



Alcohol and Other Drug Policy

Free, confidential counseling for alcohol and other drug abuse issues is available to students through the Counseling Center and Student Health Services (Health Center). Other referral resources may include assessment, individual counseling, educational programs, materials, referral, and case management through community agencies, all of which might include a fee. Students exhibiting signs of excessive alcohol consumption will, at the College official's discretion, be transported via Emergency Medical Services (EMS) for medical attention or be observed by a Poet Monitor (see the Poet Monitor Program) at the student's expense in order to ensure the student's health and safety. Failure to comply with the request of EMS or the Poet Monitor may result in disciplinary action.

A. Violation of the Student Code of Conduct

- a. Failure to act appropriately, responsibly, and aligned with College policies regarding alcohol
 - i. Possession, purchase, or consumption of any alcoholic beverage (including beer and wine) by any person under the age of 21.
 - ii. Selling, either directly or indirectly, any alcoholic beverage (including beer and wine), except under the authority of a California Alcoholic Beverage Control Board license. This includes the sale of glasses, mixes, ice, or tickets for admission.
 - iii. Providing alcohol for anyone under the age of 21.
 - iv. Serving alcohol to an intoxicated person and/or serving alcohol to someone to the point of intoxication or incapacitation.
 - v. Being drunk/intoxicated and disorderly in public view.
 - vi. Consumption of alcoholic beverages in a public place (unless licensed for consumption of alcohol on premises) such as academic facilities, recreation fields, and College housing common areas including lounges and hallways.
 - vii. Driving a motor vehicle or a bicycle while under the influence of alcohol.
 - viii. Possession of an alcoholic beverage in an open container in a motor vehicle or on a bicycle, regardless of who is driving or whether one is intoxicated.
 - ix. Failure to take a portable breathalyzer test (PBT) at the request of Campus Safety or any other law enforcement entity.
 - x. Possession or use of kegs, punch bowls, or other bulk dispensing devices.
 - xi. Participating in or organizing drinking games or other activities designed for rapid consumption of alcohol.
 - xii. Possession or use of devices designed for rapid consumption of alcohol (beer bongs, funnels, vaporizers, etc).
 - xiii. Violation of the College policy on student-sponsored social events.
- b. Failure to act appropriately, responsibly, and aligned with College policies regarding other drugs except as expressly permitted by law (note that the possession or use of marijuana for medical purposes is not permitted on College premises or at College-sponsored events)
 - i. Possession or use of marijuana, heroin, narcotics, or other controlled substances, paraphernalia, or instruments (bongs, pipes, etc.).
 - ii. Furnishing, manufacturing, or otherwise distributing marijuana, heroin, narcotics, or other controlled substances, paraphernalia, or instruments.
 - iii. Use of prescription or over the counter medication other than as directed by a medical professional.

B. Violation of the following residence hall policies regarding alcohol:

1. Students and their guests who are 21 years of age or older are permitted to drink alcoholic beverages in the privacy of their residence hall rooms with the door closed. Guests under the age of 21 are not permitted to consume alcohol at such gatherings. Alcoholic beverages are not permitted in community areas of residence halls, including hallways, lounges, lobbies, kitchens, and recreation areas.
2. Social gatherings are permitted. However, only the assigned number of students, plus two guests, may occupy a residence hall room at one time. Progressive drinking parties are prohibited.

3. Possession of empty alcohol containers (cans, bottles, etc) are indicative of possession of alcohol, and as such, the owners of the empty containers and/or the residents of the room may be subject to being charged with possession/consumption of alcohol under the Student Code of Conduct.

C. Violation of the following guidelines regarding alcohol at student-sponsored social events:

1. Whittier College wishes to encourage the thoughtful planning of thematic events, parties, and dances where alcohol is used in a responsible manner, and where students who choose not to drink can feel welcome and participate fully.

