



UNIVERSITY OF RICHMOND

Policy Manual

Policy #:	STU-1002	Policy Title:	Alcohol, Tobacco and Other Drug Policy
Effective:	08/15/2023	Responsible Office:	Compliance & Title IX
Date Approved:	08/01/2019	Approval:	Vice President for Student Development
Replaces Policy Dated:	08/01/2022	Responsible University Official:	Deputy Title IX Coordinator for Students & Substance Misuse Education and Prevention Coordinator

PURPOSE:

In accordance with the Drug Free Schools and Communities Act and its implementing regulations, the University of Richmond is required to communicate the following information regarding unlawful possession, use or distribution of alcohol, tobacco, marijuana, and illegal drugs to its students and employees. The purpose of this policy is to protect the health, safety and welfare of the members of the University community and the public served by the University.

SCOPE:

The Alcohol, Tobacco and Other Drug Policy applies to all students, staff, and faculty as well as third party users of University facilities. This policy applies to conduct that occurs on the campus of the University, on or in off-campus buildings or property of the University and at University sponsored activities, including off-campus education programs and activities and public property adjacent to the University.

This policy also applies to University students studying abroad through a University approved study abroad program.

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POLICY STATEMENT:

1002.1 – Policy & Rules

The University of Richmond strives to achieve a healthy living, learning and work environment. The unlawful manufacture, dispensing, possession, use or distribution of alcohol, tobacco, marijuana or illegal drugs by students or employees on University property is prohibited.

The University does not condone the illegal or otherwise irresponsible use of alcohol, tobacco, marijuana or other drugs. In accordance with federal and state law, the University prohibits the unlawful possession, sale, use or distribution of alcohol, tobacco, marijuana and other drugs on University property. The University of Richmond Police Department has the primary responsibility for the enforcement of state and federal laws pertaining to alcohol, tobacco, marijuana and other drugs.

It is the responsibility of students and employees to know relevant University policies, as well as state and federal laws, and to conduct themselves in accordance with these laws and policies. Any student found in violation of this policy is subject to the entire range of sanctions outlined in the [Standards of Student Conduct](#). University employees found in violation of the policy are subject to applicable personnel sanctions. Additionally, a student or employee may be referred to an appropriate evaluation or rehabilitation program.

The University of Richmond supports an environment free from retaliation. Retaliation against any student or employee for bringing forth a good faith concern or participating in an investigation is prohibited. The University's Policy Prohibiting Retaliation can be found [here](#).

Any student that renders aid to a student needing emergency medical care or receives emergency medical assistance is covered by the Safe Spiders Protocol provided they adhere to the conditions outlined in that protocol. A copy of the Safe Spiders Protocol can be found at:

<https://studentdevelopment.richmond.edu/student-handbook/SafeSpidersProtocol-06-2023.pdf>

Intercollegiate Athletics Alcohol & Drug Policy

The University of Richmond Athletic Department has additional written policies that are presented to each student-athlete annually prior to participation. These policies encompass mandatory drug testing, sanctions as a result of positive drug tests, educational programs relative to drug and alcohol use, misuse and counseling.

Drug Free Workplace Policy

The University is a drug-free workplace. The University does not tolerate the unlawful manufacture, dispensing, possession, use, or distribution of illegal drugs, marijuana and/or alcohol by employees on the University's property, or as part of its activities, except in compliance with this and related policies. Individual departments, due to the nature of their work, may have more stringent policies concerning prescription drugs.

The University of Richmond does not conduct random drug or alcohol testing, but does reserve the right to test for drugs and/or alcohol for cause. Should the University have a reasonable suspicion that an employee is under the influence of illegal drugs, alcohol or marijuana or if the employee is in an accident causing damage to University property, the employee may be required to submit to drug/alcohol testing and/or mandatory referral into a substance misuse assistance or rehabilitation program. Refusal by an employee to comply with the applicable requirements may be grounds for immediate dismissal from employment.

Annual Notification

The University will disseminate the Alcohol, Tobacco & Other Drug Policy to all students and employees on a semiannual basis. A notification email will be sent in January and September after the "add/drop" period for classes.

