

Drug Free Campus Policy

Minot State University recognizes the serious problems created by the use and abuse of alcohol and other drugs. In response to this awareness, Minot State University is committed to:

- establish and enforce clear campus policies regarding the use of alcohol and other drugs
- educate members of the campus community for the purpose of preventing alcohol and other drug abuse
- create a campus environment that promotes the individual's responsibility to himself/herself and to the campus community
- provide resources through counseling and referral services for students who experience alcohol and/or drug problems.

Students concerned about their own alcohol and drug use or about that of others are encouraged to contact the MSU Student Affairs Office, the University Student Health Center, or the MSU Counseling Center.

I. STANDARDS OF CONDUCT

The university prohibits the use, possession and/or sale of alcoholic beverages in classrooms, laboratories, bathrooms, offices, residence halls, university housing units, athletic facilities, university vehicles, other campus building areas, public campus areas or in outdoor campus areas.

1. An alcoholic beverage is any fluid or solid capable of being converted into a fluid, suitable for human consumption, and having an alcoholic content of more than 1/2 of 1% by volume, including alcohol, beer, lager beer, ale, porter, naturally fermented wine, treated wine, blended wine, fortified wine, sparkling wine, distilled liquors, blended distilled liquors, and any brewed fermented, or distilled liquor fit for use for beverage purposes or any mixture of the same, and fruit juices.
2. University groups and recognized organizations may not use their funds for the purchase of alcoholic beverages.
3. On-campus parties at which alcoholic beverages are consumed are prohibited.
4. Sale of alcoholic beverages by university groups or recognized student organizations is strictly forbidden. (This is to include any action that can be remotely construed as alcohol sale such as charging admission to parties, passing the hat, selling empty cups, selling tickets, etc.)
5. Alcoholic beverages (such as kegs or cases of beer) may not be used as awards or prizes in connection with events or activities sponsored by university groups or organizations.
6. Alcohol/drugs are not to be represented in any academic or instructional setting or in any campus publication in a manner which would:
 - a. encourage any form of alcohol abuse or place emphasis on quantity and frequency of use.
 - b. portray drinking as a solution to personal or academic problems of students or as necessary to social, sexual, or academic success.
 - c. associate consumption of alcoholic beverages with the performance of tasks that require skilled reactions such as the operation of specialized equipment, motor vehicles, or athletic performance.
7. The use of alcoholic beverages during all public events held on the MSU campus is strictly forbidden except as provided by this subsection.
 - a. This policy does not apply to homes furnished to institution officials, family housing, married student housing, faculty housing or off-campus guest housing.
 - b. Alcoholic beverages may be permitted, subject to applicable state and local laws and ordinances, at events in facilities or upon land owned the institution pursuant to a permit signed by the institution's chief executive or designee. The permit must describe the nature of the event and the date(s), time(s) and place where consumption of alcoholic beverages is permitted. The permit may be for a single event or for events occurring periodically at the designated place during a period of not more than one year.

The use, consumption, and possessing of any narcotic, dangerous drug, and/or controlled substance by any student or employee of the university for which said student or employee does not have a legal license or valid

prescription is strictly prohibited. The unlicensed distribution or sale of any narcotic, dangerous drug, or controlled substance by any student or employee of the university is strictly prohibited. When such activity occurs on campus, the university shall initiate appropriate measures, which may include disciplinary action.

When such activity occurs off the premises of the campus, the university nevertheless may consider initiating disciplinary action if the university determines that the activity has a substantial adverse effect upon the university or upon individuals of the university community. Violators will be subject to penalties, which may include separation from the university.

II. THE LAW

State and Federal law will be regarded as the principal bodies of rules governing the use of alcohol/drugs for MSU students. Each person will be held responsible for his/her own behavior. While laws vary from town to town and state to state, some regulations govern all American citizens. You should be aware of all federal, and local laws, as well as MSU alcohol policy. Ignorance does not eliminate your liability.