The availability of alcohol must not be the prime focus of any event. Organizations and individuals are expected to take affirmative steps to address issues of liability and safety. Substance-free events and those with a caterer or third party vendor help limit an organization's and individual's exposure to risk. More detailed guidelines for party planning are available in the Leadership Experience and Programs Office.

- a. The College and/or host organizations reserve the right to deny entry to any event by individuals deemed intoxicated or under the influence.
 - b. Individuals may be asked to leave an event if they are overly intoxicated or disorderly.
 - c. If under 21 and if determined an individual has consumed alcohol, the individual may not be allowed to attend a college sponsored event.
2. Students deemed intoxicated will be transported to Campus Safety for a recovery period.
 3. Whittier College personnel can ask a disruptive guest to leave an event and/or campus.
 4. The Club and The Spot will serve as the only venue for service of beer or wine for student-sponsored functions. No alcohol may be served or made available at student-sponsored events in any other facility on campus. Alcohol service at student sponsored events off-campus will be approved on an individual basis by the Director of Student Activities.
 5. Responsibilities of organizations and individuals who sponsor events on or off campus include:
 - a. Arranging for security personnel or professional staff to check identification of those who wish to consume alcohol at the event.
 - b. Not directly or indirectly selling alcoholic beverages (this includes charges or donations for such things as glasses, mixes, ice, and admission).
 - c. Not serving minors.
 - d. Not serving individuals who appear to be intoxicated.
 - e. Maintaining absolute control of all alcohol present.
 - f. Prohibiting shots, drinking games, or other activities that encourage inappropriate drinking behaviors at the event.
 - g. Providing inviting non-alcoholic beverages throughout the duration of the event.
 - h. Providing substantial food items for the duration of the event.
 - i. Ending alcohol service a minimum of one hour before the scheduled end of the event.
 - j. Assigning of non-drinking and sober members to monitor and regulate the event.
 - k. Insuring that advertisements, announcements, and other publicity do not directly or indirectly advertise the availability of alcohol.
 - l. Arranging for security personnel to provide crowd control at the event. The LEAP Office must approve the number of security personnel hired to work the event.
 - m. Providing wristbands for use by those over the age of 21 who wish to consume alcohol at the event.
 - n. Utilizing cups for beer or wine service that are up to ten ounces each and can be easily distinguished from cups used for alcohol-free beverages.

Drug-Free Schools and Communities Act

It is the policy of Whittier College to promote a safe, healthy, and productive environment for all students and employees, including faculty and staff.

The Drug Free Schools and Communities Act Amendments of 1989 require that as a condition of receiving funds or any other form of financial assistance under any federal program, Whittier College must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

Whittier College presents the following information for students' knowledge and in promotion of healthy lifestyles:

A. Student and Employee Policies and Conduct

- Students: Policies prohibiting the unlawful possession, use, and distribution of drugs and alcohol and penalties for violation of these policies by undergraduate students are outlined in the Code of Students' Rights and Responsibilities.
- Employees: Policies preventing the unlawful possession, use, and distribution of drugs and alcohol by employees are outlined in the College Employee Handbook and administered by the Director of Human Resources.

B. Drug or Alcohol Counseling and Treatment

The College offers numerous health education seminars, workshops, and events annually in which students are encouraged to participate. Additionally, personal counseling is available through Counseling Services, located in Haverhill A. Medical services are available through Student Health and Wellness Center. Students are strongly encouraged to seek resource help for drug and alcohol problems, through Counseling Services, Student Health and Wellness Center, the Alhambra Behavioral Health Services, or by calling the Los Angeles County Alcohol and Drug Program Administrators numbers listed here.