1002.2 – Alcohol Policy

All members of the University community and third-party users of University facilities are responsible for knowing and acting in accordance with the applicable laws and University policy concerning the purchase, possession, consumption, sale and storage of alcoholic beverages.

Rules for Individuals:

1. The use of alcoholic beverages shall comply with federal, state, and local laws and University policy.
2. Alcoholic beverages shall not be consumed by, possessed by, sold to, or given to persons under 21 years of age, which is the legal age to consume and possess alcohol.
3. State law prohibits, among other conduct, drinking in public spaces that are not covered by an Alcohol Beverage Commission (ABC) license; possession of an alcoholic beverage by a person under the legal drinking age; falsely representing one's age for the purposes of procuring alcohol; and purchasing alcohol for a person who is under the legal drinking age.
4. All persons consuming or possessing alcohol must carry a valid driver's licenses or state identification card, military ID card or passport. Students are expected to have their University of Richmond ID and another form of legal age identification documentation in their personal possession. A University official may request to see age identification from the student if it is suspected that the student is under the legal drinking age or is in the process of or has committed an alcohol policy violation. Students that fail to show the required identification may be charged with a violation of the Standards of Student Conduct.

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5. Any individual will be considered in possession of alcohol if the alcohol can be reasonably associated with them. Examples of association include, but are not limited to, the following: any alcohol found within a resident's room or apartment, any alcohol being carried or transported by an individual, and any open container of alcohol resting near an individual.

Rules for Organizations, Departments and Approved Campus Guests:

1. All events with alcohol must comply with the University of Richmond's Alcohol, Tobacco & Other Drug Policy; the [Policy for Events with Alcohol on Campus](#); and the Commonwealth of Virginia laws and regulations.
2. University residence halls and student apartments shall not be used for organization/departmental events with alcohol.
3. The possession or use of common containers of alcohol including, but not limited to, kegs, ¼ kegs and party balls are prohibited on University property.
4. The consumption of alcoholic beverages in a designated campus area is limited to approved functions sponsored by recognized organizations/departments of the University of Richmond or approved third party users of University facilities. These events shall be open only to members of the sponsoring organization/department or approved third-party users of University facilities and their personally invited guests.
5. All University of Richmond organizations/departments sponsoring off-campus functions at which alcoholic beverages are served, are expected to act as representatives of the campus community and to respect the University's valuation of personal responsibility and accountability. Although the University cannot monitor the environment external to the University campus, student organizations, departments or individuals may be held responsible for their actions off campus.

Approved Locations:

The consumption of alcoholic beverages at registered or approved events is limited to approved locations on campus. All other areas of the campus are considered public areas where the use of alcohol is prohibited. For a complete list of approved locations, please visit:

<https://events.richmond.edu/events/policies/alcohol/approved-location.html>

***NOTE:** All event and location reservations will be reviewed to ensure that the facility, as well as type of food and beverage being served, are appropriate. Outdoor locations must be clearly defined by an existing barrier or by an approved temporary barrier. Rain locations must also be identified at the time of reservation, as this information is required by Virginia ABC. For more information, please visit: <https://events.richmond.edu/events/policies/alcohol/index.html>.*

Public Consumption:

Virginia law prohibits the consumption of alcoholic beverages, whether in primary or secondary containers, in public areas. Virginia Code § 4.1-100 defines a public area as any place, building or conveyance where the public has access or is permitted to have access. Examples include, but are not limited to, hallways/corridors, lounge areas and sidewalks. Alcohol use on campus is restricted to approved locations, as defined above, and residence hall rooms, Gateway Apartments, University Forest Apartments, Law School student housing and other housing identified by the University. The University does not permit transportation of alcoholic beverages in open primary or secondary containers outside of these areas.

Alcoholic Beverage Deliveries

Third-party vendors are prohibited from delivering alcoholic beverages to the University of Richmond campus for personal consumption or for consumption at student events for which an ABC license has not been secured.

