

Alcohol and Substance Abuse Policy

The purpose of the imposition of sanctions in a student disciplinary action is to redirect the student's behavior toward a pattern more acceptable within the College community from possible harm or injury by said person or persons, to give financial redress to a person for loss, harm, destruction of property resulting from actions of the accused, and to promote compliance with the Student Conduct Code. The Dean of Students or designee may impose the following sanctions on a student or group of students.

Offenses

Any violation of the Aquinas College Student Conduct Code involving the misuse or abuse of alcohol will result in the following sanctions. Other sanctions beyond these **minimum requirements** maybe assigned at the discretion of the judicial officer or hearing board.

Offenses are defined as follows:

Level I Violations:

- Collections of containers that contain or previously contained alcohol by any student
- Consumption of alcohol in the presence of minors in the residence halls, with the exception of underage roommates
- In the presence of alcohol by any person under the age of 21, with the exception of underage roommates
- Possession or consumption of alcohol by any person under the age of 21
- Transportation or consumption of alcohol in open view in public areas
- Under the influence of alcohol while at a college-sponsored event or activity
- In the presence of a controlled substance or illegally obtained prescription medication
- Possession of drug paraphernalia

Level II Violations:

- Sale of alcohol to anyone, regardless of age
- Distribution of alcohol to anyone under 21 years of age
- Possession of excessive amounts of alcohol determined by the Department of Residence Life and/or Campus Safety (e.g. kegs, party balls or other common sources of alcohol, tapped or untapped)
- Consumption of alcohol, regardless of age, that results in College property damage

- Consumption of alcohol, regardless of age, that results in abusive, threatening and/or harassing behavior towards Aquinas College faculty, staff, students, and/or guests
- Consumption of alcohol, regardless of age, that results in illness not requiring hospitalization (e.g. vomiting, urinating, defecating, etc.)
- Unauthorized provision of alcohol at a College-sponsored event or activity
- Failure to comply with the policies for serving alcohol at a College-sponsored event or activity
- Possession or use of a controlled substance or illegally obtained prescription medication

Level III Violations

- Hospitalization or police involvement due to excessive consumption of alcohol
- Driving under the influence of alcohol on or off-campus
- Manufacture or production of a counterfeit or controlled substance
- Manufacture, production or possession of a counterfeit or controlled substance or illegally obtained prescription medication with the intent to distribute
- Transfer, distribution and/or sale of a counterfeit or controlled substance or illegally obtained prescription medication

Sanctions for alcohol and drug offenses

	First Offense	Second Offense	Third Offense	Fourth Offense
Level I Violation (Alcohol)	<ul style="list-style-type: none"> • \$50 fine + • Written Reprimand + • Confiscation of property (if applicable) + • Mandatory SAAP Attendance (\$100 Course Registration Fee)+ • Parental and/or Core advisor(CA) notification 	<ul style="list-style-type: none"> • \$75 fine + • Referral to Career and Counseling Services for a minimum of 6 individual counseling sessions + • 5 disciplinary service hours + • Confiscation of property (if applicable) + • Educational project + • Residential probation (if app) + • Parental and/or CA notification + • Behavioral contract 	<ul style="list-style-type: none"> • \$100 fine + • 10 disciplinary service hours + • Confiscation of property (if app) + • Parental and/or CA notification + • Persona non grata from ALL college-sponsored activities/events + • Residential suspension (if applicable) + • Referral to off-campus substance abuse counselor (at student's expense) 	<ul style="list-style-type: none"> • Confiscation of property (if applicable) + • Expulsion from the College + • Parental and/or core advisor notification

