of which may be suspended or probation granted.

*S.C. Code Ann. Section 44-53-370 (e)(3)(a)*

**SYNTHETIC SUBSTANCES §44-53-190**

**Manufacturing, selling or using K2, Bath Salts or other synthetic substances**

A fine of no more than \$5,000 and/or imprisonment for up to 5 years for a first offense; offender is guilty of a felony.

A fine of no more than \$10,000 and/or imprisonment for up to 10 years for a second offense; offender is

guilty of a felony.

A fine of no more than \$20,000 and/or imprisonment for no less 5 years and no more than 20 years for a third or subsequent offense; offender is guilty of a felony.

*S.C. Code Ann. Section 44-53-370 (b)(2)*

## **ANABOLIC STEROIDS**

### **Possession of 10 or fewer dosage units without a valid prescription**

A fine of no more than \$1,000 or imprisonment up to 6 months for a first offense.

A fine of no more than \$10,000 and/or imprisonment up to 10 years for a second or subsequent offense.

*S.C. Code Ann. Section 44-53-1530 (2)*

### **Possession of 10 to 100 dosage units without a valid prescription**

A fine of no more than \$2,000 or imprisonment up to 1 year for a first offense.

A fine of no more than \$3,000 and/or imprisonment up to 2 years for a second or subsequent offense.

*S.C. Code Ann. Section 44-53-1530 (3)*

### **Possession of more than 100 dosage units without a valid prescription**

A fine of no more than \$5,000 or imprisonment up to 5 years for a first offense.

A fine of no more than \$10,000 and/or imprisonment up to 10 years for a second or subsequent offense.

*S.C. Code Ann. Section 44-53-1530 (4)*

## **SUSPENSION OF DRIVER'S LICENSE**

In addition to the above, the driver's license of any person convicted of a controlled substance violation involving hashish or marijuana must be suspended for a period of six months

The driver's license of any person convicted of any other controlled substance violation must be suspended for a period of one year

*S.C. Code Ann. Section 56-1-286 (a)*

### **Possessing PRESCRIPTION DRUGS without a valid prescription is illegal.**

Unlawful distribution of Adderall or Ritalin, which means either the sale or simply giving the drug to another person, is a felony carrying imprisonment up to 5 years.

Additionally, if the offense occurs on or within a half-mile of the college campus, an additional crime of distribution in proximity to a school as been committed, which is a felony carrying a 10-year sentence.

A person who has in their possession one of these drugs, without a valid prescription, is guilty of a misdemeanor carrying a penalty of up to two years in prison.

*S.C. Code Ann. Section 44-53-370*

## **MISCELLANEOUS STATE LAWS**

### **Distribution of controlled substance within proximity of a school. (One-half-mile radius of school, playground/park, or college/university)**

A fine of no more than \$10,000 and/or imprisonment up to 10 years; offender is guilty of a felony.

*S.C. Code Ann. Section 44-53-445*

### **Illegal acts involving persons under 17-years-old; violations of S.C. Code Ann. Sections 44-53-370 and 44-53-375**

Imprisonment of no less than 5 years and no more than 15 years; offender is guilty of a felony.

*S.C. Code Ann. Section 44-53-577*

### **Illegal acts involving persons under 17 years old and controlled substances; violations of S.C. Code Ann. Sections 44-53-370 and 44-53-37**

Imprisonment of no less than 5 years and no more than 15 years; offender is guilty of a felony.

**Unlawful to advertise for sale, manufacture, possess, sell, or deliver, or to possess with intent to sell or deliver drug paraphernalia**

A fine of no more than \$500 for any person found guilty.

A fine of no more than \$50,000 for any corporation found guilty.

S.C. Code Ann. Section 44-53-391

**Distribution of controlled substances to persons under 18-years- old.**

A fine of no more than \$30,000 and/or imprisonment up to 20 years for distribution of narcotic drugs, LSD, and/or crack cocaine; offender is guilty of a felony and sentence may not be suspended and probation may not be granted.

A fine of no more than \$10,000 and/or imprisonment up to 10 years for distribution of any other controlled substance listed in Schedules I through V.

S.C. Code Ann. Section 44-53-440

**BE AWARE THAT STATE DRUG LAWS ARE SUBJECT TO CHANGE.**

**INFORMATION ON FEDERAL DRUG LAWS**

The following is a partial list of federal drug laws and penalties. Penalties are set by sentencing guidelines in Federal Court. For more information and a complete list of the laws relating to drug offenses, please see Title 21 of the U.S. Code of Laws, as amended.