Advertising

Any publication, advertisement or announcement of any University-sponsored event distributed or intended to be distributed to persons under 21 years of age must not mention or depict alcoholic beverages. Distribution of any publication, advertisement or announcement that mentions or depicts alcoholic beverages must be limited to persons 21 years of age or older and such publication, advertisement or announcement must state that proof of age will be required to consume alcohol.

Registration Policy and Deadlines

Official University Events and Third-Party Use of University Facilities:

All alcoholic beverages to be consumed at University approved events must be supplied by University Catering or in conjunction with a University approved caterer with an ABC license. Spider Brews and events with beer trucks are the only exceptions. For more information on events with beer trucks, please see the [Policy for Events with Alcohol on Campus](#).

Any event held in a University facility where alcoholic beverages are present or consumed must be registered and approved at least 10 working days in advance by University Events, Conferences and Support Services. Events that utilize the University of Richmond's Dining Services ABC license must be coordinated with University Dining Services a minimum of five days prior to the scheduled event. These timelines are provided by Virginia ABC and are subject to change. For more information on scheduling an event on campus with alcohol, please refer to the [Policy for Events with Alcohol on Campus](#).

Residential Student Events:

Students who wish to host an event with alcohol in their residence hall or apartment should do so in accordance with the event registration process established by Residence Life & Housing. Students interested in registering an event in their residence, should review the following: <https://residencelife.richmond.edu/residence-life/Community/event-registration.html>.

Student Organizational Events

All student organizations, including Greek organizations, that wish to host events with alcohol on campus must comply with the [procedures](#) established by the Center for Student Involvement (CSI).

1002.3 – Tobacco Policy

All members of the University community and third-party users of University facilities are responsible for knowing and acting in accordance with the applicable laws and University policy concerning the purchase, possession, consumption and sale of tobacco and nicotine products.

No individual under the age of 21 shall purchase, possess or consume tobacco products (chewed, absorbed, dissolved or ingested), nicotine vapor products, and/or alternative nicotine products. Any individual under 21 purchasing, possessing or consuming tobacco products, nicotine vapor products or alternative nicotine products will be in violation of Virginia law and University policy and are subject to disciplinary action.

Rules for Individuals:

1. The use of tobacco products (chewed, absorbed, dissolved or ingested), nicotine vapor products, and/or alternative nicotine products on campus shall comply with federal and state laws.
2. Tobacco products (chewed, absorbed, dissolved or ingested), nicotine vapor products, and/or alternative nicotine products shall not be consumed by, possessed by, sold to, or given to persons under 21 years of age, which is the legal age to consume and possess tobacco and nicotine products in the Commonwealth of Virginia.
3. All persons on University property consuming or possessing tobacco or nicotine products on campus must carry a valid driver's license or state identification card, military ID card or passport. Students are expected to have their University of Richmond ID and another form of legal age identification documentation in their personal possession. A University official, may request to see age identification from the student if it is suspected that the student is under the legal age or is in the process of or has committed a policy violation. Students that fail to show the required identification may be charged with a violation of the Standards of Student Conduct.
4. Any individual under 21 will be considered in possession of tobacco/nicotine if the tobacco/nicotine can be reasonably associated with them. Examples of association include, but are not limited to, the following: tobacco/nicotine paraphernalia found within a resident's room or apartment, any tobacco/nicotine being carried or transported by an individual, and any tobacco/nicotine resting near an individual.

Advertising

Any publication, advertisement or announcement of any University-sponsored event distributed or intended to be distributed to persons under 21 years of age must not mention or depict tobacco products (chewed, absorbed, dissolved or ingested), nicotine vapor products, and/or alternative nicotine products.

Tobacco & Nicotine Use on Campus

Smoking:

The University prohibits smoking, including e-cigarettes, inside classrooms and administrative buildings, residential facilities, dining areas, athletic facilities and university owned vehicles. Smoking is prohibited within 25 feet of the outside of any building to prevent smoke and e-cigarette vapors from entering through entrances, windows, ventilation systems, or other means.

Tobacco and Nicotine Sales:

Vending machines that sell tobacco products, nicotine vapor products, and/or alternative nicotine products are prohibited on campus.

