

## **USC Upstate Alcohol and Drug Policy**

### **I. Introduction**

This policy governs the distribution, serving, possession, and consumption of substances, which includes alcoholic beverages and illegal drugs, at the University of South Carolina Upstate. This policy is established to:

- A.** Respect the academic environment without unnecessarily restricting the exercise of legal privileges;
- B.** Protect the welfare of individuals on the USC Upstate campus;
- C.** Promote the low risk use of alcohol;
- D.** Effect zero tolerance of illegal drug use.

*Students, faculty, staff and guests are required to comply with and abide by the contents of this policy.*

### **II. South Carolina Law**

All state laws related to alcohol and illegal drugs are in effect on the USC Upstate campus. All students, faculty, staff and guests are required to comply. All students, faculty, staff and guests are viewed by USC Upstate as individually responsible and legally accountable for their actions regarding alcohol and illegal drugs. The specific laws cited in the list below are pertinent to this policy. All South Carolina laws, whether or not they are cited in this policy, are applicable. It is against South Carolina law to:

- A.** Purchase, possess or consume any alcoholic beverage if you are under the age of 21;
- B.** Provide any alcoholic beverage to a person under the age of 21 by transfer, gift or sale;
- C.** Misrepresent your age for the purpose of procuring alcoholic beverages;
- D.** Drive under the influence (regardless of age);
- E.** Have a blood alcohol level of 0.02 or higher while driving a vehicle if you are under the age of 21 or 0.08 or higher while driving a vehicle if you are 21 years of age or older;
- F.** Have an open container of alcoholic beverage in a moving vehicle (regardless of age);
- G.** Be intoxicated in public (regardless of age);
- H.** Manufacture, distribute, possess or use illegal drugs (regardless of age);
- I.** Possess or use drug paraphernalia (regardless of age).

### **III. Definitions**

- A.** Alcoholic beverage - any spirituous malt (for example: Smirnoff Ice, Schlitz Malt Liquor, wine coolers), vinous, fermented, brewed (whether lager or rice beer) or other liquors or any compound or mixture thereof by whatever name called or known which contains alcohol and is used as a beverage.
- B.** Common source container - any keg, pony keg, trashcan, bathtub, large container of beverage (i.e. box of wine), or other similar devices used for storing or mixing a quantity of beverage from which a quantity of beverage is distributed to, or consumed by, more than one individual.
- C.** Drug paraphernalia - items such as roach clips, bong, water pipes, cocaine spoons, etc.
- D.** Distilled/Spirituous liquor - for example: whiskey, rum, brandy, gin and all other distilled liquor and mixtures of cordials, liqueur and premixed cocktails, in closed containers for beverage use regardless of their dilution.
- E.** Illegal drugs - for the purposes of this policy includes illegal drugs including (but not limited to) marijuana, cocaine, heroin, MDMA (ecstasy), and LSD. Any prescription drug for which the user does not have a valid prescription is also included.
- F.** Mixed beverage - a drink composed in whole or in part of distilled liquor and served in a quantity less than the quantity contained in a closed package

#### **IV. Statement of Policy**

This policy is subject to change at any time to comply with new local, state or federal laws, or to changes in the USC Upstate policy or Code of Conduct. It is established for all USC Upstate students and includes behavior not only on University property, but also at any University sponsored event or travel opportunity. This policy will be reviewed annually.

- A.** General Provisions Regarding the Distribution, Consumption and Possession of Alcohol in Accordance with Local, State, and Federal Laws:
  - 1.** The use of alcoholic beverages on campus or at college-sponsored functions is permitted only by those of legal age as specified with South Carolina law.
  - 2.** There shall be no alcoholic beverages or empty alcohol containers in the Palmetto House or other residence areas designated by Student Affairs as “dry” even if residents or guests are at least 21 years of age. Alcohol is permitted in the Palmetto Villas, however it must be limited to **one six pack of beer** or **one bottle of wine** (*not to exceed 750 ml*) for only persons who are at least 21 years of age. No distilled/spirituous liquor is allowed.
  - 3.** Aiding and abetting in the sale or transfer of alcoholic beverages to any person under the age of 21 is prohibited.
  - 4.** The use of alcoholic beverages, drugs, or drug paraphernalia as a prize in a contest, drawing, lottery, etc. is prohibited.
  - 5.** Consumption of alcoholic beverages must be secondary to the intended

purpose of any event on the USC Upstate campus (i.e., awards dinner, wedding reception, dance, etc.).

