

University of Baltimore
IV.1.1 Policy and Procedure on Drug and Alcohol Use

Approved: Spring 2006

Reviewed: Fall 2014

Reviewed: October 2016

Updated: October 2018

Updated: September 2020

General Policy Statement

The use or abuse of controlled or illegal substances, and alcohol, pose a serious threat to the health and welfare of a large segment of the college student population through a lessening of academic performance, estrangement of social relations, creation of mental health and physiological problems, vandalism, and in some cases bodily injury, illness, and death.

The University of Baltimore drug and alcohol policies are designed to help protect the health and welfare of students, observe state, federal and local laws and maintain an atmosphere and environment appropriate for learning.

Amnesty Policy

The health and welfare of our community is the University's primary concern. Any student who seeks help for themselves or another person during a medical emergency while under the influence of alcohol and/or drugs will not be charged by the University with a violation of University policy for being under the influence. Additionally, the person for whom help is sought will not be charged with a violation of University policy for being under the influence.

Health Risks

Substance abuse is recognized as the number one public health problem in the United States accounting for about 150,000 deaths annually. This includes deaths from stroke, disease of the heart and liver, and all alcohol and drug related suicides, homicides and accidents. About 30 percent of all those admitted to general hospitals and 50 percent to psychiatric hospitals have detectable substance abuse.

Treatment/Referral

Those interested in discussing drug or alcohol problems are encouraged to contact the University Of Baltimore Office Of Community Life (AC 112) to review our resources that may assist you. In addition, the Student Assistance Program (SAP) is a service that provides private and confidential counseling services 24/7. They provide in person, online and/or by phone appointments. A counselor can be reached at 1-800-327-2251, 24 hours a day, seven days a week. All calls are confidential.

Additional information can be obtained at the following sites:

Addictions Hotline- 1-800-559-9503

Alcohol and Drug Administration- www.maryland-adaa.org

Baltimore County Substance Abuse Program- 410-789-2647

Drug Policy

The University of Baltimore is committed to using all available means to prevent illegal activities on campus. Use, possession, sale, distribution, and being under the influence of controlled substances or illegal substances on University premises or at University-organized activities is strictly prohibited, except as permitted by law.

Violations

Violations of laws and university policies and regulations regarding the use of controlled/illegal substances and alcohol at on-campus or University-organized activities off-campus are subject to prosecution through both law enforcement authorities and the campus judicial system. Penalties through the latter authority will depend on a careful review of the facts and circumstances of each individual case, but will take into consideration such factors as the accused person's previous record, the nature of the substance, and the degree of culpability. The range of university penalties shall include, but not be limited to, disciplinary reprimand, loss of privilege, restitution, disciplinary probation, disciplinary suspension, disciplinary dismissal, and disciplinary expulsion.

Legal Sanctions

Students and employees at the University of Baltimore are subject to federal, state and local laws regarding the possession and distribution of illegal drugs. *Federal Law 21 USCA, sections 841 and 844*, states that it is unlawful to possess, manufacture, distribute or dispense a controlled substance. In addition, the state of Maryland has additional laws dealing with distribution, manufacturing, and possession of controlled substances. Maryland law (*Sections 5-601, 5-602 and 5-607, Criminal Law Article*) states that any persons who unlawfully manufacture, distribute, dispense or possess a controlled dangerous substance may be subject to imprisonment up to 5 years and fines up to \$25,000. *Maryland. Ann. Code Art. 27, section 286 (1989)*, further states that any person who unlawfully manufactures or distributes any controlled dangerous substances may be fined up to \$25,000 and may be imprisoned for up to 20 years for a first offense.

Federal law 21 USC, sections 841 and 844-845a (1990), states that it is unlawful to possess any controlled substance for any illegal purpose. 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 \$1,000 and/or imprisonment for up to 3 years. The penalties increase if the possession includes intent to manufacture, distribute, or dispense a controlled substance, especially if done so 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 also be liable to the United States for an amount up to \$10,000 in civil penalties.

Convictions related to controlled and/or illegal substances will adversely impact a student's ability to receive federal financial aid.

Also, in Baltimore City, under *Article 19, section 58C of the City Code*, it is illegal to loiter in a certified drug-free zone, with penalties of imprisonment of up to 30 days and a fine of up to \$400.

