



UNIVERSITY OF MARYLAND EASTERN  
SHORE

Policy Title:

## DRUG/ALCOHOL POLICY

POLICY No. 10.0

Authority: University President

Category: Campus-wide

Applies to: ALL UNITS

Originally Issued:

Updated:

Revised: \_\_\_\_\_

Withdrawal:

Related Policies:

Policy Location:

[www.umes.edu/university\\_policies](http://www.umes.edu/university_policies)

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### AUTHORITY FOR POLICY:

The University System of Maryland, through the Chancellor and the Board of Regents has delegated authority to university presidents to establish policies and procedures for the efficient and orderly administration of the university.

### REASON FOR POLICY:

This policy addresses the drug and alcohol policy at the University of Maryland Eastern Shore. The University actively supports applicable county, state and federal laws pertaining to the illegal use of alcohol and drugs. Violations of the University's Student Code of Conduct-which involve the unlawful possession, use or distribution of drugs or alcohol, or alcohol abuse by students-will result in disciplinary action up to and including expulsion from the University. Such disciplinary action does not preclude civil and/or criminal prosecution under county, state or federal laws.

### DEFINITIONS:

#### Alcohol

The University of Maryland Eastern Shore's policy regarding alcohol is consistent with the laws of the State of Maryland. The consumption, distribution, or service of alcoholic beverages must be in compliance with the Maryland liquor and crime codes, which define the lawful consumption and service of alcohol and prescribe sanctions for violations.

The consumption, distribution, or service of alcoholic beverages must also comply with University regulations and policies.

Violations of the University alcohol policy include, but are not limited to:

- Possession, use, or distribution of alcohol by underage persons.
- Disruptive conduct due all or in part to being under the influence of alcohol.
- Providing alcohol to underage persons or providing a space for the consumption of alcohol by underage persons.
- Possession of an open alcohol container in a public area regardless of the individual's age.
- Possession or use of bulk containers on campus including, but not limited to, kegs, beer balls, or any other object that would promote binge drinking.

### **Drugs/Drug Paraphernalia**

The term “drugs” broadly includes, without limitation, any stimulant, intoxicant (other than alcohol), nervous system depressant, or other chemical substance, compound or combination when used to induce an altered state, including any otherwise lawfully available product used for any purpose other than its intended use (for example, prescription or drugs or household product misuses).

The term “drug paraphernalia” includes any definition found in state and/or federal law, but broadly includes any material, product, instrument or item used to create, manufacture, distribute, use or otherwise manipulate any drug and includes, but is not limited to, hypodermic needles, syringes, baggies and/or rolling papers (when used for the purpose of drug use), strainers, grinders, scales, any devices used to ingest drugs including bongs or pipes

### **RELATED POLICIES (IF ANY):**

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### **POLICY:**

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The University of Maryland Eastern Shore is unequivocally opposed to the misuse of lawful drugs and the possession and use of unlawful drugs. Pursuant to the

requirements of the Drug-Free School and Community Act Amendments of 1989 (PL 101-226), UMES has adopted and implemented drug and alcohol policies and programs designed to prevent drug and alcohol problems within the university setting. The policies and programs are designed to identify problems at the earliest stage, motivate the affected individuals to seek help, and to direct the individual toward the best assistance available.

## **I. POLICY**

The University of Maryland Eastern Shore Student Code of Conduct expressly prohibits the manufacture, distribution, sale, offer for sale, or possession of drugs or narcotics. The Student Code of Conduct also prohibits the possession and/or use of marijuana, and the unauthorized use of alcohol. Students found to be in violation of this standard will be subject to the full range of sanctions available under the Student Code of Conduct, including potential suspension or expulsion from the University. Being under the influence of drugs and/or alcohol does not diminish or excuse the violation of the Student Code of Conduct.

