



### **Drug and Alcohol Policy:**

The problems associated with drug and alcohol abuse are a major concern in this country. As such, the passage of the Drug-Free Schools and Communities Act Amendments has placed requirements on institutions of higher education to develop policies and to provide information to students on drug and alcohol abuse, which Siena College has done herein. This section provides students with the College's alcohol and drug policy, as well as information on the health risks associated with drug and alcohol abuse. This section also provides information, counseling and rehabilitation services available, and the federal, state and College sanctions that may be imposed for violations. The College collaborates with civil authorities. Violations of the Siena College alcohol and drug policy that are also violations of federal, state or local law may be referred to the appropriate law enforcement agencies. In such situations, cases may proceed concurrently at the College and in the criminal justice system.

#### 1. Medical Marijuana:

The use, possession, or cultivation of marijuana for medical purposes is not allowed in any Siena College housing or on any other Siena College property; nor is it allowed at any College sponsored event or activity off campus.

Students' use of marijuana (and/or any other illegally or falsely obtained drug) on College premises is strictly forbidden and subject to action under the Code of Conduct. Students may also face criminal sanctions for the unlawful possession, use or sale of marijuana (and/or other illegally or falsely obtained drug) under the NYS Penal Law.

Students who have valid medical marijuana prescriptions may petition the College for a waiver of their requirement to live on campus. Federal laws (including the Controlled Substances Act and the Drug Free Schools and Communities Act) prohibit marijuana use, possession and/or cultivation at educational institutions and on the premises of recipients of federal funds.

Therefore, even students with medical marijuana prescriptions are prohibited from possessing or using marijuana on Siena College property.

#### 2. Drugs:

Siena College students are subject to all applicable drug regulations as outlined in the Code of Conduct or other applicable rules when adopted. Sanctions imposed by the College for violations of the drug policy may include drug education programs, substance abuse assessment and treatment, suspension, dismissal or expulsion.

Possession or use of illegal drugs, narcotics, synthetic drugs or mind altering substances (such as but not limited to k2, salvia, spice), controlled substances.

Intended or actual sale or distribution of illegal drugs, narcotics, controlled substances or prescription drugs to those other than prescribed.

Presence anywhere there is obvious illegal drug use and/or the presence of actual drugs/paraphernalia.

Possession and/or use of prescription drugs which have not been prescribed for you.

Misuse of prescription drugs or any controlled substance.

Paraphernalia under federal law means “any equipment, product or material of any kind which is primarily intended or designed for use in manufacturing, compounding, converting, concealing, producing, processing, preparing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance.” Paraphernalia includes, but not limited to, bongos, pipes, hookahs and scales.

3. Alcohol:

Siena College has established an alcohol policy in accordance with New York state law and based on the unique needs of the Siena College community. It is students’ responsibility to know and obey the law and campus policies. The legal age for alcohol possession, procurement and consumption in New York State is 21. Anyone who gives or sells an alcoholic beverage to a person under 21 is in violation of the law. Siena expects all members of the College community to comply with the law and College policies. New York State explicitly forbids the sale of alcoholic beverages unless the seller holds a state liquor license. The College’s liquor license is the responsibility of our food service vendor, which is solely responsible for the sale and distribution of alcohol at all College-sponsored events.

a. Alcohol Policy Violations Specifically for Individuals Under the Age of 21:

- i. Possession: Individuals under the age of 21 may not purchase, possess or consume alcohol in accordance with New York state law.
- ii. Presence: Students under the age of 21 may not be in a residential room, suite or townhouse where alcohol is visible and/or being consumed. The only exception is the underage student who resides with students of legal drinking age who may be in the presence of alcohol in their assigned residence.
- iii. Empty Containers: No empty alcohol containers are allowed for persons under the age of 21, including empty alcohol containers for decorative or keepsake purposes.

b. Alcohol Policy Violations Specifically for Individuals 21 Years of Age or Older:

- i. Alcohol in the Presence of Individuals Under 21: Students of legal drinking age may not have students under the age of 21 in their residential room, suite or townhouse where alcohol is being consumed, with the exception of underage roommate(s).
- ii. Quantity Limit: Students of legal drinking age may possess what College officials determine to be a reasonable quantity of alcohol for their personal consumption only. College officials may consider empty alcohol containers in determining whether this standard has been violated or if they suspect underage drinking and/or excessive alcohol consumption has occurred. Community Living and Public Safety staff may consider empty alcohol containers when documenting quantity-limit violations if they suspect underage drinking and/or excessive alcohol consumption has occurred.