1002.4 Marijuana

Virginia law allows for adults over 21 years old to possess and cultivate a specified amount of marijuana for recreational use, however, as described below, marijuana is not permitted on

campus, in off-campus University buildings, or at off-campus University programs and activities

The possession, use and distribution of marijuana in any form, including without limitation tinctures, edibles and topicals, are still considered federal offenses under the Controlled Substances Act (CSA) which classifies marijuana as a schedule 1 drug which prohibits the use, possession and or cultivation of marijuana. Therefore, the use, possession, cultivation or sale of marijuana violates federal law. The University of Richmond must comply with the Drug Free Schools and Communities Act (DFSCA) (20 U.S.C.1011i; 34 C.F.R part 86) as well as the Drug Free Workplace Act which requires a drug free campus environment. Failure to comply with the DFSCA, can result in loss of federal funding such as financial aid.

As such, the possession, use, cultivation, manufacturing or distribution of marijuana in any form, including medical marijuana, is prohibited on University property. Any student, staff or faculty member that violates this policy prohibiting the use and/or possession of marijuana on campus is subject to disciplinary action.

Rules for Individuals, Organizations, and Campus Guests:

1. No individual shall possess, use, cultivate, transfer, distribute, manufacture or attempt to manufacture marijuana on University-owned or leased property, at University-sponsored or supervised functions, or under other circumstances involving a direct and substantial connection to the University. If there is sufficient evidence that a student or employee is distributing, transferring or trafficking marijuana (or is in possession of such amounts), interim actions may be taken to protect the health and safety of the University community.
2. Possession of marijuana paraphernalia is prohibited. Marijuana paraphernalia found in University owned or leased property will be confiscated by University personnel and destroyed.
3. Any individual will be considered in possession of marijuana if the marijuana can be reasonably associated with them. Examples of association include, but are not limited to, the following: marijuana and/or marijuana paraphernalia found within a resident's room or apartment; any marijuana being carried or transported by an individual; any marijuana resting near and individual; and being present when drugs are being cultivated, distributed, or manufactured.
4. Students and employees that violate state and/or federal laws may be referred by University authorities for criminal prosecution and, if convicted, may be subject to criminal prosecution. Whether or not criminal charges are brought, students and employees are subject to disciplinary action. Sanctions can range from substance education to permanent separation.

1002.5– Other Drugs Policy

The unauthorized manufacture, distribution and possession of “controlled substances” (illegal drugs), including but not limited to cocaine, ecstasy and LSD, are prohibited by both state and federal law and are punishable by severe penalties. The University does not tolerate or condone such conduct. Students and employees who violate state and federal law may be referred to law enforcement authorities for criminal prosecution and, if convicted, may be subject to the penalties described herein.

Rules for Individuals, Organizations, and Campus Guests:

1. No individual shall possess, use, transfer, distribute, manufacture or attempt to manufacture, or traffic illegal drugs on University-owned or leased property, at University-sponsored or supervised functions, or under other circumstances involving a direct and substantial connection to the University. If there is sufficient evidence that a student is distributing, transferring or trafficking illegal drugs (or is in possession of such amounts), interim actions may be taken to protect the health and safety of the University community.
2. Synthetic or counterfeit substances that are analogue for controlled substances are prohibited under this policy.
3. The misuse, transfer or sale of legal substances such as prescription drugs and inhalants are prohibited.
4. Possession of drug paraphernalia is prohibited. Any drug paraphernalia found in University owned or leased property will be confiscated by University personnel and destroyed
5. Any individual will be considered in possession of drugs if the drugs can be reasonably associated with them. Examples of association include, but are not limited to, the following: drugs and/or drug paraphernalia found within a resident's room or apartment, and being present when drugs are being distributed or manufactured.
6. Students and employees that violate state or federal drug laws may be referred by University authorities for criminal prosecution and, if convicted, may be subject to criminal prosecution. Whether or not criminal charges are brought, students and employees are subject to disciplinary action. Sanctions can range from substance education to permanent separation.

