



Bemidji State University	
Student Handbook	
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Policy	Alcohol and Other Drugs Policy

Alcohol and Other Drugs Policy

Bemidji State University recognizes its educational responsibility to its members regarding the use of alcohol and other drugs. This responsibility includes providing information regarding the effects of alcohol and other drugs, raising issues regarding responsible versus irresponsible use, and establishing written standards and sanctions for illegal use and/or use which results in behavior that violates the University's Code of Student Conduct, and civil and state laws.

POLICY STATEMENT

Bemidji State University prohibits the use of any alcoholic beverages on the campus. This prohibition extends to Residence Halls, athletic facilities/events, and school activities, and applies to any person on University grounds, whether or not he or she is a member of the University community. The only exceptions to this absolute prohibition are authorized laboratory experiments and sale and consumption in accordance with special licensing procedure provided by law. Any such sale, possession, or consumption is strictly controlled and allowed only in those areas of campus specifically designated in the temporary license.

Bemidji State University prohibits the illegal use, possession, sale, manufacture, or distribution of drugs or actions involving drugs which may involve medical or psychological hazards to individuals, or actions involving drugs which may lead to interference with the rights and privileges of others.

UNIVERSITY SANCTIONS FOR STUDENTS

Students who use, possess or distribute alcohol or illegal drugs on campus will be subject to disciplinary action as set forth in the University's Code of Student Conduct and civil and state laws. Sanctions may include but are not limited to:

- Disposal or law enforcement notified of any alcohol, drugs, or paraphernalia
- Conduct Warnings or Probation
- Counseling or Medical Referral
- Removal from Residence Halls
- Suspension or expulsion from the University
- Referral to Law Enforcement Agencies for prosecution of charges
- Athletes are also subject to being declared ineligible for play for the remainder of the season or entire enrollment at BSU

FEDERAL AND STATE DRUG LAWS

Federal Laws

Schedule Drugs

- I. Heroin, mescaline and peyote, marijuana, other hallucinogens, MDMA (ecstasy).
- II. Opium, morphine, codeine, methadone, cocaine, amphetamine, methamphetamine.
- III. Opium; codeine; morphine; barbiturates; other narcotics, stimulants and depressants, GHB, LSD.
- IV. Barbiturates; benzodiazepines; chloral hydrate; other narcotics, stimulants and depressants, anabolic steroids.
- V. Codeine; other narcotics and depressants.

Penalty for Possession of Schedule I Drugs:

First offense: 10-Life, 10 year mandatory min.; if death or serious injury, 20 year min.; up to \$4 million fine individual, \$10 million other than individual. Second offense: 20-Life, 20 year min., if death or serious injury, not less than life; up to \$8 million fine individual, \$20 million other than individual.

Penalty for Possession of Schedule II Drugs:

First offense: 5-40 years, 5 year mandatory min.; if death or serious injury, 20 year min.; up to \$2 million fine individual, \$5 million other than individual. Second offense: 10-life, 10 year min.; if death or serious injury, not less than life; up to \$4 million fine individual, \$10 million other than individual.

Penalty for Possession of Schedule III Drugs:

First offense: 0-5 years; up to \$250,000 fine individual, \$1 million other than individual. Second offense: 0-10 years; up to \$500,000 fine individual, \$2 million other than individual.

Penalty for Possession of Schedule IV Drugs:

First offense: 0-3 years; up to \$250,000 fine individual, \$1 million other than individual. Second offense: 0-6 years; up to \$500,000 fine individual, \$2 million other than individual.

Penalty for Possession of Schedule V Drugs:

First offense: 0-1 year; up to \$100,000 fine individual, \$250,000 other than individual. Second offense: 0-2 years; up to \$200,000 fine individual, \$500,000 other than individual.

Minnesota State Laws

First Degree. Sale: 10+grams cocaine, 50+grams of other narcotic, 200+doses of hallucinogen, 50K of marijuana. Possession: 25+grams of cocaine, 500+grams of other narcotic, 500+ doses hallucinogen, 100+k of marijuana. Penalty: 0-30 years, 4 year mandatory min. if prior drug felony; up to \$1 million fine.

Second Degree. Sale: 3+grams cocaine, 10+grams of other narcotic, 50 doses hallucinogen, 25+k marijuana or sale of Schedule I or II drug narcotic, either to a person under 18 or in a school, park, or public housing zone. Possession: 6+grams cocaine, 50+grams of other narcotic, 100+doses hallucinogen, 25+k marijuana. Penalty: 0-25 years, 3 year mandatory min. if prior drug felony; up to \$500,000 fine.

Third Degree. Sale: Narcotic, 10+doses hallucinogen, 5+kilos marijuana or sale of any Schedule I, II, or III drug (except a Schedule I or II narcotic or marijuana) to a person under 18 or employment of a person under 18 to sell same. Possession: 3+grams cocaine, 10+grams of other narcotic, 10+k of marijuana and any amount of Schedule I or II narcotic in a school, park or public housing zone. Penalty: 0-20 years, 2 year mandatory min. if prior drug felony; up to \$250,000 fine.

Fourth Degree. Sale: Any Schedule I, II or III drug (except marijuana), or sale of marijuana in a school, park, or public housing zone. Penalty: 0-15 years, 1 year mandatory min. if prior drug felony; up to \$100,000 fine.