**Possession of a controlled substance without a valid prescription**

A fine of no less than \$1,000 and/or imprisonment up to 1 year for a first offense.

A fine of no less than \$2,500 and imprisonment for no less than 15 days and no more than 2 years for a second offense.

A fine of no less than \$5,000 and imprisonment for no less than 90 days and no more than 3 years for a third or subsequent offense.

Statute - 21 U.S.C.A. Section 844 (a)

**Possession of a mixture or substance which contains cocaine base**

If the amount exceeds 5 grams, a fine of \$1,000 and/or imprisonment for no less than five years and no more than 20 years for a first offense.

If the amount exceeds 3 grams, a fine of \$1,000 and/or imprisonment for no less than five years and no more than 20 years for a second offense.

If the amount exceeds 1 gram, a fine of \$1,000 and/or imprisonment for no less than five years and no more than 20 years for a third or subsequent offense.

Statute - 21 U.S.C.A. Section 844 (a)

**Distribution of controlled substances to persons under the age of 21**

A fine not to exceed the greater of that authorized in accordance with the provisions of Title 18 of the U.S. Code or \$10,000,000 if the defendant is an individual or \$50,000,000 if the defendant is other than an individual and imprisonment of no less than 10 years and no more than life (if death or serious bodily injury results from the use of such substance imprisonment of no less than 20 years and no more than life) for a first offense.

A fine not to exceed the greater of that authorized in accordance with the provisions of Title 18 of the U.S. Code or \$20,000,000 if the defendant is an individual or \$75,000,000 if the defendant is other than an individual and imprisonment of no less than 15 years and no more than life (if death or serious bodily injury results from the use of such substance life imprisonment) for a second or subsequent offense.

Statute - 21 U.S.C.A. Section 841 (b)(1)(A)

**Manufacture, distribution, or possession with intent to manufacture or distribute controlled substances in or on, or within 1,000 feet of the real property compromising a public or private elementary,**

**vocational, secondary school, college, junior college, or university, or a playground, or within 100 feet of a public or private youth center, public swimming pool, or video arcade**

Imprisonment of no more 1 year and/or a fine, neither to exceed that authorized by 21 U.S.C.A. Section 841 (b) for a first offense.

Imprisonment of no less than 3 years and no more than life (or three times that authorized by an offense, whichever is greater) and/or a fine not to exceed three times that authorized by 21 U.S.C.A. Section 841 (b) for a second offense.

A fine not to exceed the greater of that authorized in accordance with the provisions of Title 18 of the U.S. Code or \$20,000,000 if the defendant is an individual or \$75,000,000 if the defendant is other than an individual and imprisonment of no less than 15 years and no more than life (if death or serious bodily injury results from the use of such substance life imprisonment) for a third or subsequent offense.

*Statutes - 21 U.S.C.A. Section 860; and 21 U.S.C.A. Section 841 (b)(1)(A)*

**Manufacture, distribution, or possession with intent to manufacture or distribute:**

- a) 1 kilogram or more of a mixture or substance containing a detectable amount of heroin;
- or
- b) 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine;
- or
- c) 50 grams or more of a mixture or substance which contains cocaine base;
- or
- d) 100 grams or more of PCP or 1 kilogram or more or a mixture or substance containing a detectable amount of PCP;
- or
- e) 10 grams or more of a mixture or substance containing a detectable amount of LSD;
- or
- f) 100 kilograms or more of a mixture or substance containing a detectable amount of marijuana, or 1,000 or more marijuana plants regardless of weight;
- or
- g) 100 grams or more of methamphetamine, or 1 kilogram or more of a mixture or substance containing a detectable amount of methamphetamine.

A fine not to exceed the greater of that authorized in accordance with the provisions of Title 18 of the U.S. Code or \$10,000,000 if the defendant is an individual or \$50,000,000 if the defendant is other than an individual and imprisonment of no less than 10 years and no more than life (if death or serious bodily injury results from the use of such substance imprisonment of no less than 20 years and no more than life) for a first offense.

A fine not to exceed the greater of that authorized in accordance with the provisions of Title 18 of the U.S. Code or \$20,000,000 if the defendant is an individual or \$75,000,000 if the defendant is other than an individual and imprisonment of no less than 15 years and no more than life (if death or serious bodily injury results from the use of such substance life imprisonment) for a second or subsequent offense.