ALCOHOL

1. The state of North Dakota requires that individuals be at least 21 years of age to buy, possess, and consume alcoholic beverages.
2. It is illegal to give or sell alcohol to an individual under the age of 21.
3. It is illegal to have an open container of alcohol in any vehicle. (Minot Code of Ordinances also prohibits possession of an open container or consumption of alcoholic beverages upon any street, alley, or other public way or private property, which is generally open to the public, except as allowed by special permit issued by the city council)
4. It is illegal to serve alcohol to an intoxicated person.
5. It is illegal to sell alcohol of any kind without a license or permit.
6. Organizations are not immune from prosecution for a legal violation. The officers of that group are usually the parties cited, but every group member is liable.
7. Driving while intoxicated (under the influence OR with .08% or higher blood alcohol content) is a criminal offense.
8. Being intoxicated is not a legal defense for any charge, including assault, rape, vandalism, slander, manslaughter or accident.
9. If a person is involved in a drinking/driving crash after leaving a party, the victim(s) of the crash may sue both the person at fault and those who provided the alcohol. If any intoxicated person causes harm to another person or property, the victim may sue the intoxicated person, and anyone who served the intoxicant such as hosts of private parties, organizations/businesses and their employees for damages in civil court.

It is also illegal by state law and municipal ordinance to be in an alcohol establishment under the age of 21, even if not in possession or while consuming alcoholic beverages with the following exceptions. If the person is 18 or older, they may be on the premises if they are a musician, disk jockey, entertainer, or performing duties related to the above exceptions. These people must be under the supervision of someone 21 years of age or older. Those 18 years or older may still serve (but not dispense) and collect money for alcoholic beverages if they are working in a restaurant that serves alcoholic beverages.

DUI (Driving Under the Influence)

1. What Happens to Your Operators License if You're Stopped? Under the current law, if you're arrested for DUI, and **refuse chemical testing**, the arresting officer will take your operator's license ON THE SPOT! The ND Department of Transportation (ND DOT) WILL revoke your license for a minimum of one year to a maximum of three years. If you are not licensed in North Dakota, the ND DOT will revoke your North Dakota driving

privileges for the same time period and notify your license's issuing state/province where you may be subject to additional revocation/suspension there.

If your BAC is between .08% and .17% your license (or North Dakota driving privileges if you are licensed elsewhere) will be suspended under the following guidelines:

- a. First DUI: 91 days suspension
- b. Second DUI in seven years: 365 days suspension
- c. Third DUI in seven years: two years suspension

If your BAC is .18% or higher, your license (or North Dakota driving privileges if you are licensed elsewhere) will be suspended under the following guidelines:

- a. First DUI: 180 days suspension
- b. Second in seven years: two years suspension
- c. Third in seven years: three years suspension

If you refuse to take a BAC test or a preliminary breath test (PBT), your license will be revoked for one to three years, depending on your record of past DUI offenses. A work driving permit can only be issued to first offenders who have served at least 30 days of the 91 days suspension.

Refusal to take the preliminary breath test will no longer be a criminal offense. The driver will still be subject to administrative consequences (license/driving privilege revocation), but not criminal consequences. Refusal to take the CHEMICAL BAC test (post arrest testing, or the "BAC test" you say above) will still be a criminal offense.

Work permits cannot be issued to repeat offenders or to those who have refused to take a BAC or PBT test. If you drive while your license is suspended, you will serve four consecutive days in jail and be fined up to \$1,500. The cost of reinstating your ND license or ND driving privileges after a DUI suspension is \$100 (in addition to any fees from other states/provinces)

2. What Happens If You're Convicted?

In addition to losing your driver's license, you also face mandatory minimum fines and/or jail sentences:

- a. First conviction: \$500 fine, if your BAC is between .08% and .17%. If your BAC is .18% or higher: \$750 PLUS two days imprisonment.
- b. Second conviction within seven years: \$1,500 fine and 10 days in jail and participation in the 24/7 sobriety program for a period of 12 months under mandatory probation.
- c. Third conviction within five years: \$2,000 fine and 120 days in jail. SUPERVISED PROBATION for one year and 24/7 sobriety program participation.
- d. Fourth or subsequent conviction within 15 years: \$2,000 fine, one year and one day in prison, and two years' supervised probation and 24/7 sobriety program participation.