Alcohol Policy

The University of Baltimore permits the use of alcoholic beverages in designated areas on campus if such use is in conformity with all applicable alcoholic beverage laws and the specific University regulations. The use of alcoholic beverages on campus or at off-campus University sponsored events must also be consistent with the maintenance of a high standard of conduct conducive to learning.

Violations

Violation of any regulation regarding alcoholic beverages will be adjudicated through the University's judicial system, and where appropriate, through legal action. Students and organizations found to be in violation shall face a range of University sanctions as provided in the Code of Conduct, including but not be limited to, disciplinary reprimand, loss of privilege, restitution, disciplinary probation, disciplinary suspension, disciplinary dismissal, and disciplinary expulsion.

Legal Sanctions

Students and employees of the University of Baltimore are subject to state laws for possessing, consuming and obtaining alcohol. It is illegal in the state of Maryland for any 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 or to obtain alcohol on behalf of a person under 21. The penalty is a fine of up to \$500 for a first offense and up to \$1,000 for repeat offenses. Under section *TR16-113* of the *Maryland Annotated Code*, licensees under the age of 21 years are prohibited from driving or attempting to drive a motor vehicle while having alcohol in the licensee's blood. Violation of this license restriction may result in a license suspension or revocation and/or a fine.

All sales, distribution, and consumption of alcoholic beverages, must conform to regulations of the University as set forth herein, to the regulations of the Board of Liquor License Commissioners for Baltimore City, and the laws of the state of Maryland. Specifically, *Article 2B* of the *Annotated Code of Maryland (Alcoholic Beverages Law)*:

1. Prohibits selling or permitting consumption of alcoholic beverages after the prescribed hours (*Section 86*);
2. Prohibits permitting any person to drink any alcoholic beverage not purchased from the license holder on the premises covered by the license and not permitted by the license to be consumed on the premises (*Section 114*);
3. Prohibits selling or furnishing any alcoholic beverages to a minor or a person visibly under the influence of any alcoholic beverage (*Section 18*). The City of Baltimore Liquor Board requires that a one-day liquor license be obtained and displayed at any event where beer and wine are sold (Liquor Board Rules and Regulations Rule 1.10) or that a caterer with off-sale caterer privilege be used (Liquor Board Rules and Regulations Rule 1.09).

Regulations for the Marketing, Sale, Distribution, and Consumption of Alcoholic Beverages at University Events

All state, federal and local laws must be observed when marketing, selling and consuming alcoholic beverages.

Designated Areas

Alcoholic beverages may only be served and consumed in areas designated and approved by the Office of Auxiliary Services. For any events involving alcohol sold by student organizations, a request to serve alcoholic beverages must be submitted to and approved by the Center for Student Involvement for undergraduate and graduate student organizations and by the School of Law for law student organizations at least thirty days prior to the event.

Precautionary Measures

Individuals or organizations sponsoring events on or off-campus are to implement precautionary measures to ensure that alcoholic beverages are not abused, accessible, or served to persons under the legal drinking age (21) or to persons who appear intoxicated. Such measures shall include but not be limited to: identification and age verification checks, wristbands or hand stamps identifying those eligible to drink alcoholic beverages, having designated servers distribute all alcoholic beverages, prohibiting any form of drinking "contest" or game, restricting distribution of free and inexpensive alcoholic beverages, informing and arranging for UB police to be on call for all events, and having nonalcoholic beverages and food available where alcoholic beverages are served.

Advertising/Promotion

Promotional materials including advertisement of University events may not:

1. Make reference to the amount and price of alcoholic beverages (such as the number of beer kegs available),
2. Encourage any form of alcohol abuse,
3. Place emphasis on quantity and frequency of use,
4. Associate alcohol consumption with the performance of tasks that require skilled reactions such as the operation of motor vehicles or machinery, or
5. Portray drinking as a solution to personal or academic problems of students or as necessary to social, sexual, or academic success.