*Statute - 21 U.S.C.A. Section 841(b)(1)(A)*

**Manufacture, distribution, or possession with the intent to manufacture or distribute:**

- a) 100 grams or more of a mixture or substance containing a detectable amount of heroin;
- or
- b) 500 grams or more of a mixture or substance containing a detectable amount of cocaine;
- or
- c) 5 grams or more of a mixture or substance which contains cocaine;
- or
- d) 10 grams or more of PCP or 100 grams or more of a mixture or substance containing a detectable amount of PCP;
- or
- e) 1 gram or more of a mixture or substance containing a detectable amount of LSD;
- or
- f) 100 kilograms or more of a mixture or substance containing a detectable amount or marijuana, or 100



or more marijuana plants regardless of weight;

or

g) 100 grams or more of methamphetamine, or 100 grams or more of a mixture or substance containing a detectable amount of methamphetamine

A fine not to exceed the greater of that authorized in accordance with the provisions of Title 18 of the U.S. Code or \$5,000,000 if the defendant is an individual or \$25,000,000 if the defendant is other than an individual and imprisonment of no less than 5 years and no more than 40 years (if death or serious bodily injury results from the use of such substance imprisonment of no less than 20 years and no more than life) for a first offense.

A fine not to exceed the greater of that authorized in accordance with the provisions of Title 18 of the U.S. Code or \$8,000,000 if the defendant is an individual or \$50,000,000 if the defendant is other than an individual and imprisonment of no less than 10 years and no more than life (if death or serious bodily injury results from the use of such substance life imprisonment) for a second or subsequent offense.

*Statute - 21 U.S.C.A. Section 841 (b)(1)(B)*

**Manufacture, distribution, or possession with intent to manufacture or distribute:**

a) 50 kilograms or less of marijuana (except in the case of 50 or more marijuana plants regardless of weight);

or

b) 10 kilograms or less of hashish, or 1 kilogram or less of hashish

A fine not to exceed the greater of that authorized in accordance with the provisions of Title 18 of the U.S. Code or \$250,000 if the defendant is an individual or \$1,000,000 if the defendant is other than an individual and imprisonment of no more than 5 years for a first offense.

A fine not to exceed the greater of that authorized in accordance with the provisions of Title 18 of the U.S. Code or \$500,000 if the defendant is an individual or \$2,000,000 if the defendant is other than an individual and imprisonment of no more than 10 years for a second or subsequent offense.

*Statute - 21 U.S.C.A. Section 841 (b)(1)(D)*

**Manufacture, distribution, or possession with the intent to manufacture or distribute any controlled substance listed in Schedule I or II (e.g., LSD, heroin, opium, morphine) of 21 U.S.C.A. Section 812 (except as provided elsewhere):**

A fine not to exceed the greater of that authorized in accordance with the provisions of Title 18 of the U.S. Code or \$1,000,000 if the defendant is an individual or \$5,000,000 if the defendant is other than an individual and imprisonment of no more than 20 years (if death or serious bodily injury results from the use of such substance imprisonment of no less than 20 years and no more than life) for a first offense.

A fine not to exceed the greater of that authorized in accordance with the provisions of Title 18 of the U.S. Code or \$2,000,000 if the defendant is an individual or \$10,000,000 if the defendant is other than an individual and imprisonment of no more than 30 years (if death or serious bodily injury results from the use of such substance life imprisonment) for a second or subsequent offense.

*Statute - U.S.C.A. Section 841 (b)(1)(C)*

**Manufacture, distribution, or possession with intent to manufacture or distribute any controlled substance listed in Schedule IV of 21 U.S.C.A. Section 812:**

A fine not to exceed the greater of that authorized in accordance with the provisions of Title 18 of the U.S. Code or \$250,000 if the defendant is an individual or \$1,000,000 if the defendant is other than an individual and imprisonment of no more than 5 years for a first offense.

A fine not to exceed the greater of that authorized in accordance with the provisions of Title 18 of the U.S. Code or \$500,000 if the defendant is an individual or \$2,000,000 if the defendant is other than an individual and imprisonment of no more than 10 years for a second or subsequent offense.

*Statute - 21 U.S.C.A. Section 841 (b)(2)*

**Manufacture, distribution, or possession with intent to manufacture or distribute a controlled substance listed in Schedule V of 21 U.S.C.A. Section 812:**

A fine not to exceed the greater of that authorized in accordance with the provisions of Title 18 of the U.S.