**6.** Requests to serve and consume alcoholic beverages on the USC Upstate campus must be submitted at least two weeks in advance to the appropriate approval authorities:

- a.** The Risk Manager and the Chief of Police act on behalf of the University in the consideration of faculty, staff and off-campus organizations/ groups who request to serve and consume alcoholic beverages;
- b.** The Chancellor grants final approval on all requests to serve distilled liquor;
- c.** All requests will be considered on an individual basis;
- d.** USC Upstate reserves the right to deny any request.

**7.** An approved third party vendor must be contracted with to serve alcoholic beverages at any event on-campus where alcoholic beverages are to be served. (Exceptions may be approved by the Chief of Police.)

**8.** A University Police officer(s) is required at all events that are open to the general public where alcoholic beverages are to be served. (Exceptions may be approved by the Chief of Police.)

**9.** State-appropriated funds cannot be used for the purchase of alcoholic beverages.

**10.** USC Upstate does not sanction a student organization or club sponsoring off-campus events where alcoholic beverages are to be served, authorize the use of the USC Upstate name for advertising or promoting an off-campus event where alcoholic beverages are to be served or authorize the use of the USC Upstate name to enter into agreements, contracts or as leverage to gain goods or services.

**11.** At no time are kegs or any other common source containers of alcohol allowed on the campus unless approved by the authorities listed in section 6 above for a formalized function.

**12.** At any event where alcohol is being served, all attendees shall be required to have a valid picture identification card with their birth date listed in order to obtain an alcoholic beverage. Attendees at least 21 years of age who present a valid picture identification card will be given a wristband. *Only those with a wristband will be served alcohol. Serving of alcohol is limited to two drinks per person.*

**13.** Advertisements, posters, or invitations intended for campus/public viewing may not mention or depict alcohol or other drugs or use terms referring to alcohol or other drugs unless being used for educational and/or prevention programs or services and approved by the Dean of Students.

**14.** Organizational officers or individuals sponsoring the event are encouraged to assist in making arrangements for the safety of everyone in attendance.

**15.** If the event is being sponsored by a student organization, the organization's advisor (or his/her designee) must be present at the event.

**16.** Drinking contests or games are prohibited on the USC Upstate campus.

**17.** Anyone who appears on campus and is impaired as a result of being under the influence of any substance may be asked to leave and is subject to appropriate sanctions. A University Police Officer will be called to assist the individual(s) with safety and/or transportation.

**18.** Property damage as a result of alcohol or other drug use will not be tolerated and the individual(s) responsible for the damage will be subject to any and all sanctions designated by this policy as well as any other applicable policies and in accordance with the Student Code of Conduct.

#### **B. General Provisions Regarding the Possession and Distribution of Illegal Drugs**

**1.** Possession, sale, or use of narcotic, mind-altering, and/or other illicit drugs, except for one's own valid prescription by a licensed physician or provider, is prohibited and will be handled in accordance with local, state, and federal laws.

**2.** Possession or use of prescription drugs prescribed to another individual is prohibited.

**3.** The re-sale of one's own valid prescription is prohibited.

**4.** Possession of illegal drugs with the intent to sell or distribute will be handled in accordance with local, state, and federal laws.

**5.** Anyone who appears on campus and is impaired as a result of being under the influence of any substance will be asked to leave and is subject to appropriate sanctions. A University Police Officer will be called to assist the individual(s) with safety and/or transportation.

**6.** USC Upstate will cooperate with all law enforcement agencies in the enforcement of any and all local, state, and federal laws on campus.