All convicted offenders are also required to undergo an alcohol addiction evaluation and provide proof of evaluation and of completion of recommended treatment before his or her driver's license can be reinstated. DUI convictions, refusals to take DUI tests, and driving with a BAC of .08% or more in another state apply in North Dakota.

3. What Happens If You Cause Death or Serious Injury?

If you cause another person's death while DUI, you will face a mandatory MINIMUM three years in prison (ANY previous DUI related convictions the minimum is ten years in prison). The maximum sentence under this statute is 20 years.

If you cause another person to suffer substantial or serious bodily injury while DUI, you will face a mandatory MINIMUM of one year in prison (ANY previous DUI related convictions, the minimum is two years). The maximum sentence under this statute is five years.

4. What Happens to Your Insurance?

If you are convicted of DUI, if you refuse to take a BAC or PBT test, or if you are driving with a BAC of .08% or more, your annual car insurance rates could double or even triple.

5. Driving while under the influence of alcohol while being accompanied by a minor will push the offense to a Class A misdemeanor.

DRUGS

Schedule I: Heroin, LSD, Peyote, Mescaline, Psilocybin (Shrooms), Other Hallucinogens, Methaualone (Quaaludes), Pencyclidine (PCP), and MDA.

Schedule II: Morphine, Demerol, Codeine, Percodan, Fentanyl, Dilaudid, Seconal, Nembutal, Cocaine, Amphetamines, and other opium and opium extracts and narcotics

Schedule III: Certain barbiturates such as amobarbitol and codeine containing medicine such as Fiorinal #3, Doriden, Tylenol #3, Empirim #3, and codeine-based cough suppressants such as Tussionex and Hycomine

Schedule IV: Barbiturates, narcotics and stimulants including Valium, Talwin, Librium Equantil, Darvon, Darvocet, Pacidyl, Tranzene, Serax, Ionamin (yellow jackets)

Schedule V: Compounds that contain very limited amounts of codeine, dihydorcodeine, ethylmorphine, opium and atropine, such as terpine Hydrate with codeine, Robitussin AC

To Possess (other than marijuana):

Maximum penalty: Class A misdemeanor, for which a maximum penalty 360 days imprisonment, a fine of \$3,000, or both, may be imposed, for a first offense.

A class C felony for a second or subsequent offense with a maximum penalty of five years in prison or \$10,000 fine or both may be imposed.

To Manufacture, Sell, Deliver (or have intent): Maximum penalty

Schedule I, II, or III: Class B felony, for which a maximum penalty of 10 years imprisonment, a fine of \$20,000, or both, may be imposed for Schedule I, II, or III narcotics (including marijuana).

Schedule IV: Class C felony, for which a maximum penalty of five years imprisonment, a fine of \$10,000 or both, may be imposed.

Schedule V: Class A misdemeanor, for which a maximum penalty of 360 days in jail, a fine of \$3,000 or both.

To Possess Marijuana: Small amounts of marijuana where there is no evidence of intent to distribute to another person is punishable as a Criminal Infraction

Maximum penalty: Criminal Infraction is punishable by a maximum of a \$1,000 fine.

NOTE: Persons found in possession of medical marijuana must be in compliance with rules established by the North Dakota Department of Health which are provided to qualifying patients and care givers upon being issued a Medical Marijuana Registry Identification Card. The marijuana possessed by these card holders must be lawfully approved "usable marijuana" in its original dispensary packaging with lawfully compliant labeling that has bears a matching identification number to the holder's Registry Identification Card. No other state's/province's/country's medical marijuana cards may be used in North Dakota nor can any other marijuana be possessed or ingested in North Dakota, even if lawfully obtained in another

jurisdiction. Medical marijuana can only be used by the designated card holder and cannot be shared with anyone else, including other card holders. Nobody other than the patient or their designated care givers (identified by their own registry identification card) may possess medical marijuana. Any violation can be investigated and criminally prosecuted. Further, a mandatory administrative violation report will be forwarded to the ND Department of Health for possible revocation of the holder's registry identification card. The lawful possession of medical marijuana in North Dakota does not prevent organizations, businesses, or other entities from prohibiting its use on their property by local policy. Lawful possession and use of medical marijuana is NOT a defense in a DUI prosecution.