All promotional materials shall note the availability of non- alcoholic beverages as prominently as alcohol. Alcoholic beverages may not be used as inducement to participate in a university/student organization sponsored event. Display or availability of promotional material for both on-campus and off-campus student organization events must be reviewed to ensure those materials comply with university alcohol policy. For undergraduate and graduate student organizations this review will be conducted by Director for the Center for Student Involvement or his/her designee, for law student organizations, this review will be conducted by the Office of Academic Affairs in the School of Law

Campus Marketing Programs

Campus marketing programs which include controlled sampling are permitted but shall conform to all University alcohol regulations, including the availability of alternative nonalcoholic beverages and food. No uncontrolled sampling as part of a campus event is permitted. The consumption of alcoholic beverages shall not be the sole purpose of any promotional activity. Marketing programs should have educational value and subscribe to the philosophy of responsible and legal use of the products represented. Marketers shall support campus alcohol awareness programs that encourage informed and responsible decisions about the use or nonuse of alcoholic beverages.

Free Alcoholic Beverages

Alcoholic beverages may not be provided as promotions, free awards or prizes to individual students or campus organizations. Free alcoholic beverages may not be served at student organization sponsored events without prior approval from the Director of the Center for Student Involvement or his/her designee for undergraduate and graduate organizations and from the Office of Academic Affairs in the School of Law for law student organizations.

Student Organization Alcohol Procedure

Note: The procedure below applies to undergraduate, graduate, and law student organizations at the University of Baltimore.

If your organization is interested in providing beer and/or wine for an event, or if you're holding an event where alcohol is being served, please carefully review the procedures below and the University-wide alcohol policy available [here](#). The procedures below are created to align with this university wide policy.

Submitting an Alcohol Agreement Form

- Organizations must complete a formal request (Alcohol Agreement Form) for any events involving alcohol at least 30 days prior to their event.
- Undergraduate and graduate student organizations will submit the request from through the Center for Student Involvement.
- Law student organizations will submit the request through the Office of Academic Affairs in the School of Law.
- Organization representatives are encouraged to schedule a meeting with a staff member in the Center for Student Involvement (undergraduate and graduate organizations) or the School of Law Office of Academic Affairs (law organizations) to discuss these policies and procedures in further detail and to address any questions.

These procedures apply to both on and off campus events hosted by student organizations whenever alcohol is served, whether the organization purchases alcohol or not.

To host an event where alcohol is served:

- Designate an Event Chairperson
- Reserve your event space (as outlined previously for on campus events).
- Request quote from a caterer with a liquor license.
- Ensure your advisor is available to be present at the event. At least one of the organization's advisors or advisor's designee is required to be present at the event.
- The requirement to have an advisor present is waived if ALL of the following apply:
 - Participants are purchasing their own alcohol, i.e. the student organization is not paying for or facilitating the purchase of alcohol.
 - The venue where the event is being held has a liquor license, is providing the alcohol and servers.
 - The event is held off campus.
 - An example of an event where an advisor would not need to be present is a happy hour held at a restaurant where the student organization is purchasing food but there is a cash bar for those in attendance.
- Complete the Student Organization Alcohol Agreement Form.
- Center for Student Involvement (undergraduate and graduate organizations) or the School of Law Office of Academic Affairs (law organizations), as well as the UB Police Department will review your request. You will receive a notification once your request to serve alcohol has been approved.
- Obtain an invoice from a caterer with a Liquor License for the serving and providing the beer and wine.
- Complete and submit an Event Incident Report after the event.