1002.6 – Sanctions for Alcohol, Tobacco and Other Drugs

Student Sanctions

Students and recognized organizations that violate the Alcohol, Tobacco and Other Drug Policy will be subject to sanctions as outlined in [Article VII of the Standards of Student Conduct](#), up to and including separation from the University. Sanctions are determined based on the nature and circumstances of the case. In determining the appropriate sanction for a violation of the Alcohol, Tobacco and Other Drug Policy, the Conduct Officer, may, at minimum, consider the following circumstances:

1. How was the violation committed;
2. Amount and nature of the illegal substance involved;
3. The level of knowledge and intent of the student;
4. Delivery or attempted delivery of the substance;
5. Prior offenses of the student;
6. Pending criminal charges.

Employee Sanctions – Alcohol, Tobacco & Other Drugs

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance by employees on University property, or while conducting business on behalf of the University off campus, is prohibited. Violations of this prohibition by employees may result in the imposition of sanctions under applicable University policies up to an including termination of employment. The

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severity of the disciplinary action for violations of this policy shall be determined on a case-by-case basis. Additionally, employees may be referred to an appropriate substance misuse assistance or rehabilitation program.

1002.7 – Federal and Commonwealth of Virginia Penalties

In addition to University policies for alcohol, tobacco, marijuana and drugs, members of the campus community are also required to abide by federal and state laws governing consumption, sale or possession of alcohol, tobacco, marijuana and other drugs. University of Richmond Police Department reserves the right to issue a citation for violation of state or federal laws when deemed appropriate.

Federal and Virginia law penalizes the unlawful manufacturing, distribution, use and possession of controlled substances, including prescription drugs. Synthetic designer drugs, such as bath salts, contain mixtures of many different chemicals, including those that resemble cocaine, methamphetamines, and MDMA. Federal law makes the distribution of “analogue” substances marketed for human consumption illegal if those substances are chemically similar to scheduled illegal drugs and have the same pharmacological effects on the user. The penalties vary based on many factors, including the type and amount of drug involved and whether there is intent to distribute. Federal law holds that any person who distributes, possesses with intent to distribute, or manufactures a controlled substance within one thousand feet of an educational facility is subject to doubling of the applicable maximum punishments and fines. A similar Commonwealth of Virginia law carries sanctions between one- and five-year’s imprisonment and up to a \$100,000 fine for similar violations.

Virginia Laws Governing Alcohol, Tobacco & Drugs

Virginia’s Alcoholic Beverage Control Act contains a variety of laws governing the possession, use and consumption of alcoholic beverages. The Virginia’s Alcoholic Beverage Control Act applies to all students and employees of the University.

The unlawful possession, distribution, and use of controlled substances and illegal drugs, as defined by the Virginia Drug Control Act, are prohibited in the Commonwealth of Virginia. Controlled substances are classified under the under the Act into “schedules”, ranging from Schedule I through Schedule VI, as defined in sections 54.1-3446 through 54.1.3456 of the Code of Virginia.

The Virginia’s Alcoholic Beverage Control Act and the Virginia Drug Control Act apply to all students and employees of the University. Some of the pertinent laws, including sanctions for their violations are listed below.

1. Alcohol

The minimum legal age for the possession and consumption of alcoholic beverages in Virginia is 21.

- ***Underage alcohol consumption/possession is a Class 1 misdemeanor***
 - Mandatory driver’s license suspension – 6-month minimum (1-year max.)
 - \$500 fine or 50 hours of community service
 - Possible jail sentence: up to one year
- ***Drinking alcohol in a public place/public intoxication is a Class 4 misdemeanor***
 - Possible fine up to \$250