To Manufacture, Sell, or Deliver Marijuana (or have intent): Maximum penalty: Class B felony, for which a maximum penalty of 10 years imprisonment, a fine of \$20,000, or both, may be imposed.

NOTE: Increased penalties for aggravating factors in many felony drug offenses include, but are not limited to, being within 300 feet of a school between 6:00 am and 10:00 pm while school is in session (also note that university campuses and daycare centers have been removed from this description) and being armed with a firearm during the commission of the offense. Generally speaking, this causes offenses to be elevated to the next higher classification. For example, a class B felony would elevate to a class A felony where they maximum penalty would become 20 years imprisonment.

Drug Paraphernalia: All equipment, products and materials of any kind which are used, intended for use, or designed for use in planting, propagating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing to the human body a controlled substance.

Possession of drug paraphernalia to manufacture, produce, etc. controlled substances (other than marijuana) is a class C Felony, with a maximum sentence of 5 years in prison, a \$10,000 fine or both may be imposed. Possession of drug paraphernalia to manufacture, produce, etc. marijuana is a class A misdemeanor, with a maximum penalty of a year in jail or a fine of \$3000, or both may be imposed.

Possession of drug paraphernalia that can be used for ingestion of a controlled substance (other than marijuana) is a class A misdemeanor for the first offense, a class C felony for subsequent offenses. Possession of marijuana paraphernalia for ingestion is a Criminal Infraction.

Ingestion of a controlled substance is a class A misdemeanor unless the substance is marijuana, then it is a class B misdemeanor.

III. HEALTH RISKS

EFFECTS OF ALCOHOL ABUSE

1. Physical Effects

- a. Increased heart rate and skin temperature.
- b. Loss of simple muscle control leading to slurred speech, poor coordination, etc.
- c. Hangover miseries, fatigue, nausea, headache, etc.

2. Mental Effects

- a. Impaired judgment of space, time, consequences.
- b. Impaired thinking and reasoning process, poor concentration
- c. Loss of inhibitions, exaggerated feelings of anger, fear, anxiety

Heavy drinking or frequent drinking to intoxication over an extended period can have serious consequences such as:

1. Alcoholism
2. Damage to brain cells
3. Malnutrition
4. Increased risk of cirrhosis, ulcers, heart disease, heart attack and cancers of the liver, mouth, throat and stomach
5. Degeneration of muscle and bone
6. Blackouts, memory loss
7. Hallucinations
8. Poor concentration
9. Personality disorders and increased tension, anger, isolation.
10. DTs (delirium tremens: shaking and hallucinations due to withdrawal from alcohol)

EFFECTS OF DRUGS

Sources:

National Survey on Drug Use and Health (www.samhsa.gov) Monitoring the Future(www.monitoringthefuture.org.)

Club Drugs

Brief Description: Typically used by teenagers and young adults at bars, clubs, concerts, and parties. The most common club drugs include Ecstasy (MDMA), GHB, Rohypnol, ketamine, methamphetamine, and acid (LSD).

Street Names: XTC, X (MDMA); Special K, Vitamin K (ketamine); liquid ecstasy, soap (GHB); roofies (Rohypnol).

Effects: Chronic use of MDMA may lead to changes in brain function. GHB abuse can cause coma and seizures. High doses of ketamine can cause delirium, amnesia, and other problems. Mixed with alcohol, Rohypnol can incapacitate users and cause amnesia.

Cocaine

Brief Description: A powerfully addictive drug that is snorted, sniffed, injected, or smoked. Crack is cocaine that has been processed from cocaine hydrochloride to a free base for smoking.

Street Names: Coke, snow, flake, blow, and many others.

Effects: A powerfully addictive drug, cocaine usually makes the user feel euphoric and energetic. Common health effects include heart attacks, respiratory failure, strokes, and seizures. Large amounts can cause bizarre and violent behavior. In rare cases, sudden death can occur on the first use of cocaine or unexpectedly thereafter.

