

determined by the Department of Student Life to be consistent with the educational mission of the University. In some cases where the Department of Student Life feels that the material from non-University concerns would be beneficial to UVM students, they will assist in locating distribution points for those materials.

- B. No labels will be given to any group without receiving a written copy of what is being mailed.
- C. All labels must be signed for when they are picked up to verify that the labels will be used accordingly. Requests for labels that are being processed through the university's Mail Services must be signed for in advance.

STUDENT ALCOHOL AND OTHER DRUG POLICY

For questions concerning this policy, please contact the Office of the Vice President for Student Affairs.

A. PHILOSOPHY

The University of Vermont is committed to sustaining an academic environment that both respects individual freedom and promotes the health, safety, and well-being of all members of our community. It is essential that the members of this community recognize that the misuse and abuse of alcohol and the use of illicit drugs constitutes a threat to the educational mission of the University.

All community members are encouraged to become informed about substance abuse and its harmful effects. While the University respects the individual freedom of the members of our community, that freedom comes with an expectation that individuals will act responsibly. Substance use is not an acceptable excuse for behavior that violates community standards. The University seeks to provide an environment free from the adverse effects of alcohol and other drug abuse.

All members of the University community are responsible for being fully aware of the requirements of University policy as well as local, state, and federal laws regarding alcohol and other drugs. The University holds students accountable for behavior that violates University policy and may refer incidents which could constitute a violation of law to the appropriate officials.

The University recognizes that substance abuse is a serious problem that may require professional assistance and treatment. Accordingly, a variety of services are available to students who seek assistance for substance abuse problems. These resources include information and confidential counseling at the Counseling Center and the Alcohol and Drug Services Office of the Center for Health and Wellbeing. In addition, staff in these offices can make referrals to other services available in the community.

B. APPLICATION

This policy applies to students, student organizations, and their guests on University owned or leased property and facilities and/or engaged in a University activity.

C. POLICY

If an individual is of legal age, 21 or older, he/she may possess and consume alcohol only for personal use and only in private residential space, in accordance with this policy and all other state and local laws. Alcohol and other drugs possessed in violation of this policy are subject to confiscation. The University is committed to creating a quality learning environment free from the abuse of alcohol. Possessing and using devices designed or intended to be used for the rapid consumption of alcohol (i.e. funnels, beer bong, etc.), and engaging in behaviors intended to intoxicate (i.e. races, games, etc.) may be considered aggravating circumstances when considering appropriate sanctions. The presence of empty containers leads to a rebuttable presumption that the occupant(s) of the residential space in which the empties are located consumed the

container's original contents. The following actions are prohibited:

1. Alcohol

- a. Possessing or consuming alcohol if under the age of 21. An individual, 21 or older, may possess alcohol for his/her own personal use, and consume alcohol in his/her own residence hall room or the rooms of other students who are 21 or older, regardless of whether those students have underage roommates.
- b. Operating a motor vehicle while under the influence of alcohol.
- c. Misrepresenting one's age for the purpose of purchasing, possessing, or consuming alcohol.
- d. Possessing, furnishing, or consuming alcohol in University owned or leased buildings, University grounds or lands, or in common areas of residence halls, except as otherwise permitted in this or other University policies. Common areas for purposes of this Code are defined as balconies, bathrooms, lobbies, stairwells, lounges, study rooms, music rooms, the shared living space in Living/Learning suites, and anywhere students gather or pass.
- e. Possessing, furnishing, or serving from a common source of alcohol (i.e. kegs, beer balls, punch bowls, or other approximate equivalent number of servings.)
- f. Purchasing, furnishing, or serving alcohol to or for an underage person.
- g. Being dangerously intoxicated to the point when state law mandates being taken into custody.
- h. Creating, offering, or engaging in drinking games and other behaviors designed for the purpose of becoming intoxicated through the abusive use of alcohol.
- i. Being under the influence of alcohol, as supported by evidence through actions and/or results of field sobriety tests or alco-sensor readings administered by a police officer. Any

alco-sensor reading of .02 Blood Alcohol Content (B.A.C.) or above for an underage person or a .08 B.A.C. for persons 21 or older may be deemed "under the influence of alcohol" for purposes of this Code.