Code or \$100,000 if the defendant is an individual or \$250,000 if the defendant is other than an individual and imprisonment of no more than 1 year for a first offense.

A fine not to exceed the greater of that authorized in accordance with the provisions of Title 18 of the U.S. Code or \$200,000 if the defendant is an individual or \$500,000 if the defendant is other than an individual and imprisonment of no less than 15 years and no more than 4 years for a second or subsequent offense.

**BE AWARE THAT FEDERAL DRUG LAWS ARE SUBJECT TO CHANGE.**

# Appendix 5: Employee Newsletter

Begins next page.

## **COLLEGE OF CHARLESTON POLICY REMINDERS**

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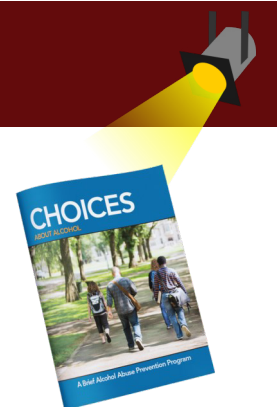
Be aware of the college's policies on alcohol and drug use and other related information, which can be found via this [Drug Free Schools and Community Act](#) link.

- Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees
- A description of the applicable legal sanctions under federal, state, or local law for the unlawful possession or distribution of illicit drugs and alcohol
- A description of the health risks associated with the use of illicit drugs and the abuse of alcohol
- A list of drug and alcohol programs (counseling, treatment, rehabilitation, and re-entry) that are available to employees and students
- A clear statement of the disciplinary sanctions students and employees may face for violations of standards of conduct relating to drugs and alcohol.

## **WE ALL HAVE CHOICES...**

In August 2019, the Counseling Center implemented CHOICES, an evidence-based intervention for college students with alcohol violations. George Parks designed CHOICES as part of the evidence-based harm reduction modality of the Alcohol Skills Training Program (ASTP). CHOICES can be used as an indicated prevention program serving the needs of college students who have already developed alcohol-related problems. CHOICES can also be directed at all college students on a campus (universal prevention) because its content applies equally to all levels of alcohol use from students who abstain from drinking to those who are frequent heavy drinkers. In addition, CHOICES can be a targeted intervention for subgroups of students at higher risk for alcohol abuse (selective prevention), such as freshmen, athletes, or members of Greek organizations.

The program is delivered in a group format and students attend two hour-long sessions a week apart at the Counseling Center. The group is led by a licensed counselor who guides students through the CHOICES workbook which uses motivational interviewing as a way to engage students in discussion about the role of alcohol in their lives. Discussion questions might be about benefits/risks of alcohol use, goals that might conflict with alcohol misuse, or ways to maintain a social life around peers who routinely use alcohol. Student feedback has been overwhelmingly positive— with the BAC calculation chart and impact of BAC on health noted as the most important things they learned in the program.



## Students and Alcohol & Drug Issues

The Counseling Center & the Office of the Dean of Students

### THE WHITE CLAW CRAZE HAS TRULY GONE FOUR LOKO

As a counselor on a college campus, I spend a lot of time assessing the role that alcohol and other drugs play in my clients college experience. I try to look for trends so I can tailor programming. Last year we saw more students replacing Natty Light with locally brewed craft beer. When I was an undergrad here in 2006, Four Loko was enjoying its 15 minutes of fame before being banned for combining large amounts of caffeine along with alcohol. Turns out drunk and wired college students wasn't a good look for the brand. In 2019, enter the White Claw craze. For those who don't know, White Claw, a gluten-free, seltzer-based alcoholic beverage with a hint of fruit flavors, was introduced in 2016 by the makers of Mike's Hard Lemonade. The seltzer craze had a slow start, but by 2019 brands like White Claw, Truly and Bon & Viv were seemingly everywhere. Memes popped up praising seltzer drinks, and 2019 was dubbed "White Claw Summer." So what is it about seltzer drinks, particularly White Claw, that is so attractive to college students?

According to an article by CNBC, the seltzer craze seems to be driven by the turn toward health-conscious lifestyles. Most seltzer drinks have less than 100 calories— fewer than Bud Light (110 calories). Even more significant are the carb and sugar counts— White Claw contains just 2g carbs and 2g of sugar, while other beer alternatives come in around 32g of sugar (Mikes Hard Lemonade). Combine these stats with the fact that seltzers are gluten-free, and it seems like the perfect combination for a generation of health-conscious college students. Flavored beer alternatives of the past also had a stigma for being drinks that women prefer, whereas marketing for hard seltzers has been able to largely avoid any gender stereotyping— White Claw even reports that their customers are split fairly evenly— 53% women and 47% men.