Heroin

Brief Description: An addictive drug that is processed from morphine and usually appears as a white or brown powder.

Street Names: Smack, H, ska, junk, and many others.

Effects: Short-term effects include a surge of euphoria followed by alternately wakeful and drowsy states and cloudy mental functioning. Associated with fatal overdose and- particularly in users who inject the drug- infectious diseases such as HIV/AIDS and hepatitis.

Inhalants

Brief Description: Breathable chemical vapors that users intentionally inhale because of the chemicals' mind-altering effects. The substances inhaled are often common household products that contain volatile solvents or aerosols.

Street Names: Whippets, poppers, snappers.

Effects: Most inhalants produce a rapid high that resembles alcohol intoxication. If sufficient amounts are inhaled, nearly all solvents and gases produce a loss of sensation, and even unconsciousness.

LSD (Acid)

Brief Description: One of the strongest mood-changing drugs. It is sold as tablets, capsules, liquid, or on absorbent paper.

Street Names: Acid, blotter, and many others.

Effects: Unpredictable psychological effects. With large enough doses, users experience delusions and visual hallucinations. Physical effects include increased body temperature, heart rate, and blood pressure; sleeplessness; and loss of appetite.

Marijuana

Brief Description: The most commonly used illegal drug in the U.S. The main active chemical is THC.

Street Names: Pot, ganga, weed, grass, and many others.

Effects: Short-term effects include memory and learning problems, distorted perception, and difficulty thinking and solving problems.

MDMA (Ecstasy)

Brief Description: A drug that has stimulant and psychedelic properties. It is taken orally as a capsule or tablet.

Street Names: XTC, X, Adam, hug, beans, love drug.

Effects: Short-term effects include feelings of mental stimulation, emotional warmth, enhanced sensory perception, and increased physical energy. Adverse health effects can include nausea, chills, sweating, teeth clenching, muscle cramping, and blurred vision.

Methamphetamine

Brief Description: An addictive stimulant that is closely related to amphetamine, but has longer lasting and more toxic effects on the central nervous system. It has a high potential for abuse and addiction.

Street Names: Speed, meth, chalk, ice, crystal, glass.

Effects: Increases wakefulness and physical activity and decreases appetite. Chronic, long-term use can lead to psychotic behavior, hallucinations, and stroke.

Tobacco/Nicotine

Brief Description: One of the most heavily used addictive drugs in the U.S.

Effects: Nicotine is highly addictive. The tar in cigarettes increases a smoker's risk of lung cancer, emphysema, and bronchial disorders. The carbon monoxide in smoke increases the chance of cardiovascular diseases. Secondhand smoke causes lung cancer in adults and greatly increases the risk of respiratory illnesses in children.

PCP/Phencyclidine

Brief Description: Illegally manufactured in labs and sold as tablets, capsules, or colored powder. It can be snorted, smoked, or eaten. Developed in the 1950s as an IV anesthetic, PCP was never approved for human use because of problems during clinical studies, including intensely negative psychological effects.

Street Names: Angel dust, ozone, wack, rocket fuel, and many others.

Effects: Many PCP users are brought to emergency rooms because of overdose or because of the drug's unpleasant psychological effects. In a hospital or detention setting, people high on PCP often become violent or suicidal.

Prescription Medications

Brief Description: Prescription drugs that are abused or used for nonmedical reasons can alter brain activity and lead to dependence. Commonly abused classes of prescription drugs include opioids (often prescribed to treat pain), central nervous system depressants (often prescribed to treat anxiety and sleep disorders), and stimulants (prescribed to treat narcolepsy, ADHD, and obesity).

Street Names: Commonly used opioids include oxycodone (OxyContin), propoxyphene (Darvon), hydrocodone (Vicodin), hydromorphone (Dilaudid), meperidine (Demerol), and diphenoxylate (Lomotil). Common central nervous system depressants include barbiturates such as pentobarbital sodium (Nembutal), and benzodiazepines such as diazepam (Valium) and alprazolam (Xanax). Stimulants include dextroamphetamine (Dexedrine) and methylphenidate (Ritalin).