- Counseling Service, Ext. 4239
- Student Health and Wellness Center Ext. 4400
- Alhambra Behavioral Health Center, (626) 286-1191 Ext. 268
- L.A. County Drug & Alcohol Program, (213) 626-6411

C. Controlled Substances - Uses & Effects

Narcotics: Such as opium, morphine, codeine, heroin, and methadone;

Possible effects: Euphoria, drowsiness, respiratory depression, constricted pupils, nausea

Effects of overdose: Slow and shallow breathing, clammy skin, convulsions, coma, possible death

Withdrawal syndrome: Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills, and sweating

Depressants: Such as barbiturates, benzodiazepines, chloral hydrate, and Rohypnol;

Possible effects: Slurred speech, disorientation, drunken behavior without odor of alcohol

Effects of overdose: Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death

Withdrawal syndrome: Anxiety, insomnia, tremors, delirium, convulsions, possible death

Stimulants: Such as amphetamines, cocaine, gamma hydroxybutyrate (GHB);

Possible effects: Increased alertness, excitation, euphoria, increased pulse rate and blood pressure, insomnia, loss of appetite

Effects of overdose: Agitation, increase in body temperature, hallucinations, convulsions, possible death

Withdrawal syndrome: Apathy, long periods of sleep, irritability, depression, disorientation

Hallucinogens: Such as amphetamine variants, LSD, mescaline and peyote, MDMA (Ecstasy), Katamine);

Possible effects: Illusions and hallucinations, poor perception of time and distance

Effects of overdose: Longer, more intense "trip" episodes, psychosis, possible death

Withdrawal syndrome: Not reported

Cannabis: Such as hashish and marijuana;

Possible effects: Euphoria, relaxed inhibitions, increased appetite, disoriented behavior

Effects of overdose: Fatigue, paranoia, possible psychosis

Withdrawal syndrome: Insomnia, hyperactivity, and decreased appetite occasionally reported

D. Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

- 1st conviction: Up to 1-year imprisonment and fine of at least \$1000 but not more than \$100,000 or both.
- After first drug conviction: At least 15 days in prison, not to exceed 3 conviction years and fine of at least \$2500 but not more than \$250,000 or both.
- After second drug conviction: At least 90 days in prison, not to exceed 3 years and fine of at least \$5000 but not more than \$250,000 or both.
- Special sentencing: At least 5 years in prison, not to exceed 20 years and fine of provisions up to \$250,000 or both for possession of crack cocaine.

Other penalties:

- Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1-year imprisonment.
- Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.
- Civil fine of up to \$10,000.
- Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, for up to 1 year for the first offense, and up to 5 years for second and subsequent offenses.
- Ineligibility to receive or purchase a firearm.
- Revocation of certain federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc. are vested within the authorities of individual federal agencies.

E. State Laws, Regulations, and Sanctions

California state laws and regulations regarding alcoholic beverages are found in the California State Constitution, the California State Business and Professional Code, and the California State Penal Code. Violations of these laws and regulations are punishable by fines and imprisonment. Where vehicles are involved, violations may be additionally punishable by loss of driving privileges.

California state laws on drug abuse provide for stringent penalties for illegal possession, sale, transportation, or administration of any narcotic drug, more stringent penalties for those convicted of previous narcotics offenses than for first-time offenders, and extremely stringent penalties for those who in any way involve minors in the use of narcotics. A person is subject to prosecution also if he or she illegally uses or is under the influence of narcotics, or if he or she knowingly visits a place where illegal narcotic use is occurring. Marijuana is covered by similar laws and there is an additional prohibition against the cultivation or processing of this drug in the state.

Barbiturates and amphetamines, called “restricted dangerous drugs” in the California Narcotic Act, are similarly covered; penalties for those convicted of illegal possession, sale, transportation, or administration of these drugs are severe. LSD and related hallucinogenic drugs are also on the list of dangerous restricted drugs and their use for other than authorized research is prohibited by California law.

A criminal record as a drug user, or even an arrest record for narcotics law violation, may cause serious, long-range harm to the user of drugs by barring employment or educational opportunities where both the criminal record and the label of “drug user” may preclude his or her consideration.

The same act or series of acts, under appropriate circumstances, can subject the offender to separate prosecution under federal, state, and local laws.

In addition to the penalties mentioned above, upon conviction the court may require payment of restitution, performance of community service work, participation in counseling or other treatment programs, and/or the imposition of appropriate restrictive conditions.