<p>Level I Violation</p> <p>(Controlled Substance)</p>	<ul style="list-style-type: none"> • \$75 fine + • 5 disciplinary service hours + • Mandatory SAAP Attendance (\$100 Course Registration Fee)+ • Residence Hall probation (if applicable) + • Parental and/or core advisor notification • Behavioral contract • Referral to external law enforcement agencies for criminal investigation 	<ul style="list-style-type: none"> • \$100 fine + • 20 disciplinary service hours + • Referral to external law enforcement agencies for criminal investigation • Educational Project • Confiscation of property (if applicable) + • Residence Hall suspension (if applicable) + • Persona Non Grata from all college-sponsored activities/events + • Parental and/or core advisor notification 	<ul style="list-style-type: none"> • \$200 fine + • Parental and/or core advisor notification + • Confiscation of property (if applicable) + • Suspension for 1 semester with Persona Non Grata from campus and all college-sponsored activities/events during suspension + • Successful completion of substance abuse treatment program as a condition required for re-admission to Aquinas College 	<ul style="list-style-type: none"> • Confiscation of property (if applicable) + • Expulsion from the College + • Parental and/or core advisor notification
<p>Level II Violation</p> <p>(Alcohol)</p>	<ul style="list-style-type: none"> • \$75 fine + • 10 disciplinary service hours + • Confiscation of property (if app) + • Educational project + • Restitution for property damage (if app) + • Housekeeping fine (if app) • Mandatory SAAP attendance (<u>\$100 Course Registration Fee</u>) + • Residential probation (if app) + • Parental and/or CA notification 	<ul style="list-style-type: none"> • \$100 fine + • Referral to Career and Counseling Services for a minimum of 6 individual counseling sessions + • 20 disciplinary service hours + • Confiscation of property (if app) + • Behavioral contract (subject to conditions) + • Restitution for property damage (if app) + • Housekeeping fine (if app) + • Parental and/or CA notification + • Residential relocation (if app) • Persona non grata from ALL college-sponsored activities/events 	<ul style="list-style-type: none"> • \$150 fine + • 30 disciplinary service hours + • Confiscation of property (if app) + • Residential suspension (if app) + • Restitution for property damage (if app) + • Housekeeping fine (if app) + • Parental and/or CA notification + • Suspension for 1 semester with persona non grata from campus and ALL college-sponsored activities/events during suspension+ • Successful completion of substance abuse program (at student's expense as a condition required for re-admission to Aquinas College) 	<ul style="list-style-type: none"> • Confiscation of property (if applicable) + • Expulsion from the College + • Parental and/or core advisor notification
<p>Level II Violation</p> <p>(Controlled Substance)</p>	<ul style="list-style-type: none"> • \$100 fine + • 30 disciplinary service hours + • Confiscation of property (if applicable) + • Residence Hall probation and/or relocation (if applicable) + • Mandatory SAAP attendance (\$100 Course Registration Fee) + • Referral to Career and Counseling Services for a minimum of 6 individual counseling sessions + • Persona Non Grata from all college-sponsored activities/events + • Parental and/or core advisor notification + • Referral to external law enforcement agencies for criminal investigation 	<ul style="list-style-type: none"> • \$200 fine + • Confiscation of property (if applicable) + • Parental and/or core advisor notification + • Suspension for 1 semester with Persona Non Grata from campus and all college-sponsored activities/events during suspension + • Successful completion of substance abuse treatment program as a condition required for re-admission to Aquinas College + • Referral to external law enforcement agencies for criminal investigation 	<ul style="list-style-type: none"> • Confiscation of property (if applicable) + • Parental and/or core advisor notification + • Expulsion from the college + • Referral to external law enforcement agencies for criminal investigation 	

<p>Level III Violation (Alcohol)</p>	<ul style="list-style-type: none"> • \$100 fine • 30 disciplinary service hours • Confiscation of property (if app) + • Residential suspension (if app) + • Restitution for property damage (if app) + • Housekeeping fine (if app) + • Parental and/or CA notification + • Persona non grata from ALL college-sponsored activities/events • Referral to off-campus substance abuse counselor (at student's expense) • If hospitalization, student will meet with panel within 7 days of return 	<ul style="list-style-type: none"> • \$150 fine • Confiscation of property (if app) + • Restitution for property damage (if app) + • Housekeeping fine (if app) + • Parental and/or CA notification + • Persona non grata from ALL college-sponsored activities/events • Referral to off-campus substance abuse counselor (at student's expense) • Suspension or 1 semester with persona non grata from campus and ALL college – sponsored activities/events during suspension + • Successful completion of substance abuse program (at student's expense as a condition required for re-admission to Aquinas College) 	<ul style="list-style-type: none"> • Confiscation of property (if app) + • Expulsion from the college + • Parental and/or Core Advisor notification 	
<p>Level III Violation (Controlled substance)</p>	<ul style="list-style-type: none"> • \$200 fine + • Confiscation of property (if applicable)+ • Parental and/or core advisor notification + • Suspension for 1 semester with Persona Non Grata from campus and all College-sponsored activities/events during suspension + • Successful completion of substance abuse treatment program as a condition required for re-admission to Aquinas College + • Referral to external law enforcement agencies for criminal investigation 	<ul style="list-style-type: none"> • Confiscation of property (if applicable) + • Parental and/or core advisor notification + • Expulsion from the College + • Referral to external law enforcement agencies for criminal investigation 		

Hospitalization

If a student is taken to the hospital; upon return, within 7 days, the student must meet with a panel comprised of the Dean of Students, a nurse from the Health Center, and a counselor from Career and Counseling Services.

