

College of Charleston Student Handbook Drug Policies 2009-2010

COLLEGE *of* CHARLESTON

STUDENT AFFAIRS

The College of Charleston reserves the right to make changes in its policies, regulations, and procedures as printed herein through normal channels. The *Student Handbook* is produced by the Office of Student Affairs.

The College of Charleston is committed to providing leadership of equal employment and equal educational opportunities for all qualified persons regardless of race, religion, sex, national origin, age, disability, or other legally-protected classifications. This effort is in compliance with all federal and state laws, including Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 503 and 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and all other laws and regulations as they pertain to equal opportunity. For further information, contact the Office of Human Relations and Minority Affairs at 953-5580.

An electronic version of the *Student Handbook* is currently available on the World Wide Web. You can access it through the College of Charleston home page at <http://www.cofc.edu/about/documents/handbook.pdf>.

DRUG POLICY

A. Introduction

The College of Charleston is concerned with both the welfare of the College community and the academic 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. 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:
 - i) Education and prevention services designed to help prevent illegal and/or improper use of drugs.
 - ii) Early intervention and referral services related to the illegal and/or improper use of drugs.
 - c) To encourage and facilitate the use of treatment and support services by those students who seek or are in need of assistance.
 - d) To define expectations for student behavior with respect to the illegal and/or improper use of drugs.
 - e) To identify appropriate disciplinary procedures for those students who engage in illegal and/or improper drug-related behaviors.

B. Education, Prevention, Intervention, and Treatment

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. A list of student organizations is available in the Stern Student Center and at 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. 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. 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. The cost of off-campus services is the responsibility of the student.

- a) Students may receive assessment, counseling, and educational services from the Office of Substance Abuse Services, (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.

C. Violations

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, bongs, water pipes, glass pipes, cocaine spoons).

- c) The distribution or delivery of an imitation ("look alike") non-controlled substance represented as a controlled substance as set forth in the South Carolina Code of Laws. (See Appendix D.)

* 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.

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.

D. Sanctions

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 Dean of Students for adjudication. The sanctions imposed by the College for students found responsible for drug-related violations follow:

1. Intent to distribute, distribution, dispensing, trafficking, attempted purchase or manufacturing illegal drugs

a) Prior to hearing -- Because the purchasing, manufacturing and distribution 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 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.

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

i) 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*.

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.

2. 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 (other than marijuana) and/or illegal possession/use of controlled substances (including but not limited to the illegal possession/use of prescription medications), the College's response will 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 for not less than one semester.

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.

3. Possession and/or use of marijuana --one ounce or less –For students found responsible for *only* the possession and/or use of marijuana, the College's response will be for a **first** offense:

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

c) Participate in a drug and alcohol risk reduction program and/or assessment at Counseling and Substance Abuse Services. Fees will be charged.

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

e) Educational activities.

4. Possession and/or use of marijuana --one ounce or less—For students found responsible for *only* the possession and/or use of marijuana, the College's response will be for a **second** offense:

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 for a minimum of one semester.

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.

5. Possession and/or sale of drug paraphernalia -- For students found in violation of the drug paraphernalia section of this policy, 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* or *Guide to Residence Living*.

6. Eligibility For Financial Aid

Students found in violation of the alcohol and 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.

7. 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 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.