Are CofC students turning to White Claw to be more health-conscious? Or are there other reasons behind the craze? We didn't do an official survey, but I will share some of the anecdotal evidence my co-counselors and I gathered from students who identify as part of the "White Claw Craze."

- Since it's so light, you can drink it all day long and not ever feel too full
- It tastes better than beer and is healthier
- I feel more energetic when I drink White Claw— beer makes me tired

As a college community, we all have a role in ensuring our students are staying safe and being responsible— and one way to do that is to remind students that, in fact, there ARE still applicable laws when you're drinking Claws, despite the catchy saying.

-Rachel Goulet, MA, LPC-A

The Counseling Center

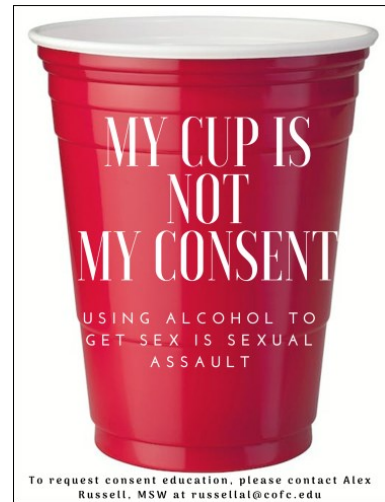


# Students and Alcohol & Drug Issues

The Counseling Center & the Office of the Dean of Students

## SPOTTED AROUND CAMPUS

Be on the lookout for an addition to the TD Arena this year– a banner for College of Charleston’s Collegiate Recovery Program (CRP)! With more students entering college in various stages of recovery, increasing awareness about the CRP among our students is a great way to continue working toward building a more inclusive CofC community!



Keep an eye out for new flyers and graphics on the topic of alcohol use and consent coming from our Dean of Students Office this year! If you'd like to request any graphics or materials to promote consent or responsible alcohol use, please reach out to the Dean of Students Office or the Counseling Center!

## RESOURCES

### On Campus

#### *The Counseling Center*

Robert Scott Small Bldg, Rm 300  
843.953.5640

#### *Narcotics Anonymous*

Robert Scott Small Bldg, Rm 319  
Saturdays, 9 p.m.

#### *Collegiate Recovery Program*

Wood Marchant  
843.953.6630

### Off Campus

#### *Charleston Center*

843.958.3300

#### *MUSC Institute for Psychiatry, Center for Drug and Alcohol Programs*

843.792.9162

#### *Palmetto Lowcountry Behavioral Health*

843.747.5830

#### *Deer Oaks (Employee Assistance Program)*

1.866.327.2400



# Appendix 6: Social Norms Poster Campaign

Begins next page.





**79%**  
of CofC students  
say they would  
**worry** if their  
close friends ever  
used cocaine.



IF YOU OR SOMEONE YOU KNOW IS STRUGGLING WITH ALCOHOL, DRUGS, OR A MENTAL HEALTH CONCERN, PLEASE CALL THE COUNSELING CENTER AT 843-953-5640

Based on College of Charleston student responses on the 2019 Student Health Survey





Of CofC students who met the criteria for disordered marijuana use,

**77%**

felt they also needed **support** for an emotional or mental health problem.



IF YOU OR SOMEONE YOU KNOW IS STRUGGLING WITH ALCOHOL, DRUGS, OR A MENTAL HEALTH CONCERN, PLEASE CALL THE COUNSELING CENTER AT 843-953-5640

Based on College of Charleston student responses on the 2019 Student Health Survey





CofC students who checked social media less frequently experienced

***significantly better mental health***

than students who reported more frequent use.



IF YOU OR SOMEONE YOU KNOW IS STRUGGLING WITH ALCOHOL, DRUGS, OR A MENTAL HEALTH CONCERN, PLEASE CALL THE COUNSELING CENTER AT 843-953-5640

Based on College of Charleston student responses on the 2019 Student Health Survey





# 88%

of CofC students  
have **never** used  
Xanax without a  
prescription.



IF YOU OR SOMEONE YOU KNOW IS STRUGGLING WITH ALCOHOL, DRUGS, OR A MENTAL HEALTH CONCERN, PLEASE CALL THE COUNSELING CENTER AT 843-953-5640

Based on College of Charleston student responses on the 2019 Student Health Survey