- Possible 1-day jail sentence
- ***Purchasing, Giving, Providing or Assisting in Providing Alcohol to Person under 21 is a Class 1 misdemeanor***
 - Mandatory driver's license suspension -6-month minimum (1-year max.)
 - Mandatory minimum \$500 fine (max. of \$2500 or 50 hours of community service)
 - Possible jail sentences up to one year
 - Any alcohol purchased is contraband and subject to forfeit
- ***Using a fake ID to buy alcohol***
 - Mandatory driver's license suspension -6-month minimum (1-year max.)
 - Mandatory minimum \$500 fine (max. of \$2500 or 50 hours of community service)
 - Possible jail sentences up to one year
 - Any alcohol purchased is contraband and subject to forfeit
- ***Underage driving under the influence***
 - Zero Tolerance Laws in Virginia; drivers under the age of 21 cannot have a BAC test result of .02 or higher.
 - Mandatory driver's license suspension for one year.
 - Offenders do not have the option of requesting a blood test instead of a breath test for an alcohol- related offense.
- ***Driving under the influence 21 yrs. & above***
 - Drivers 21 years of age or older cannot have a BAC test result of .08 or higher.
 - Conviction of a first or subsequent DUI offense may result in a mandatory driver's license suspension for one year, ignition interlock, mandatory jail time and mandatory alcohol education classes
 - Implied consent laws require a driver who is suspected of DUI to submit to chemical testing (breath, blood, or urine). Refusal to submit to such tests carries a penalty of up to one year's suspension of the driver's license.
- ***Possess, sell, buy or use powdered or crystalline alcohol while under 21 years of age***
 - Powdered and/or crystalline alcohol is included in the definition of alcoholic beverages.
 - Law prohibits powdered or crystalline alcohol substances to be sold in or shipped into the Commonwealth
 - Purchase, possession, offering for sale or use, selling or using powdered or crystalline alcohol is a Class 1 misdemeanor
 - Mandatory driver's license suspension for one year
 - Mandatory minimum \$500 fine (max. of \$2,500) **or** 50 hours of community service
 - Possible jail sentence: Up to one year.
- ***Safe reporting of overdoses***
 - "Overdose" means a life-threatening condition resulting from the consumption or use of a controlled substance, alcohol, or any combination of substances.
 - **PROVIDES:** Affirmative defense to prosecution of an individual for the unlawful purchase, possession, or consumption of alcohol, public intoxication, or possession of marijuana, a controlled substance or controlled paraphernalia **IF:**
 - In good faith, you seek emergency medical attention for yourself or another by reporting the overdose to 911, law enforcement or medical personnel

- Remain at the scene of the overdose until a law-enforcement officer responds
- Identify yourself to the law-enforcement officer
- If requested, substantially cooperate in any investigation of any criminal offense reasonably related to the alcohol or controlled substance(s) that resulted in the overdose; AND
- The evidence for the prosecution of an offense was obtained as a result of the individual seeking or obtaining emergency medical attention.

2. Tobacco

Prohibiting purchase or possession of tobacco products, nicotine vapor products, and alternative nicotine products by a person under 21 years of age or sale of tobacco products, nicotine vapor products, and alternative nicotine products to persons under 21 years of age

- **First violation** – Civil penalty not to exceed \$100. In lieu of a civil penalty, the court may prescribe up to 20 hours of community service. Failure to adhere to complete community services as outlined will result in a civil penalty.
- **Second violation** – Civil penalty not to exceed \$250. In lieu of a civil penalty, the court may prescribe up to 40 hours of community service. Failure to adhere to complete community services as outlined will result in a civil penalty.

3. Marijuana and Other Drugs

➤ Marijuana

Virginia law may allow certain marijuana related activities, such as limited medical marijuana use and other recreational use and possession. However, using and possessing marijuana in any form, including without limitation tinctures, edibles and topicals, remains a crime under federal law. At the federal level, the Controlled Substances Act criminalizes the growing and use of marijuana, and it is well settled that federal enforcement agencies can prosecute users and growers of marijuana. As a controlled substance, use and possession of marijuana is also prohibited by the [Standards of Student Conduct](#) and is not permitted on campus. In addition to being a federal offense under the act, use of medical marijuana in the workplace and on campus is restricted by federal laws, such as the Drug-Free Workplace Act and the Drug-Free Schools and Communities Act. These federal laws require the University to prohibit the use of marijuana on campus. It remains illegal to import, ship, transport or bring marijuana products into the Commonwealth of Virginia.