#### **V. Sanctions**

*Failure to comply with applicable laws as well as this policy may subject an individual or group to civil or criminal proceedings and/or appropriate sanctions as listed below. Individuals will be held responsible for their behavior while under the influence of alcohol and/or illegal drugs. Violations of this policy will be referred to the appropriate departments and agencies. Students and student organizations may be subject to sanctions by more than one department or agency, including the Student Code of Conduct, and any local, state or federal law enforcement agencies. The student or organization is responsible for any and all fees associated with any sanctions imposed upon them by the university and/or the local, state, and federal laws.*

##### **A. Sanctions for Violations of the General Provisions of the Alcohol Policy**

Students who fail to complete their sanctions will be documented as not in good standing resulting in loss of privileges and/or status with the university and may be prevented from registering for classes and/or be placed on probation. Students who fail to complete their sanctions and who are transferring or graduating from the university may have grades withheld or other appropriate documentation on their transcripts. *Conviction of an alcohol violation may result in the loss of financial aid and/or the ability to register for classes or on-campus housing, as well as any appropriate sanctions from local, state, and federal law enforcement agencies.* In addition to the sanctions listed below, students in violation of the general provisions of the alcohol policy may also be responsible for educational outreach assessments as described in **Section VI**.

**1. First Offense**

- a.** A letter will be issued to the student with a description of the violation and of all sanctions and deadlines for completion. This letter will become part of the student's permanent disciplinary record.
- b.** A copy of the letter will be mailed to the student's parent(s) or legal guardian(s).
- c.** The student must have an assessment with the Coordinator of Alcohol and Drug Education Programs (or his/her designee) at least one week prior to the educational workshop and a follow-up session with the same counselor no more than two weeks after the educational workshop. If the counselor determines that further counseling is needed, the student must comply in order to remain in good standing. The student is responsible for scheduling an appointment for the initial assessment within 72 hours after receiving the violation and sanctions.
- d.** If the Coordinator (or his/her designee) determines that the student needs more intensive counseling around alcohol and drug issues, the student may be referred to the Spartanburg Alcohol and Drug Abuse Commission (SADAC) or another appropriate community agency. The student will be expected to comply with the agency and any costs or fees for the services in order to remain in good standing with the university.
- e.** The student must attend an educational workshop addressing the issues around alcohol use and abuse. *Any fees associated with this workshop are the student's responsibility.*
- f.** The student must complete **at least 15** approved community service hours. Community service hours may be approved by the Director of Housing and Residential Life and/or the Dean of Students.

**2. Second Offense**

- a.** A letter will be issued to the student with a description of the violation and of all sanctions and deadlines for completion. This letter will become part of the student's permanent disciplinary record.
- b.** A copy of the letter will be mailed to the student's parent(s) or legal guardian(s).

- c. The student may be removed from university housing (to be determined by the Dean of Students and the Director of Housing and Residential Life).
- d. The student must have an assessment with the Coordinator of Alcohol and Drug Education Programs (or his/her designee) at least one week prior to the educational workshop and a follow-up session with the same counselor no more than two weeks after the educational workshop. If the counselor determines that further counseling is needed, the student must comply in order to remain in good standing. The student is responsible for scheduling an appointment for the initial assessment within 72 hours after receiving the violation and sanctions.
- e. If the counselor determines that the student needs more intensive counseling around alcohol and drug issues, the student may be referred to the Spartanburg Alcohol and Drug Abuse Commission (SADAC) or another appropriate community agency. The student will be expected to comply with the agency and any costs or fees for the services in order to remain in good standing with the university.
- f. The student must attend an educational workshop addressing the issues around alcohol use and abuse. *Any fees associated with this workshop are the student's responsibility.*
- g. The student must complete **at least 30** approved community services hours. Community service hours may be approved by the Director of Housing and Residential Life and/or the Dean of Students.

### 3. Third Offense

- a. A letter will be issued to the student with a description of the violation and of all sanctions and deadlines for completion. This letter will become part of the student's permanent disciplinary record.
- b. A copy of the letter will be mailed to the student's parent(s) or legal guardian(s).
- c. The student will be removed from housing if he/she is an on campus resident.
- d. The student may be suspended from the university with return dependent on approval from the Dean of Students.
- e. The student must have an assessment with the Coordinator of Alcohol and Drug Education Programs (or his/her designee) and a follow-up session with the same counselor. The student is responsible for scheduling an appointment for the initial assessment within 72 hours after receiving the violation and sanctions.
- f. The student must have an assessment at the Spartanburg Alcohol and Drug Abuse Commission (SADAC) or another appropriate community agency and must comply with any treatment or classes that are indicated as well as any associated costs or fees for these services.
- g. The student must complete **at least 50** approved community services hours. Community service hours may be approved by the Director of Housing and Residential Life and/or the Dean of Students.

