

Student Policy - Alcohol and Illegal Drugs

Policy:

Students at Bismarck State College are required to abide by all federal, state and local laws regarding the possession, sale, use and consumption of alcoholic beverages. In addition, they are required to obey campus regulations regarding alcoholic beverages, as stated in this policy.

The college also considers the use, possession, distribution, or sale of those drugs (hallucinogens, narcotics, stimulants, and depressants) which are illegal except when taken under a physician's prescription as contrary to the welfare of the College. Students involved in such activities are subject to disciplinary action and will be prosecuted according to the law.

Statement of General Principles:

Bismarck State College recognizes the serious problems created by the use and abuse of alcohol and drugs. In response to this awareness, Bismarck State College has an alcohol and drug prevention program and is committed to:

1. Establishing and enforcing clear policies and regulations regarding the use of alcohol and/or drugs.
2. Educating students about the dangers and health risks associated with the abuse of alcohol and/or use of illegal drugs.
3. Conducting programming each year to provide activities and events promoting a healthy lifestyle and environment.
4. Providing resources and referral services for students who experience alcohol and/or drug abuse.

Campus Regulations:

1. A student who brings or uses intoxicating liquors, alcoholic beverages or illegal drugs on campus is subject to disciplinary action.
2. A student who attends class under the influence of alcohol or illegal drugs is subject to disciplinary action.
3. Faculty and staff are justified in contacting appropriate law enforcement authorities and/or campus security in the event a student is under the influence.
4. Students who are involved in illegal drug usage, off the premises of the campus, may also face disciplinary action.
5. Student organizations, societies and clubs are not allowed to sponsor on-campus or off-campus events at which alcohol or illegal drugs are consumed.
6. Sale of alcoholic beverages and/or drugs by student organizations, societies and clubs 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 drink tickets, etc.)
7. Alcoholic beverages and/or drugs may not be used as awards or prizes in connection

- with events or activities sponsored by student organizations, societies and clubs.
8. Advertisements for alcohol sales and bars are not allowed to be posted on campus. These advertisements will also not be allowed electronically or printed in BSC publications. There could be an exclusion for community events as determined by the President.
 9. Disciplinary action, which may include expulsion from the College, shall follow the procedures and regulations for disciplinary action that are found in the BSC Student policy titled "Student Rights & Responsibilities." In addition, such matters may be reported by the College to the appropriate law enforcement authorities.
 10. Since involvement with drugs may be associated with medical and/or psychological problems, students may be referred or may refer themselves to counseling or medical services.

North Dakota Law on Alcoholic Beverages:

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.
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 (.08 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 an underage 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.

North Dakota Law on Illegal Drugs:

North Dakota has adopted the Uniform Controlled Substances Act, which restricts the manufacture, transfer, and possession of narcotic drugs and other drugs that have a potential for abuse or that may lead to physical or psychological dependence.

1. It is a Class A felony to manufacture, deliver, or possess with intent to manufacture or deliver a controlled substance such as methamphetamine or narcotic drugs such as opium or cocaine in North Dakota.
2. Felony Penalties: Class A (up to 20 years imprisonment and/or a \$10,000 fine), Class C (up to five years imprisonment and/or \$5,000 fine).
3. Possession of one-half ounce to one ounce of marijuana is a Class A misdemeanor.
4. Possession of less than one-half ounce (14.175 grams) is a Class B misdemeanor.
5. Inhaling vapors of a volatile chemical in a manner designed to create intoxication, hallucination, or elation is a Class B misdemeanor.
6. Possession of drug paraphernalia for controlled substances other than marijuana is a Class C felony.
7. Possession of drug paraphernalia for marijuana is a Class A misdemeanor.
8. It is a Class A misdemeanor to advertise drug paraphernalia.
9. Misdemeanor penalties: Class A (up to one-year imprisonment and/or \$2,000 fine), Class B (up to 30 days imprisonment and/or \$1,000 fine).

Federal Law:

Federal law provides criminal and civil penalties for unlawful possession or distribution of drugs and alcohol. See page 36 of the Drugs of Abuse 2020 PDF:

<https://www.campusdrugprevention.gov/sites/default/files/Drugs%20of%20Abuse%202020-Web%20Version-508%20compliant.pdf> for details on federal trafficking penalties for controlled

substance violations. Penalties include incarceration, fines, forfeiture of property, ineligibility to own firearms, and becoming ineligible to receive federal benefits such as student loans and grants.