Fifth Degree. Sale: Marijuana or any schedule IV drug. Possession: ALL Schedule I, II, III, or IV drugs except 42.5 grams or less of marijuana. Penalty: 0-5 years, 6 month mandatory min. if prior drug felony; up to \$10,000 fine.

Minnesota State Alcohol Violations

Minnesota has many statutes which regulate and control alcohol use and misuse. Fines and penalties are given on the basis of minimum requirements and prior violations. Some crimes and violations are as follows:

Driving under the influence (blood alcohol content .08) *First offense:* \$700 fine, max. 90 days in jail, revocation of driver license min. 30 days. *Second offense* (within five years): \$3000 fine, max. One year in jail, revocation of license

min. 90 days. Driving with an alcohol concentration of .04 or more is relevant evidence of whether or not the person is under the influence of alcohol and therefore subject to arrest.

Implied Consent

By driving a motor vehicle in this state, a person agrees to submit to testing for intoxication.

Persons under the age of 21 "Not A Drop" Law, If you drink any amount of alcohol and drive, you lose your license in for 30 day on a first offence, 6 months for a second violation in Minnesota. *Misdemeanors:* Consumption and possession unless in parent or guardian's home, purchase or attempts to purchase alcohol, entering licensed premises, misrepresenting age.

Aiding Minors *Gross Misdemeanor:* to sell, furnish or give a minor alcohol, to induce a minor to purchase alcohol, to lend or permit use of license to a minor.

CONSENT FOR SEXUAL ACTIVITY

A person under the influence of any amount of an intoxicating substance including alcohol, marijuana, narcotics, or other substances, whether ingestion of the substance is known or unknown, cannot give legal consent for sexual activity. Sexual activity is defined as oral, anal, or vaginal penetration, or contact or near contact of breasts or genitals.

MISREPRESENTATION OF AGE

It is unlawful for any person under the age of 21 years to claim to be 21 years old or older for the purpose of purchasing alcoholic beverages.

Furnishing Alcohol to Persons Under 21

It is unlawful to sell, barter, furnish or give alcoholic beverages to persons under 21. People who are injured by an underage drinker may sue adults who supplied alcohol to the underage drinker.

HEALTH RISKS

Alcohol: Damage to heart and/or liver, pancreas addiction, coma, death from overdose, injury or accident.

Marijuana: Damage to heart, lungs, and/or brain nerve cells lung cancer, bronchitis, infections , decreased motivation, depression, paranoia, impaired memory.

Depressants: (Alcohol, valium, quaaludes, downers, etc.) Irreversible brain or nervous system damage, damage to heart, liver, convulsions, depression, disorientation, insomnia and/or pancreas, coma, death from overdose.

Hallucinogens: (LSD, PCP, angel dust, mushrooms, etc.) Agitation, reduced eating, flashbacks, hyperactivity, convulsions, death.

Inhalants: (Solvents, aerosol sprays, paint thinner, glue, etc.) Damage to nervous system, liver and brain, heart failure, seizures.

Narcotics: (Codeine, heroin, opium, etc.) Respiratory arrest, coma, sleepiness, organ and lung damage, nausea, death due to overdose.

Steroids: (Roids, juice, d-ball, etc) High blood pressure, liver and kidney damage, acne, artrophy of testes, breast enlargement in men, breast reduction in women, aggressiveness, mood swings liver and kidney damage, heart disease, gallstones, kidney stones, liver cancer, impotence and sterility.

Stimulants: (Cocaine, crack, uppers, ritalin, preludes, etc.) Headaches, depression, malnutrition, anorexia, strokes, seizures, psychosis, cardiac arrest, convulsions, coma, death.

Tobacco: Lung cancer, emphyzema, oral cancer

ADDITIONAL HEALTH RISKS

Many students consider drinking to be normal and respectable, but many people forget that the abuse of alcohol can cause serious physical and mental problems. The abuse of alcohol and drugs has a way of creating turmoil, not just with the law and health; abuse also can create havoc with emotions which leads to a variety of problems including:

- Emotional problems
- Difficulty at work
- Family turmoil
- Legal problems
- Health problems
- Spiritual struggle
- Memory loss
- Financial difficulties
- Relationship tension
- Trouble dealing with reality
- Intellectual barriers
- Poor academic performance
- Loss of muscle control
- Impaired judgment
- Impaired thinking and reasoning processes
- Loss of inhibitions
- Social conflict
- Accidents and injuries

RESOURCES

Since involvement with alcohol and other drugs may be associated with medical and psychological problems, students may be referred or refer themselves to the counseling and medical resources of the University. PIER 9 is BSU's Alcohol & Drug Prevention, Intervention, Education and Referral Program. All services provided by the BSU Counseling Center, Student Health Services and Pier 9 are confidential and available to BSU students. Contact information for these services, as well as others in the community, are listed below.

<u>BSU Counseling Center</u>	755-2024
<u>BSU Student Health Services</u>	755-2053
<u>PIER 9*</u>	755-4019
Alcoholics Anonymous	751-0231
AA Crisis and Information Line	1-800-462-5525
Lutheran Social Service	751-1305
Narcotics Anonymous	751-0231
Upper Mississippi Mental Health Center	751-3280
Wildgen & Wilimek & Associates	751-0887
Lakes Region Chemical Dependency	759-2116
Northern Psychological Services	759-2825

In addition to these resources, there are many others available. Please check a local directory.