2. Illicit Drugs

- Possessing or using illegal substances, as defined by federal, state, and local statutes.
- Possessing or using controlled substances as defined by federal, state, and local statutes. (Controlled substances may be taken pursuant to a properly issued prescription, provided the controlled substance is taken as and in the amount prescribed.)
- Distributing, selling, or possessing with the intent to distribute illegal or controlled substances, as defined by federal, state, and local statutes.
- Possessing or using drug paraphernalia (including but not limited to pipes, bongs, etc.)
- Being under the influence of illegal or controlled substances as demonstrated by actions and/or other evidence.

D. ENFORCEMENT

The enforcement of community standards is a shared responsibility of all community members:

- The Department of Police Services, as agents of the University and commissioned law enforcement officers of the State of Vermont, will investigate any violations of federal and state statutes and/or University regulations. The police officers' law enforcement authority, pursuant to 16 VSA section 2283, is state-wide.
- Faculty, staff, and students intervene as appropriate when observing violations of the Alcohol and Other Drug Policy. In addition, Residential Life staff respond in any residential area, including student rooms, when it is apparent that there are violations of the Alcohol and Other Drug Policy or when behavior infringes on the rights of others or may affect the health and safety of members of the community.

- Alleged violations of this policy may be referred to the University Judicial System and/or to local authorities.

E. REGISTRATION AND CATERING

University recognized student organizations may apply to sponsor functions at which alcohol is served under the following regulations:

- Sponsors must apply for approval and register any on-campus event by completing and submitting an alcohol event registration form 21 days in advance of the event.
- Sponsors must obtain the approval from the appropriate campus office.
 - For events held in residence halls, dining halls, or outdoor space contiguous to residence hall facilities, sponsors must obtain approval from the Department of Residential Life (Robinson Hall).
 - For events held outdoors or in other campus buildings, sponsors must obtain approval from the Department of Student Life (Billings).
 - For events held on the Fort Ethan Allen Campus, sponsors must obtain approval from the Ethan Allen Housing Office (Building 503).
- Sponsors are responsible for the behavior of those attending the function.
- Sponsors must cooperate with the caterer in establishing means by which only individuals of legal age are allowed to consume alcohol.
- Sponsors must assume all financial costs (custodial, security, damages, etc.) associated with the event. Non-alcoholic beverages and food must also be provided.
- After an event has been properly registered, sponsors must secure the services of University Dining Services as the licensed caterer for all on-campus alcohol related social events.

F. PUBLICITY, ADVERTISING, MARKETING, AND PROMOTION

- Officially recognized student organizations of The University of Vermont must not enter into

any promotional agreements or advertising agreements with alcohol beverage distributors/companies or their agents.

2. Only on-campus events which are properly registered and at which alcohol is served by the licensed caterer may be advertised on campus.
3. The sponsoring organization is responsible for any publicity, advertising, marketing, or promotion that is disseminated in conjunction with the event and must ensure adherence to the following guidelines:
 - a. Alcohol should not be the primary focus in any publicity.
 - b. Advertisements should avoid demeaning sexual or discriminatory portrayals of individuals.
 - c. Promotion should not encourage misuse nor place emphasis on quantity or frequency of alcohol use.
 - d. Advertising should subscribe to the philosophy of low risk and legal use of alcohol.
 - e. Drinking of alcohol should not be portrayed as contributing to the personal, academic, or social success of students or individuals.
 - f. Alcohol should not be associated with the performance of tasks that require skilled reaction, such as the operation of a motor vehicle or machinery.

SUMMARY OF RELEVANT PROVISIONS OF VERMONT LAW

Vermont law controls the possession and sale of alcohol beverages and illicit drugs within the State of Vermont. Violations of many of the specific legal rules result in criminal sanctions. Involvement with the criminal justice system is a serious matter even if maximum fines or prison sentences do not result. A criminal record can adversely affect job opportunities, admission to graduate or professional schools, and eligibility for training and financial aid opportunities. Some

of the specific legal rules and criminal sanctions are described below:

Alcohol

It is a crime for a person under twenty-one years old (minor) to procure, possess, or transport alcohol. Penalties for procuring, possessing, or transporting alcohol include a fine up to \$500 and/or imprisonment up to six months. It is a crime to sell or furnish alcohol to a minor. Penalties for selling or furnishing alcohol to a minor include a fine up to \$1,000 and/or imprisonment up to two years. It is a crime to misrepresent one's age, possess a false identification card, use someone else's identification card, forge or alter an identification card, or loan an identification card to another for the purpose of obtaining alcohol.