A student admitted to the University of Maryland Eastern Shore accepts the responsibility to conform to all of the University rules and regulations. Proven failure to meet this obligation will justify appropriate disciplinary sanctions, including expulsion, suspension, disciplinary probation or reprimand. A disciplinary sanction may include the completion of an appropriate rehabilitation program. Students and employees are guaranteed due process.

## **SANCTION GUIDELINES FOR VIOLATING THE DRUG POLICY**

The University considers the sanctions listed below to be guidelines, and a starting point, when adjudicating drug policy violations. Each incident is reviewed on an individual basis. Depending on the specifics of the incident, more or less severe sanctions may be imposed. The primary response for use or possession of drugs will be separation from the University.

These are minimum sanctions for students who violate the University of Maryland Eastern Shore drug and alcohol policy. Sanctions may be increased based on past disciplinary record, the severity of behavior and/or the impact upon the community. The University encourages students to engage in healthy decision making and report inappropriate behavior that is in violation of our Code of Student Conduct to the appropriate university authority.

POLICY NO. 10.0: SOCIAL MEDIA POLICY

OFFENSE	VIOLATION	SANCTIONS
<b>1<sup>st</sup></b>	Being in the presence of drugs	*Parental Notification *Disciplinary Probation Education Program (\$100 fee) *Bystanders 1 <sup>st</sup> Offense (\$150 fee) *Community Service *Loss of Campus Privileges
	Possession of drug paraphernalia	*Parental Notification *Disciplinary Probation Education Program (\$100 fee) *Individual 1 <sup>st</sup> Offense (\$200 fee) *Community Service *Loss of Campus Privileges
	Sale, manufacture, delivery, distribution of drugs	*Zero Tolerance (non-negotiable) *Parental Notification *Permanent Dismissal from the university
<b>2<sup>nd</sup></b>	Being in the presence of drugs	*Parental Notification *Disciplinary Probation Community Service (40 hours) *Loss of University Housing if incident occurs in housing (No Refund) *Loss of Campus Privileges *Individual 2 <sup>nd</sup> Offense (\$300 fee)
	Possession or consumption of drugs	*Parental Notification *Disciplinary Probation Community Service (80 hours) *Loss of university housing in incident occurs in housing (No Refund) *Individual Offense (\$400 fee) *Drug Treatment Program and/or suspension (1 semester)
<b>3<sup>rd</sup></b>	Being in the presence of drugs	*Parental Notification *Loss of University Housing if incident occurs in housing (No Refund) *Loss of Campus Privileges *Drug Treatment Program *Suspension (1 AY)

## **UNIVERSITY STUDENT SANCTIONS**

In cases of civil or criminal action against a University of Maryland Eastern Shore student, the University does reserve the right, for educational purposes, to review any action taken by authorities. The University may, at its discretion, introduce further sanctions if the student's conduct has interfered with the University's exercise of its educational objectives or responsibilities to its members.

## **UNIVERSITY EMPLOYEES**

Except as specifically authorized, the consumption or distribution of alcohol by employees while on University property or on University business is prohibited as is being under the influence of alcohol during work. This policy is intended to be consistent with applicable employment policies and the Drug Free Workplace Policy. Such policies may contain additional rules concerning alcohol and drug use. The referenced law is available upon request from the Campus Public Safety office and the Office of Human Resources.

## **CRIMINAL SANCTIONS**

As part of its educational function, the University of Maryland Eastern Shore wants students, staff, and faculty to be informed about the possible consequences of their actions and the risks they run under state and federal law regarding alcohol and drug abuse. The unlawful possession, use, or distribution of illicit drugs and alcohol is punished by harsh sanctions under the laws of the United States Government and the State of Maryland. Applicable legal sanctions under local, state or federal law for the unlawful use, possession or distribution of illicit drugs or alcohol are set forth in the referenced laws and are available upon request from the Campus Public Safety office and the Office of Human Resources.



This policy, and all policies may be found on the University website at [www.umes.edu/universitypolicies](http://www.umes.edu/universitypolicies)