Disciplinary Action:

1. Students are expected to obey the regulations of this policy, are obliged to obey the alcoholic beverage and drug laws of the State of North Dakota and federal laws regarding these matters. Failure to abide by the College regulations and North Dakota and federal law, will result in disciplinary action.
2. State law, Federal law and College policy will be regarded as the principle bodies of rules governing the use of drugs for BSC students.
3. Procedures and definitions of disciplinary action are found in BSC Student Policy titled, "Student Rights & Responsibilities."
4. Each student will be held responsible for his/her own behavior, and it will not be regarded as "double jeopardy" for both civil authorities and the College to initiate disciplinary sanctions against a student who violates College policy or law.
5. A federal or state drug conviction can disqualify a student from Federal Student Aid eligibility. If a student is convicted of possession or sale of illegal drugs during a period of enrollment for which the student was receiving federal financial aid, the student will lose eligibility for federal student aid funding. The student can lose federal financial aid eligibility of one year from the date of the first conviction, two years from the date of the second conviction and indefinitely for a third offense for the possession of illegal drugs. A student can lose federal financial aid eligibility for two years from the date of the first conviction and indefinitely for the second conviction for the sale of illegal drugs. A student can regain eligibility the day after the period of ineligibility ends or when he or she successfully completes a qualified drug rehabilitation program.

Health Risks of Alcohol and Other Substances of Abuse:

Alcohol: Alcohol consumption causes a number of impairments including changes in behavior and normal body function. Even low doses significantly impair judgment, coordination mental function thus increasing the risks of accidents and injuries. 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 taken acutely can cause respiratory depression and even death. Statistics show that alcohol use is involved in a majority of violent behaviors on college campuses, including acquaintance rape, vandalism and fights. Additional consequences include DUI arrests and serious or fatal car crashes. Continued abuse may lead to dependency, which can cause permanent damage to vital organs and deterioration of a healthy lifestyle.

Amphetamines: Amphetamines can cause a rapid or irregular heartbeat, tremors, convulsions, loss of coordination, collapse, and death. Heavy users are prone to irrational acts.

Cannabis (Marijuana, Hashish): The use of marijuana may impair or reduce short-term memory and comprehension, alter sense of time, and reduce coordination and energy level. Users often have a lowered immune system and an increased risk of lung cancer. The active ingredient in

marijuana, THC, is stored in the fatty tissues of the brain and reproductive system for a minimum of 28 to 30 days.

Club Drugs - Club drugs are drugs such as MDMA (Ecstasy), Rohypnol, GHB, LSD, and methamphetamine and others, which are used at all-night parties such as trances or raves, dance clubs and bars. These party drugs, particularly when mixed with alcohol, can cause serious health problems, injuries, or even death.

Cocaine/Crack: Cocaine users often have a stuffy, runny nose and may have a perforated nasal septum. The immediate effects of cocaine use include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature, followed by depression. Crack, or freebase rock cocaine, is extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, convulsions, and even death.

Hallucinogens: Lysergic acid (LSD), mescaline, and psilocybin cause illusions and hallucinations. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects, or flashbacks, can occur even when use has ceased. Phencyclidine (PCP) affects the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, PCP episodes may result in self-inflicted injuries, violence and aggressive behavior toward others.

Heroin: Heroin is an opiate drug that causes the body to have diminished pain reactions. Overdoses of this highly addictive drug can result in coma or death due to respiratory failure or cardiovascular collapse.

To find out more about these commonly abused agents and other substances of abuse not listed here go to the Drug Enforcement Administration Drugs of Abuse Resource Guide: <https://www.campusdrugprevention.gov/sites/default/files/Drugs%20of%20Abuse%202020-Web%20Version-508%20compliant.pdf>

Where to Turn for Help:

Students may initiate help for themselves or others by contacting any of the following:

On Campus:

1. Personal Counselor 224-5752; located in the Mystic Advising & Counseling Center (Lower level of the Student Union)
2. Alcohol and Other Drug Prevention; 224-5752
3. Director of Student and Residence Life, 224-5465

Community Resources

1. "211" – 24-hour referral and crisis management hotline for North Dakota.
2. West Central Human Services, 328-8888
3. Heartview Foundation, 222-0386
4. Alcoholics Anonymous, 222-2100

National Numbers

1. Substance Abuse and Mental Health Services Administration (SAMHSA) National Helpline: 1-800-662-4357 or <https://www.samhsa.gov/find-help/national-helpline>

Reference:

[Public Law 101-226](#)

[BSC Policies and Procedures - "Student Rights & Responsibilities"](#)

North Dakota Law

Federal Law

[NDSU Alcohol and Drugs Policy](#)

SBHE 918 Alcoholic Beverage Policy

History of This Policy:

The Alcoholic Beverages and Illegal Drugs student policies were combined, revised and approved on March 20, 2007.

Revisions – Reviewed by the Operations Council on April 28, 2010 and approved by the Executive Council on May 18, 2010; November 29, 2010; reviewed by the Operations Council on August 13, 2014 and approved by the Executive Council on August 14, 2014; December 9, 2014; October 18, 2017, November 8, 2017; July 16, 2018; April 22, 2020; September 9, 2020.