Alcohol Incapacitation or "Detox"

Being taken to "detox," as it is often referred, results from consuming dangerous levels of alcohol. When a law enforcement officer encounters a person who s/he deems to be "incapacitated," the officer is required by law to take the person into "protective custody." "Incapacitation" means that the person appears to be in need of medical care or supervision to assure his/her safety due to his/her level of intoxication. This is a civil action to protect the incapacitated person and others, and while it is extremely unpleasant and involves handcuffs, it is not necessarily an arrest.

After the person is taken into protective custody, the officer is required to get the person the appropriate treatment, either at the emergency room or ACT 1. If the person acts out, refuses to cooperate, or refuses treatment, then s/he will be taken to jail. Depending upon one's actions during the incident, individuals may be cited for civil and/or criminal violations. Being dangerously intoxicated is a violation of University policy and will be referred to the University judicial system.

Marijuana

It is a crime to knowingly possess, cultivate, deliver, or sell marijuana. Penalty for a first violation of possession includes a fine up to \$500 and/or imprisonment up to 6 months. Penalties for delivering or selling include a fine up to \$10,000 and/or imprisonment up to two years. Subsequent violations, cultivation, delivering, or sales of 1/2 ounce or more include much heavier fines e.g. up to \$500,000 and much longer imprisonment, e.g. up to 15 years.

Cocaine

It is a crime to knowingly possess, deliver, or sell cocaine. Penalties for possession include a fine up to \$2,000 and/or imprisonment up to one year. Penalties for delivery include a fine up to \$75,000 and/or imprisonment up to three years. Penalties for selling cocaine include fines up to \$100,000 and/or imprisonment up to five years. Penalties for possession, delivery, or sales of 2.5 grams or more include much heavier fines and much longer imprisonment.

LSD

It is a crime to knowingly possess, deliver, or sell LSD. Penalties for possession include a fine up to \$2,000 and/or imprisonment up to one year. Penalties for delivery include a fine up to \$25,000 and/or imprisonment up to three years. Penalties for selling LSD include fines up to \$25,000 and/or imprisonment up to five years. Penalties for possession, delivery, or sales of 400 micrograms or more include much heavier fines and much longer imprisonment. It is a crime to knowingly possess, deliver, or sell hallucinogenic drugs other than LSD. Penalties are very similar to those for LSD.

Heroin

It is a crime to knowingly possess, deliver, or sell heroin. Penalties for possession include a fine up to \$2,000 and/or imprisonment up to one year. Penalties for delivery include a fine up to \$75,000 and/or imprisonment up to three years. Penalties for selling heroin include fines up to

\$100,000 and/or imprisonment up to five years. Penalties for possession, delivery, or sales of 200 milligrams or more include much heavier fines and much longer imprisonment. It is a crime to knowingly possess, deliver, or sell depressants, stimulants, and narcotic drugs other than heroin or cocaine. Penalties are very similar to those for heroin or cocaine.

CAMPUS MAIL USE

For questions concerning this policy, please contact Mail Services.

The campus mail system shall be established and operated in conformance with United States Postal Regulations, as administered by the University Manager of Mail Services. Stamped and metered mail will be handled in accordance with standard procedures for such mail posting and carriage. Postage-free use of the campus mail system is permitted in a manner consistent with the specifications of the U.S. Postal Service and the University Manager of Mail Services, and under only the following circumstances:

I. University Academic and Administrative Units

University academic and administrative units may distribute written material which substantially relates to the programs or operations of the unit. Mailings must be authorized by the dean, director, academic chairperson, or department head having direct responsibility for oversight of the unit. The name of the unit and its campus address, and the name and complete address of the intended recipient, must appear on the envelope, or on the mailing if it is not enclosed. Advance arrangements for bulk mailings must be made with the Manager of Mail Services.

II. Officially Recognized University Groups and Organizations

Groups or organizations officially recognized under established University procedures may distribute written material which substantially