- Possession of more than one ounce to 4 ounces on a person or in any public place
 - Civil penalty of \$25
- Possession of more than 4 ounces but not more than a pound on a person or in any public place
 - Class 3 misdemeanor – up to a \$500 fine
 - Class 2 misdemeanor (second or subsequent offense) - confinement in jail for not more than six months and a fine of not more than \$1,000, either or both.
- Possession of one pound or more
 - A Felony punishable by a term of imprisonment of not less than one year nor more than 10 years and a fine of not more than \$250,000, or both
- Selling, manufacturing, or distributing or possession with the intent to do so
 - Not more than one ounce: Class 1 misdemeanor punishable with up to 12 months in jail and a fine up to \$2500

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- Distribution of more than one ounce but less than 5 pounds is a class 5 felony punishable with up to 5 years in prison and a fine up to \$2500.
 - Distribution of more than 5 pounds of marijuana is punishable with 5-30 years in prison.
 - Distribution of 100 kg or more of a mixture or substance containing marijuana: Felony 20 years – life and \$1,000,000 fine
 - Manufacture of marijuana: Felony 5-30 years and a fine not to exceed \$10,000.
- **Other Drugs**
- Possession
 - *Schedule I or II Drugs* – Felony- imprisonment from 1 to 10 years or jail for up to 12 months and a fine of up to \$2,500.
 - *Schedule III Drugs* – Misdemeanor – jail for up to 12 months and a fine up to \$2500
 - *Schedule IV Drugs* – Misdemeanor – jail for up to 6 months and a fine up to \$1000
 - *Schedule V Drugs* – Misdemeanor – fine up to \$500
 - *Schedule VI Drugs* – Misdemeanor – fine up to \$250
 - Sales/Distribution – Schedule I or II Drugs
 - Felony – imprisonment from 5 to 40 years and a fine up to \$100,000
 - Sales/Distribution – Schedule III – V Drugs
 - Misdemeanor – fine up to \$250

Federal Laws Governing Alcohol & Drugs

Federal law prohibits the possession, use, or distribution of illegal drugs. There are strict penalties for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of federal penalties for first convictions. All penalties are doubled for any subsequent drug conviction.

A. Forfeiture of Personal Property and Real Estate 21 U.S.C. 853

Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued and property is seized at the time an individual is arrested on charges that may result in forfeiture.

B. Federal Drug Trafficking Penalties 21 U.S.C. 841

Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The list below is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are twice as severe.

If death or serious bodily injury results from the use of a controlled substance, which has been illegally distributed, the person convicted on federal charges of distributing the substance faces a mandatory life sentence and fines ranging up to \$8 million.

Persons convicted on federal charges of drug trafficking within 1,000 feet of a University (21 U.S.C. 845a) face penalties of prison terms and fines, which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year.

C. Civil Penalty for Possession of Small Amounts of Certain Controlled Substances 21 U.S.C 844a

Civil penalties for possession of “personal use” amounts of certain controlled substances.

- a. **First Conviction:** Up to one year imprisonment and fined up to \$10,000.
- b. **After one prior state or federal drug conviction:** At least 15 days in prison and up to two years in prison and fined a minimum of \$2,500 but no more than \$250,000, or both.
- c. **After two or more prior drug convictions:** At least 90 days in prison and up to three years in prison and fined at least \$5,000 but no more than \$250,000, or both.
- d. **Special sentencing provisions for crack cocaine:** Mandatory five years and up to 20 years in prison and fined up to \$250,000, or both if:
 - i. First conviction and amount of crack cocaine possessed exceeds five grams.
 - ii. Second conviction and the amount of crack cocaine possessed exceeds three grams.
 - iii. Third or subsequent conviction and the amount of crack cocaine possessed exceeds one gram.

D. Federal Drug Possession Penalties

Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison and a mandatory fine of no less than \$1,000 up to a maximum of \$100,000. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500.

Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000. The penalties vary based on the type of drug involved, possession and intent to distribute.

Further information regarding Federal penalties can be found at:

https://www.dea.gov/sites/default/files/drug_of_abuse.pdf#page=30 (page 30-31)

1002.78– Prevention and Education

The University of Richmond uses multiple strategies to provide comprehensive education regarding alcohol, tobacco and other drugs.