Effects: Long-term use of opioids or central nervous system depressants can lead to physical dependence and addiction. Taken in high doses, stimulants can lead to compulsive use, paranoia, dangerously high body temperatures, and irregular heartbeat.

Steroids (Anabolic)

Brief Description: Mostly synthetic substances similar to the male sex hormone testosterone. Some people, especially athletes, abuse anabolic steroids to enhance performance and appearance. Abuse of anabolic steroids can lead to serious health problems, some of which are irreversible.

Effects: Major effects of steroid abuse can occur due to hormone imbalances in the body. In males, adverse effects may include shrinking of the testicles and breast development. In females, adverse effects may include growth of facial hair, menstrual changes, and deepened voice. In teenagers, growth may be halted prematurely and permanently. Other adverse effects can include severe acne, high blood pressure and jaundice. In some rare cases liver and kidney tumors or even cancer may develop.

IV. WHERE TO TURN FOR HELP

Minot State University offers counseling services which can be used for referrals to appropriate support agencies for individuals seeking assistance in drug and alcohol evaluation, intervention, treatment, and aftercare. Students may initiate help for themselves or others by contacting the Student Development and Health Center.

Other agencies in addition to those listed below may be found in the yellow pages of the telephone book under "Alcoholism Information and Treatment" and "Drug Abuse Information and Treatment."

Alcoholics Anonymous—515 Club
838-2740
515 5th Ave NW
Minot, ND 58701

Alcoholics Anonymous—700 Club
839-6091
700 16th Ave SW
Minot, ND 58701

Alcohol Education/Alcoholic Counseling
North Central Human Service Center
857-8500

1015 S. Broadway, Suite 18
Minot, ND 58701

Eaton and Associates
839-0474
1705 4th Ave NW
Minot, ND 58703

Minot AFB Mental Health Clinic
723-5527
10 Missile Ave.
Minot Air Force Base, ND 58705-5000

Psychological Services
852-9113
600 22nd Ave NW
Minot, ND 58701

Trinity Mental Health Services
857-5998
1900 8th Ave SE
Minot, ND 58701

Village Family Services
852-3328
20 1st St SW
Minot ND 58701

V. VIOLATION SANCTIONS FOR STUDENTS

Disciplinary action will be adjudicated as outlined in the Student Conduct Policy in the Student Handbook for violation of drugs and alcohol policies. Individual students or organizations found in violation of MSU policy may be subject to one or more of the following disciplinary actions as well as subject to prosecution by the appropriate civil authorities.

1. Eviction — is the formal removal of a student from university housing.
2. Withholding Transcripts and Grades — is a refusal by the university to provide transcripts and grades to the student, to other institutions, to employers and to other agencies.
3. Fine — is the imposition of a monetary penalty. Besides its use as a disciplinary sanction, it may also be used to compensate the university for a monetary loss.
4. Warning — is a discussion of misconduct which becomes a matter of at least temporary record.
5. Probation — indicates that continued enrollment is conditional upon good behavior during a specified period. It is a matter of temporary record and may include specific restriction of activity.
6. Suspension — is a temporary withdrawal of the privilege of enrolling in the university for a specific period. Suspensions may be deferred to allow completion of an academic term, after which it is automatically invoked. During a period of deferment, the suspension may be enacted immediately by the university administration, if additional misconduct occurs.

7. Expulsion — is the withdrawal of enrollment privileges with no promise of reinstatement at any time and no opportunity for review for at least one year.

Federal Student Financial Aid Penalties for Drug Law Violations

Your eligibility for federal student aid (grants, loans or work-study) may be suspended if you were convicted for an offense involving the possession or sale of illegal drugs during a period of enrollment in which you received federal student aid. If you have been convicted of a drug offense, contact the MSU Financial Aid Office immediately and preview the FAFSA Drug Eligibility Worksheet.

If your eligibility for federal student aid has been suspended due to a drug conviction, you can regain eligibility early by successfully completing an approved drug rehabilitation program or by passing two unannounced drug tests administered by an approved drug rehabilitation program. If you regain eligibility during the award year, notify the MSU Financial Aid Office immediately so you can get any aid you're eligible for.

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