## 5. Sanctions for Organizations or Groups in Violation of the Provisions of the Alcohol and/or Illegal Drug Policy

Organizations or groups who are found to be in violation of the provisions of this policy will incur sanctions including but not limited to any one or more of the following, *in addition to any sanctions imposed upon individual students in participation:*

- a. Community Service Hours
- b. Educational workshop(s)
- c. Loss of use of university facilities
- d. Suspension of university recognition or charters

USC Upstate reserves the right to suspend the activities of any organization or to deny the ability of individuals to sponsor events when said organization or sponsoring individual has been charged with a violation. In addition to the sanctions listed above, student organizations in violation of the alcohol policy may also be responsible for educational outreach assessments as described in **Section VI**.

## B. Sanctions for Violations of the General Provisions of the Illegal Drug Policy

Students who fail to complete their sanctions will be documented as not in good standing resulting in loss of privileges and/or status with the university and may be prevented from registering for classes and/or be placed on probation.

Students who fail to complete their sanctions and who are transferring or graduating from the university may have grades withheld or other appropriate documentation on their transcripts. *Conviction of a drug charge or violation may result in the loss of financial aid and/or the ability to register for classes or on-campus housing as well as any appropriate sanctions from local, state, and federal law enforcement agencies.* In addition to the sanctions listed below, students in violation of the general provisions of the illegal drug policy may also be responsible for educational outreach assessments as described in **Section VI**.

### 1. First Offense

- a. A letter will be issued to the student with a description of the violation and of all sanctions and deadlines for completion. This letter will become part of the student's permanent disciplinary record.
- b. A copy of the letter will be mailed to the student's parent(s) or legal guardian(s).
- c. The student will be removed from housing if he/she is an on campus resident.
- d. The student must have an assessment with the Coordinator of Alcohol and Drug Education Programs (or his/her designee) and a follow-up session with the same counselor. If the Coordinator (or his/her designee) determines that further counseling is needed, the student

must comply in order to remain in good standing. The student is responsible for scheduling an appointment for the initial assessment within 72 hours after receiving the violation and sanctions.

- e.** When deemed necessary by the Coordinator (or his/her designee), the student must have an assessment at the Spartanburg Alcohol and Drug Abuse Commission (SADAC) or another appropriate community agency and must comply with any treatment or classes that are indicated as well as any associated costs or fees for these services.
- f.** The student may be required to undergo random drug testing and will be responsible for any costs or fees associated with the testing in order to remain enrolled at the university.
- g.** If the violation is for more than simple possession of an illegal drug, the student may be suspended or expelled.

## **2. Second Offense**

- a.** A letter will be issued to the student with a description of the violation and of all sanctions and deadlines for completion. This letter will become part of the student's permanent disciplinary record.
- b.** A copy of the letter will be mailed to the student's parent(s) or legal guardian(s).
- c.** The student must have an assessment with the Coordinator of Alcohol and Drug Education Programs (or his/her designee). The student is responsible for scheduling this appointment within 72 hours after receiving the violation and sanctions.
- d.** The student will be referred to the Spartanburg Alcohol and Drug Abuse Commission (SADAC) for any and all services and will be responsible for any costs or fees associated with these services.
- e.** The student will be suspended from the University.
- f.** If the violation is for more than simple possession of an illegal drug, the student may be expelled.