- iii. **Open Container:** Students are prohibited from possessing open containers of alcoholic beverages in common areas of the College, including, but not limited to, hallways, lounges, bathrooms, campus grounds, athletic events, classrooms and townhouse stoops/front steps. A container is any bottle, can, glass, cup or similar receptacle designed to hold or capable of holding a liquid. College Officials acting in their official capacity may require individuals to discard or pour out any container in their possession if they believe it contains alcohol. Individual(s) acting in a manner that is inconsistent with College policies, including, but not limited to, disorderly conduct and/or public intoxication will be expected to empty all containers in their possession and are subject to violations of the Code of Conduct.
- c. **Alcohol Policy Violations – General:**
- i. **Gift, Sale or Distribution of Alcohol:** Gift, sale or distribution of alcohol to anyone under the age of 21 is prohibited. Note: If an individual under 21 years of age is in possession of alcohol in a student room and is not a resident of that room, a charge of “gift, sale or distribution of alcohol” will be brought against the residents of the room. The person who supplied the alcohol may accept responsibility for the “gift, sale or distribution of alcohol” charge if they provided the alcohol.
  - ii. **Communal Source:** Kegs, mini-kegs, beer balls and large communal sources of alcohol (trashcan punch, punch bowls, etc.) are prohibited. Sanctions apply to all residents of the space who are present at the time of the infraction or were involved in any way with the planning, purchase, etc. Use of empty beer balls or kegs as decorations or furnishings is prohibited.
  - iii. **Rapid Consumption Devices:** Objects used as drinking apparatuses that promote rapid consumption of alcohol such as, but not limited to, funnels, beer bongs, ice block tunnels, and Beirut tables.
  - iv. **“Beer pong” and “water pong” or other simulated devices are prohibited.** All residents of the space who are present are responsible.
  - v. **Public Intoxication:** Public intoxication is strictly prohibited. The College states that public drunkenness will not be tolerated since intoxicated students act in a manner that is inconsistent with the values of the College, pose a threat to themselves and others and make life unpleasant and difficult for those with whom they live. A judgment as to whether a student is intoxicated may be made on the basis of the following factors related to the use of alcohol, including, but not limited to, whether the student is:
    - unable to walk without assistance
    - speaking incoherently
    - unconscious
    - vomiting
    - emitting a strong odor of alcohol and/ or has bloodshot/ glassy eyes
    - behaving in a loud and/or disorderly manner
  - vi. **Alcohol-Related Transports:** If a student is found to be intoxicated to the point that medical attention is warranted, they may be transported to a local hospital for evaluation and treatment, if necessary. Further, in alcohol-related situations in which emergency medical attention is necessary, the recipient of medical

attention may be referred for an alcohol/drug assessment and be required to comply with the recommendations resulting from this assessment. Any student transported multiple times for alcohol-related treatment may be charged in a formal conduct review action.

The College encourages students who have concerns regarding the immediate health of a student in an intoxicated state to contact the appropriate College authorities.

- vii. Guests and Alcohol: Guests are not permitted to bring alcohol on campus, regardless of their age or the age of the host.
- d. Alcohol Policy Violations and Events:
- i. Dispensing of Alcohol on Campus: No alcoholic beverages may be sold anywhere on the Siena campus or dispensed outdoors or in public areas except under direct supervision of the College's food service vendor. Strategies such as the sale of tokens, tickets or any article that may be redeemed for alcoholic beverages are the equivalent of paying money and are prohibited.
  - ii. Events with Alcohol: Events with Alcohol: Alcoholic beverages may not be served at any student event without specific approval of the Director of Student Activities and Leadership Development or designee, to be confirmed in writing. No privately obtained alcoholic beverages may be brought into an organized event. Any organization or group that fails to comply with these regulations may lose its privilege of serving alcoholic beverages at events and/or the right to schedule facility use at Siena. No club or organization may sponsor events off campus where alcohol may be served with the exception of authorized Senior Class events.
  - iii. Tailgating: To ensure the College is able to provide a safe, healthy, and welcoming environment for all fans and athletes, alcoholic beverages are prohibited at all on campus athletic and club sports venues, parking lots, and the designated tailgate area. This policy is consistent with the open container policy in the student code of conduct which prohibits students from possessing open containers of alcoholic beverages in common areas of the College and the College's Facilities Guidelines which prohibits dispensing or consumption of alcoholic beverages in outdoor or public areas except under the direct supervision of the College food service vendor.
  - iv. Advertising: Advertising for College-sponsored events shall not emphasize the availability of alcoholic beverages and must be pre-approved by the Director of Student Activities and Leadership Development or designee prior to posting. Advertising for off-campus alcohol-related events and/or establishments must be approved by the Director of Student Activities and Leadership Development or designee prior to posting/distribution.
  - v. Restriction from Campus Events: The College reserves the right to prevent any visibly intoxicated person from entering a campus activity or event and to require persons who appear visibly intoxicated to leave an event/activity.
- e. Sanctioning for Alcohol and Drug Policy Violations:  
Sanctions are designed to foster an environment that reduces the risks of high risk drinking and promotes responsible behavior while holding individuals accountable for their choices. Hearing officers will take into account prior conduct record,

mitigating circumstances, alcohol abuse issues and high risk drinking factors in determining the appropriate in order to best educate the student(s) while maintaining community standards when assigning sanctions.

- f. **Health Risks Associated with the Use of Illegal Drugs and the Abuse of Alcohol:**  
Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses of alcohol may cause respiratory depression and death. If combined with depressants that affect the central nervous system, much lower doses of alcohol will produce the effects just described. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.
  
- g. **Services Available:**  
The Health Promotion Office, Counseling Center, and Health Services provide students with information on drug and alcohol abuse. In addition, assessment, education and referral services are provided.