WELL 100: Introduction to College Life

The University of Richmond requires all full-time, degree seeking students to complete a comprehensive alcohol education and prevention session during their first semester on campus, as a component of the WELL 100 course. Successful completion of the requirement is mandatory for graduation from the University. In order to fulfil the requirement, students must complete Alcohol Edu prior to arrival on campus, and the WELL 100 course within their first semester.

Additionally, the Health Promotion Department coordinates educational programming related to substance misuse prevention for the University community. Requests for programming are made by a variety of audiences including, but not limited to residence halls, student groups, fraternity and sorority life and athletics. To request a program or for more information, contact the Health Promotion Department at 804- 662-3004 or mturner@richmond.edu. More information regarding

alcohol and other drug prevention and education can be found at <https://healthpromotion.richmond.edu/alcohol-drugs/index.html>.

Sanction Education

Students receiving a sanction for a violation of the Alcohol, Tobacco & Other Drug Policy may be required to attend one of the following alcohol education programs: Alcohol Edu for Sanctions, Marijuana 101, BASICS, or an individual alcohol or drug assessment with the Substance Misuse Prevention Coordinator or with a Substance Misuse Clinician

Recovery Support

The University of Richmond supports a collegiate recovery community led by a professional, with "lived" experience in addiction and recovery. This community provides resources for students in recovery and is also open to students seeking to learn more about substance use, addiction, and recovery. Resources include one-to-one coaching, recovery literature, mutual aid meetings, education-based seminars, substance-free activities, and events with other students in recovery.

The collegiate recovery community is a voluntary, positive, supportive group that respects one another's privacy. For more information, please visit the webpage at:

<https://healthpromotion.richmond.edu/Spiders-Support-Recovery/index.html>.

1002.9 – Health Risks

The negative physical and mental effects of the use of alcohol, tobacco and other drugs are well documented. Use of these drugs may cause blackouts, poisoning and overdose, physical and psychological dependence; damage to vital organs; inability to learn and remember information and psychological problems. For more information about the health risks associated with the misuse of alcohol, tobacco and illicit drugs, please visit <https://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts>.

1002.910– Resources

The University of Richmond offers prevention education, intervention and support for minimizing and addressing concerns related to alcohol, tobacco and other drugs.

The following on-campus resources are available to students:

Counseling & Psychological Services	804-289-8119
Health Promotion	804-662-3004
Law School Dean's Office	804-289-8740
Recovery Support Specialist	804-287-1236
Richmond College Dean's Office	804-289-8061
Sports Medicine (student athletes only)	804-289-8928
Student Health Center	804-289-8064
Substance Misuse Prevention Coordinator	804-289-8464
University of Richmond Police Department	804-287-8715
Westhampton College Dean's Office	804-289-8468

STU-1002 – Alcohol, Tobacco and Other Drug Policy

The following resources are available to Faculty & Staff:

Cigna Employee Assistance Program	877-622-4327
Cigna Tobacco Cessation Program	855-246-1873

Community resources available to all members of the University community

Al-Anon	804-569-5155	http://alanonrichmond.org/
Alcoholics Anonymous	804-355-1212	https://www.aarichmond.org/index.php
Narcotics Anonymous	800-407-7195	www.narcotics.com/
RVA Narcotics Anonymous	804-965-1871	https://rvana.org/
Quit Now Virginia	800-784-8669	https://quitnow.net/virginia

RELATED POLICIES:

ENM-1106 Financial Aid
Fleet Safety Policy
SEC-2001 Smoking Policy
PRM-4001 Policy for Events with Alcohol on Campus
Policy for Undergraduate Student Events with Alcohol
STU1001 – Hazing Policy
GOV-1004 Policy Prohibiting Retaliation

POLICY BACKGROUND:

The Alcohol, Tobacco and Other Drug Policy is reviewed on an annual basis by a sub-committee of the Advisory Committee for Alcohol & Drugs. The policy was revised for the 2020-21 academic year to include campus policies related to marijuana legalization in Virginia. The policy revisions for the 2022-23 academic year include changes to marijuana criminal penalties in the Commonwealth of Virginia.

POLICY CONTACTS:

Deputy Title IX Coordinator for Students and Substance Misuse Education and Prevention Coordinator