Before the Event

- **Event Chairperson:** Student organizations wishing to hold an event where alcohol is served must designate an Event Chairperson. The Event Chairperson should be the key contact for this event, must be present for the duration of the event, and should abstain from consuming alcohol during the event. The designated Event Chairperson MUST complete all necessary paperwork prior to and after the function. The Student Organization Alcohol Agreement Form and Alcohol Event Incident Report can be found in CampusGroups. The Incident Report must be completed after every event where alcohol is served even if an incident did not occur.
- **Types of Beverages:** Beer, certain malted beverages and wine are the only alcoholic beverages permitted at events hosted on campus. For off-campus events, only beer, certain malted beverages and wine may be purchased by student organizations for consumption at the event. The sale of these alcoholic beverages may only be a single facet of the event, not the sole purpose.
- **Procurement of Beverages:** Alcohol must be procured through and served by a caterer with a valid liquor license. When required by UBPD, Public Safety officers must be available to provide security. This may include overtime costs. Organizations will be provided notification if they need officers after completing the Student Organization Alcohol Agreement Form. If required, an estimate of this fee will be provided when the Student Organization Alcohol Agreement Form is approved.
- **Scheduling:** Events including alcohol will not be scheduled, nor approved, during the period of final exams. This period includes both study days and exam days for the College of Public Affairs, the College of Arts and Sciences, the School of Business and the School of Law.
- **Approved areas for sale:** University approved areas for the sale of beer and wine are the Academic Center lounge, BC-003, areas in the Student Center, Gordon Plaza, Law School 12th floor, 6th floor, lobby and lower lobbies. The Business School Atrium is available on a very limited basis with special approval from the Director of the Center for Student Involvement or their designee.
- **Publicity:** Event advertising may not promote excessive drinking through graphics or text. Event advertising may not promote special pricing of alcohol. Reference to "beer" and "wine" must appear in the same size and manner as, or smaller than, the reference to non-alcoholic beverages and food or other flier information. All promotional materials related to events involving alcohol must be reviewed by the Director of the Center for Student Involvement (graduate and undergraduate organizations) or the Assistant Dean of Students (law organizations), or their designee.

During the Event

- **Advisor:** Both the Event Chairperson and the student organization's Advisor or the Advisor's designee (must be UB faculty or staff) must be present throughout the duration of events where alcohol is served unless ALL of the conditions listed in the introductory section of this policy are met.
- **Serving Times:** Alcohol may be served for a maximum of six hours and all

sales/distribution must stop 30 minutes before the end of the advertised event time. (For example, an event advertised until 11:00 p.m. requires sales and distribution to cease at 10:30 p.m.) No alcohol can be served at an event before 3PM.

- **Age Verification:** Age verification is required for all those consuming alcohol at all events. In addition, some type of visible identification designating who is of-age must be used, ie; hand stamps, wristbands.
- **Wristbands/handstamps:** Events where all attendees are over the age of 21 may be exempt from wristbands/handstamps as determined by the Director of the Center for Student Involvement or their designee (undergraduate and graduate student organizations) or from the Office of Academic Affairs in the School of Law (law student organizations). Exception requests must be requested in writing in the Student Organization Alcohol Agreement. Age verification is still required, even if the use of wristbands/handstamps is not.
- **Serving alcohol at events:** No individual other than the caterer may serve alcohol to any individual attending an event on campus that is subject to the Student Organization Alcohol Policy.

Pricing Requirements

- **Approved alcohol may not be sold at a price lower than the cost of the product and equipment.** No reduced pricing is allowed, such as "two for one" or "3 for \$2.00" or "bottomless" which encourages excessive drinking and/or irresponsible behavior.
- **No alcohol may be distributed for free.** This includes before, during, and after the event. Alcohol may not be part of an all-inclusive price for an event. For example: You cannot sell a ticket to an event for \$5.00, which would include you can eat food and all the alcohol you can drink. An all-inclusive price can include a pre-stated number of drink tickets provided that price charged is at least equal to the per-drink cost of the alcoholic beverages. For example, a \$10 entry fee could include all you can eat and 2 drink tickets, if the actual cost of alcohol breaks down to \$5 or less per drink.
- **Sodas, water, or other non-alcoholic drinks must be made available in equal or greater quantities than that of the alcohol during the entire course of the event.** They must be offered for free or at fair market price.
- **A sufficient quantity of food must be made available during the entire course of the event.** While sales of some items are allowed, some type of free food must also be supplied, for the entire course of the event.
- **For catered events, leftover alcoholic beverages must be returned to the caterer.** Alcohol may not be taken "to-go" nor may remaining alcohol be sent home with event participants following the event.
- No individual other than the caterer may bring alcohol to any event on campus that is subject to the Student Organization Alcohol Policy.
- Exceptions to the pricing requirements of these guidelines may be approved at the discretion of the Director of the Center for Student Involvement (graduate and

undergraduate organizations) or the Assistant Dean of Students (law organizations), or their designee. Exceptions must be requested in writing in the Student Organization Alcohol Agreement.