Procedures

Below is a summary of what students can expect as a result of an alcohol offense:

- Upon the first offense a notice to appear will be filed with the judicial officer. The judicial officer will be a resident director
- A sanction letter will be sent to the offender detailing the requirements needed to fulfill the sanctions. It is the student's responsibility to take action to fulfill the sanctions they receive as a result of violating the Aquinas College Student Conduct Code.
- A hold will be placed on a student's account after each offense by the judicial officer. Upon completion of the sanction the Dean of Students will remove the hold from the student's account.
- Students will be financially charged for property damaged, repair, and the removal of physical and bio-hazardous waste as a result of their conduct.

Notification

- In the event of an emergency situation which threatens the health and safety of a student, parents or guardians will be notified by the Dean of Students.
- Notification will be sent out to parents or guardians of students under the age of 21 after their second offense and for each consecutive offense.
- The Athletic Director will be notified of all incidences involving athletes living on or off campus by the judicial officer.
- All other deans, directors, and core advisors will be notified of all incidences involving students living on or off campus by the judicial officer.

Note: Alcohol offense sanctions will accrue from the date of orientation until graduation or departure from Aquinas College.

Failure to Comply

- After a sanction is given students are subject to complete the sanctions even if they withdraw from Aquinas College and enroll again at a later date.
- Students that intend on graduating or transferring and have not completed sanctions for alcohol offenses will have their diploma and transcript held until these requirements are completed.

Appeals

- The only time an appeal can be made is when a student reaches his/her third offense. Students are allowed seven (7) days to file an appeal.
- The student may appeal the outcome of the hearing by filing a notice of appeal. Appeals for outcomes of less than suspension should be directed to the judicial officer. Appeals for outcomes of suspension or dismissal should be directed to **the** hearing board comprised of the Dean of Students, Director of Residence Life, the Athletic Director (if applicable), and anyone else the Dean feels should be included. An appeal is not a request for a new hearing at a higher level or a rehearing because of dissatisfaction with the results of an earlier hearing.
- The student and the judicial officer shall have the right to appeal, in writing, to the Dean of Students within seven (7) days of being notified of the outcome of the hearing. *(If new evidence presents itself)*
- If an appeal is not filed within the seven (7) days allotted, the right of appeal is no longer available.

Note: Simply not wanting to be sanctioned, disagreeing with the sanction, or believing that the sanction is too harsh is not grounds for an appeal.

- A. The appeal must be filed in writing by the appeal deadline date stated in the written outcome of the hearing. **All appeals must meet one of the following criteria:**
 - I. A procedural error in the hearing which may have been substantial enough to change the case outcome; and/or

- II. The discovery of substantive new information which was unknown to the charged student at the time of the hearing that could have a significant effect on the case outcome.
- B. A judicial officer shall hear appeals where the hearing outcome was less than suspension. The hearing board shall hear appeals on outcomes resulting in suspension or dismissal
- C. Upon review of the written appeal material, the judicial officer or hearing board may recommend one of the following options for approval by the Provost:
 - I. If the grounds for appeal have been sufficiently satisfied and the appeal is accepted, one of the following will occur:
 - a. The case shall be remanded back to the original judicial officer with specific instructions to correct a procedural error and reconsider the case; or
 - b. The case shall be remanded back to the Dean of Students for a new hearing before a different judicial officer.
 - II. If the grounds for appeal have not been sufficiently satisfied, the original decision shall remain.
- D. Each student shall be limited to one appeal and shall not be entitled to appeal her/his case from one judicial officer to another. The decision of the judicial officer shall be final.
- E. If a student has submitted an appeal, he/she may continue to go to class and engage in customary Aquinas College activities (unless otherwise stipulated) until an appeal decision is made.

Mock-up Alcohol Awareness Program Flow Chart

