

Student Alcohol and Drug Policy

The unlawful possession, use, or distribution of illicit drugs and alcohol by students on College property or at a College-sponsored activity is strictly prohibited. Local, state, and federal laws prohibit the unlawful use, manufacture, possession, control, sale and dispensation of any illegal narcotic or other drugs. These laws carry penalties for violations, including monetary fines and imprisonment.

The risks associated with the use of illicit drugs and the abuse of alcohol are numerous and include physical and mental impairment, emotional and psychological deterioration, and devastating effects on family and friends. There are obvious risks, such as suffering a hangover, being charged with driving under the influence or while intoxicated, and sustaining or causing personal injury. There are a number of less obvious risks associated with alcohol and other drug abuse that students might not realize, including:

- Poor academic performance
- Poor job performance
- Unwanted sexual activity
- Sexually transmitted diseases, including HIV/AIDS
- Jeopardizing future career prospects (e.g., admission to law school, government employment).

In addition, alcohol and other drug abuse puts the user at considerable health risk, which can include nausea, vomiting, cancer, liver damage, elevated blood pressure, psychotic episodes, hallucinations and, in some cases, death. In addition to the risk to the abuser of illicit drugs and alcohol are the risks to other students and the public.

The Student Life Staff can help students who have problems related to alcohol and drug use to connect with counselors and/or programs in the area. All have procedures to assure confidentiality.

Individuals whose performance is impaired as a result of the use or abuse of drugs or alcohol (either on or off campus); who illegally use or abuse drugs or alcohol on campus; who violate any provision of the Student Alcohol and Drug Policy are subject to severe sanctions. These can include required completion of an appropriate rehabilitation program, suspension, expulsion, and referral to law enforcement authorities.

In addition, the possession and/or use of alcohol on campus is prohibited. Beer or wine may be occasionally made available at formal dinners in honor of visiting dignitaries or celebrations of significant feasts. Authorization of the use of alcohol on campus rests with the President and will be in compliance with state law and regulations. Otherwise, the possession of empty alcoholic beverage containers on campus or at College-sponsored events is prohibited; any level of intoxication on campus or at College sponsored events is prohibited; and a student who is operating a motor vehicle must have a blood alcohol level of 0%.

Drug Policy

Federal and state laws control the possession, use, and sale of drugs and include severe penalties for violations. Magdalen College prohibits the illegal possession or transfer of any illicit drug so defined under state or federal law, and views the use, possession, or sale of any illicit drug as contradictory to the welfare of both the person and the College community. The harmful effects of drug abuse on physical and mental health are well established, as are the costs of such actions both academically and legally.

It is critical that all members of the community understand and anticipate the College's response to individual cases of illegal use, possession, transfer, distribution, and trafficking in illicit drugs or the attempt, solicitation, or conspiracy to commit any such offenses. The College has zero-tolerance for violations of the College Drug Policy. The sanction for a first offense is expulsion.

The College is not a law enforcement agency and does not assess the penalties specified in state and federal laws. Adjudication of violations of the Drug Policy, however, may reflect current medical and legal standards related to different classes of illicit drugs. Additionally, the College will cooperate with local, state, and federal authorities. Student Life Staff will confiscate observed drug paraphernalia or apparently illegal drugs. Confiscated drugs are turned over to law enforcement authorities, who may initiate an investigation. Drug offenses that involve immediate and substantial danger to the community will be reported to the appropriate authorities at once and may result in immediate temporary suspension.

A violation of federal, state, or local laws concerning drugs is a violation of College regulations and is subject to College disciplinary action up to and including expulsion. Students are accountable for their own decisions regarding the use of illicit drugs; they are also responsible for knowing and complying with applicable College regulations and state and federal laws related to illicit drugs.

College Policy for Students

These regulations apply to all students of Magdalen College. They also apply in connection with student programs, events, and activities officially recognized by, and under the jurisdiction of, the College and its recognized student organizations, both on- and off-campus. Violation of these regulations may subject an individual or organization to disciplinary action.

I. No student shall possess, use, transfer, distribute, manufacture or attempt to manufacture, or traffic in illicit drugs in violation of state or federal law or attempt, solicit or conspire to commit any such offenses. In addition, the College prohibits the possession or use of drug paraphernalia. Violation of this policy may subject an individual or recognized organization to disciplinary action.

II. The College relies on outside educational programs, cooperation with area experts, and disciplinary procedures to minimize the use of illicit drugs. Students are urged to seek help for themselves or on behalf of others in any matter of drug usage. Student Life

Staff and Chaplains may be consulted when a student is in need of assistance; as well the Student Life Staff can help students who have problems related to alcohol and drug use to connect with counselors and/or programs in the area.

III. Distribution, Transfer, and Trafficking. Whenever, in the opinion of the Dean of Students, there is sufficient and credible information or other evidence from within the College or without that a student is or has been distributing, transferring or trafficking in illicit drugs or attempting, soliciting or conspiring to commit any of these offenses with others, or is or has been in possession of such amounts as to make this a reasonable supposition, the student may be temporarily suspended by the Dean of Students until the Board of Discipline hears the case.

Adjudication of Violations of the Drug Policy

Violation of the Drug Policy will subject students to sanctions ranging, for example, from reprimands with a referral to a drug education program and expulsion from the College depending upon the nature and circumstances of the case. Sanctions are not automatic. In determining the appropriate sanction for violation of the policy, the Dean of Students, his or her designee and/or the Board of Discipline will, at a minimum, consider the following circumstances:

1. How the violation was committed;
2. The amount and nature of the drug(s) involved;
3. The level of knowledge and intent of the student(s);
4. Delivery or attempted delivery of drugs; and
5. Prior offenses of the student(s).

This list is not exhaustive and other circumstances may be considered in the determination of a sanction. There may also be legal consequences for criminal charges that may result from the use, possession or distribution of illegal drugs.

State and Federal Drug Laws

The following summary of some pertinent drug laws is not exhaustive and is subject to change. If students have questions concerning the scope and applications of the law, they should consult legal counsel.

Importantly, any person who is convicted of possession or trafficking of a controlled drug under a state or federal drug statute will be ineligible for Federal benefits for a proscribed period of time. This includes the Federal benefit of Federal Financial Aid. 21 U.S.C.A. § 862. For more detailed information on federal laws regarding drug offenses and penalties see 21 USC Part D or contact the Office of the General Counsel at (603) 646-2444.

All students are reminded that it is illegal under New Hampshire law to:

1. Possess, manufacture, control, sell, purchase, administer, transport, dispense, possess with an intent to sell, package or repackage any controlled drug or controlled

drug analog. Penalties for this offense vary according to the nature and the amount of the drug. See NH RSA 318-B:26 for a list of all penalties.

2. Deliver, possess with intent to deliver, or manufacture with intent to deliver, drug paraphernalia, knowing that it is intended to be used to plant, grow, harvest, manufacture, produce, process, prepare, test, analyze, pack, store, conceal, ingest, inhale, or otherwise introduce into the controlled substance into the human body. NH RSA 318-B:2. Violation is a misdemeanor, up to one year in jail, up to \$2,000 fine.

3. Drive a motor vehicle while under the influence of any controlled drug. NH RSA 265-A:2. Violation is a Class B misdemeanor, minimum fine of \$750, completion of impaired driver intervention program, revocation of privilege to drive for minimum of 9 months, and possible drug or alcohol treatment.