## **VI. Educational Outreach Assessments**

- A.** In addition to the sanctions listed in the above specific sections, students may be responsible for educational outreach assessments according to the guidelines described below.
- B.** Educational outreach assessments will be used to help fund alcohol and other drug educational programs and substance-free events for the campus.
- C.** If the educational outreach assessment is not paid to the appropriate office within ten (10) business days of receiving the violation and sanctions, the student will be deemed noncompliant and will be subject to further sanctions, similar to those of a subsequent offense.
- D.** Students who violate the general provisions of the *alcohol* policy *aside from those that threaten the health and safety of others or cause damage to personal or university property* may incur educational outreach assessments according to the following guidelines:

1. First Offense: \$50
  2. Second Offense: \$100
  3. Third Offense: \$200
- E. Students who violate the general provisions of the *alcohol* policy that *include behaviors that threaten the health or safety of others and/or cause damage to personal or university property* may incur educational outreach assessments according to the following guidelines:
1. First Offense: \$100
  2. Second Offense: \$200
  3. Third Offense: \$300
- F. Student organizations or groups that violate the general provisions of the *alcohol* policy may incur educational outreach assessments according to the following guidelines:
1. First Offense: \$50
  2. Second Offense: \$100
  3. Third Offense: \$200
- G. Students who violate the general provisions of the *illegal drug* policy by *possessing drug paraphernalia* but have no other evidence related to drug use or distribution may incur educational outreach assessments according to the following guidelines:
1. First Offense: \$50
  2. Second Offense: \$100
- H. Students who violate the general provisions of the *illegal drug* policy by *possessing (without intent to distribute) a Schedule III-IV controlled substance* (including but not limited to marijuana, steroids, prescription drugs for which the person in possession does not have a valid prescription) may incur educational outreach assessments according to the following guidelines:
1. First Offense: \$100
  2. Second Offense: \$250
- I. Students who violate the general provisions of the *illegal drug* policy by *possessing (without intent to distribute) a Schedule I-II controlled substance* (including but not limited to heroin, LSD, opium, cocaine, amphetamine, methamphetamine, ecstasy) may incur educational outreach assessments according to the following guidelines:
1. First Offense: \$200
  2. Second Offense: \$300
- J. Students who violate the general provisions of the *illegal drug* policy by *possessing any controlled substance with the intent to distribute and/or trafficking* may incur educational outreach assessments according to the following guidelines:
1. First Offense: \$500
  2. No second offense educational outreach assessments are necessary as a first offense of this nature warrants immediate suspension or expulsion.

### **Policy Specifications**

- Student/Student Employee sanctions
- Student Code of Conduct
- University Housing
- Student Organizations
- Special Events

**NOTE:** Information about penalties for USC Upstate faculty and staff found in violation of the USC Upstate Alcohol and Drug Policy is contained in the University of South Carolina Drug-Free Workplace Policy. This policy provides information about the dangers of alcohol and/or drug abuse and available counseling, rehabilitation and employee assistance program services.

### **Resources**

USC Upstate recognizes alcohol and/or drug dependence as treatable illnesses. Students, faculty and staff are encouraged to seek assistance for alcohol and/ or drug problems before there is an incident that would cause the University to impose sanctions.

***The following resource information is provided for students, faculty and staff:***

**USC Upstate Employee Assistance Program (EAP):** 1-800-922-5651

### **Local County Alcohol and Drug Abuse Programs (out-patient drug and alcohol counseling and prevention services):**

- Spartanburg Alcohol and Drug Abuse Commission: 582-7588
- Greenville County Commission on Alcohol and Drug Abuse: 467-3790

### **Local Support Groups:**

- Al-Anon and ACOA: 585-1930
- Alcoholics Anonymous: 585-1930
- Narcotics Anonymous: 1-800-828-5689

### **Toll-free Resources:**

- Alcohol and Drug Abuse 24-hour Helpline: 1-800-234-0420
- Cocaine Hotline: 1-800-COCAINE
- Drugstore Clearinghouse: 1-800-942-3425

### **Treatment Facilities (in-patient drug and alcohol treatment):**

- Addlife Addiction Services (Greenville): 852-8520
- Center for Behavioral Health (Greer): 235-2335
- Haven for Hope (Spartanburg): 472-9083

### **USC Upstate Resources:**

- Alcohol and Drug Education Programs: 503-5195

- Counseling Services: 503-5195
- Dean of Students: 503-5106
- Health Services: 503-5191
- [Online Alcohol Screening](#)

For more information please visit the USC Upstate Alcohol & Drug Education Programs website at:

[http://www.uscupstate.edu/campus\\_life/student\\_dev/drug/drug.asp](http://www.uscupstate.edu/campus_life/student_dev/drug/drug.asp)

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