Conviction of a second or subsequent DUI, or for trafficking in controlled substances, may result in forfeiture of motor vehicle, aircraft, or watercraft used in the commission of the offense.

Criminal conviction does not relieve the offender of any civil liability for damages, which resulted from the same act, or series of acts.

Amnesty Policy

Through its Amnesty Policy, Whittier College encourages its students to seek and/or call for assistance for themselves or others when someone is in need of help.

MEDICAL AMNESTY

Students are encouraged to call for assistance for individuals who are overly intoxicated and is in need of medical assistance. Amnesty is available to the student calling as well as the student needing assistance. A call for assistance should be made promptly because the health, safety and well-being of the student that is potentially in danger is paramount. A call for assistance may be directed to Whittier Campus Safety, a local police officer or agency (such as Whittier Police Department or by calling 911), the Area Director On-Call (ADOC) or in the residence halls, the RA. Whittier's goal through this amnesty policy is to reduce barriers and alleviate potential consequences to ensure that our students seek the appropriate and necessary assistance. A student for whom a call for assistance is made will not be subject to official sanctions and conduct record under the student conduct process, nor will the individual who made the call. Likewise, when leadership of a recognized student organization makes a call for assistance for a student or a guest attending the organization's function, the organization will not be subject to university code of conduct sanctions, nor will the student who made the call.

While not resulting in official sanctions, a call for assistance under this policy may result in educational outcomes including, but are not limited to:

- Referral for alcohol assessment to be completed within 35 days.
- Parental, guardian or emergency contact notification.
- Educational opportunities to assist in avoiding future high risk situations.
- A summary report of the incident to be included in the student's or student organization's file.

Important Information Regarding Amnesty

If a student is repeatedly the subject of calls for assistance, there may be additional consequences as a result of the College's increased concern for that student, including additional counseling sessions, educational follow up with university administrators and/or a full behavioral assessment which may lead to a university mandated leave of absence. Failure to complete appointments or follow-up as prescribed by a College official could result in the revocation of amnesty for the student or organization in question and standard College sanctions could apply. Amnesty does not prevent the filing of criminal charges. Amnesty may not apply to students who persistently refuse to cooperate with medical, law enforcement or College personnel at the time of initial contact. A student organization that fails to seek assistance for a member or guest in need at its function or on its controlled property may be charged with violations of the Student Code of Conduct. It is paramount that organizations seek assistance in any emergency situation. This policy applies only to those students or organizations seeking emergency medical assistance in connection with an alcohol-related medical emergency and does not apply to individuals experiencing an alcohol-related medical emergency who are found by College employees (i.e. Campus Safety Officers, faculty, administrative staff, residence hall staff including RA's).

SEXUAL MISCONDUCT

The College encourages the reporting of all Student Code of Conduct violations, especially sexual misconduct. Sometimes, victims/survivors are hesitant to report to college officials because they fear that they themselves may be charged with policy violations, such as underage drinking at the time of the incident. It is in the best interest of this community that as many victims as possible choose to report to College officials.

- 1) For Victims/Survivors: To encourage reporting, the college pursues a policy of offering victims, especially victims of sexual misconduct limited immunity from being charged for policy violations related to the incident.
- 2) For Those Who Offer Assistance (Good Samaritans): At the discretion of the conduct officer, amnesty may also be extended on a case-by-case basis to the person providing assistance.
- 3) For Those Who Report Serious Violations: Students who are engaged in minor violations but who choose to bring related serious violations by others to the attention of the College may also be extended on a case-by-case basis amnesty for providing assistance.
- 4) Safe Harbor: The College has a Safe Harbor rule for students. Fundamentally, the College believes that students who have a drug and/or addiction problem deserve help. If any student brings their own use, addiction or dependency to the attention of a College official outside the threat of disciplinary action and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student. Failure to follow the action plan will nullify the Safe Harbor protection and campus conduct processes will be initiated.