

Notification to Case Western Reserve University Students

In accordance with the Drug-Free Schools and Communities Act Amendments of 1989 and the Drug-Free Workplace Act of 1988, this notification is being sent to each Case Western Reserve University student. Its purpose is to serve as a reminder of the health risks associated with drug and alcohol abuse; of University policies related to the illegal possession, use or distribution of drugs or alcohol; of the availability of treatment for drug or alcohol problems through the University Health and Counseling Services; and of the internal sanctions and federal, state and local legal penalties that may result from the illegal sale, possession, consumption, use or distribution of drugs or alcohol.

Health Risks of Alcohol

Comprehensive information regarding the health risks of alcohol is available at the [**National Institute on Alcohol Abuse and Alcoholism**](#) website.

Effects: Alcohol consumption causes a number of marked changes in behavior. Even low doses of alcohol can significantly impair judgment and coordination, including that required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also can increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol can cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses can cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will provide the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics themselves.

Health Risks of Controlled Substances

A table outlining the health risks associated with cocaine, marijuana and other controlled substances is available on the [**Health Risks of Controlled Substances**](#) page. The information is from the Drug Enforcement Agency's publication [Drugs of Abuse](#).

University Policies Relative to Alcohol

Case Western Reserve University seeks to provide its students, employees and the public with a drug-free environment. The University also has an interest in promoting the highest possible standard of health and welfare among its students, faculty and staff. Therefore, it is the policy of Case Western Reserve University

to discourage the unlawful use of controlled substances and the misuse or abuse of alcohol by its students and employees at any time.

The unlawful manufacture, distribution, dispensation, possession, or use of alcohol or controlled substances, including illicit drugs, is prohibited on property owned or operated by Case Western Reserve University or as part of any of its activities.

As a part of its resolve to develop and uniformly apply a general alcohol policy, Case Western Reserve University is committed to educating members of the University community about alcohol use and abuse. The University regularly provides a wide variety of alcohol education activities, information resources, and support services for students. The University expects responsible behavior by students of legal age who choose to drink alcoholic beverages and requires an environment free of coercion for those who choose to abstain. Therefore, students must adhere to University guidelines for responsible and legal consumption of alcoholic beverages, which are outlined in the **University Alcohol Policy and Guidelines**.

The University follows all federal, state, and local laws regarding the sale, possession, and consumption of alcoholic beverages. Under Ohio law, it is illegal to sell, provide or serve beer, wine, or liquor to anyone who is under the age of 21. Servers of alcohol and sponsors of social events on campus or a University-sponsored function must be aware of, and comply with, all federal, state, and local laws and with University **alcohol policies and procedures**.

Any student, faculty or staff member found to be in violation of the federal, state and or local laws, or who violates the University's alcohol and other drug policies is subject to University disciplinary procedures and/or referral to the appropriate authorities for legal prosecution. The University disciplinary sanctions that can be applied range from a warning (coupled with a referral to the Office of Substance Abuse Prevention and Peer Education Coordinator) for first-time, underage offenders, to probation and dedicated rehabilitation counseling for repeat offenders and those whose behavior suggest the presence of an alcohol abuse problem. However, depending on the circumstances involved, the University may impose any of the sanctions listed in the Handbook for Undergraduate Students, up to and including dismissal, and registered student organizations that persistently violate regulations will face the loss of University recognition.

University Policies Relative to Drugs

The unlawful manufacture, sale, distribution, use or possession of drugs, except for the use or possession of drugs prescribed by a physician, is prohibited on property owned or operated by Case Western Reserve University or as part of any of its activities. The University provides to students' full information about the use and effects of all drugs and makes available sources of counseling to those who are using or have used drugs. The following rules have been adopted by the University:

1. Illegal possession or consumption of drugs is a University offense, and a student's failure to abide by the University's drug and alcohol standards of conduct will result in disciplinary action. Depending on the nature of the offense, the University may impose any of the sanctions which are listed in the

Handbook for Undergraduate Students, up to and including separation from the University and expulsion.

2. The illegal provision or merchandising of drugs will ordinarily result in expulsion. Students are reminded that a drug prescribed for one person may be harmful to another and are warned not to offer or provide their own medication to others.

In addition to alcohol, drugs to which these statements and rules apply are currently defined as including, but not limited to:

- Opiates (such as morphine, heroin, codeine, opium, demerol, and paregoric)
- Cocaine
- Gamma-hydroxybutyrate (GHB)
- Methylenedioxymethamphetamine (MDMA, Ecstasy)
- Marijuana
- Hallucinogens (such as LSD, DMT, Mescaline, peyote, and psilocybin)
- Barbiturates (such as nembutal and seconal)
- Tranquilizers (such as benzodiazepines)
- Neuroleptics (such as phenothiazines)
- Amphetamines (such as benzedrine, methedrine, and dexadrine)
- Methamphetamine in any form

Alcohol and Drug Education and Referral Services

Drug and alcohol counseling and referral services are available through **University Health and Counseling Services**. Any student desiring information, referral services, or counseling in a confidential setting need only call.

Federal and State Penalties

Ohio law includes criminal provisions regarding the unlawful possession, use and distribution of drugs, intoxicating liquors and beer. The ordinances of the City of Cleveland and the City of Cleveland Heights include comparable provisions. Ohio law also prohibits: the illegal sale, possession, cultivation, manufacture or trafficking of controlled substances, including but not limited to, cocaine, heroin, amphetamines, methamphetamine of any type or in any form, marijuana, Gamma-hydroxybutyrate (GHB) and Methylenedioxymethamphetamine (MDMA, Ecstasy);, furnishing to, administering to, inducing or causing use of these substances by a juvenile at least two years younger than the offender, or causing the juvenile to commit a felony drug abuse offense when the offender knows the juvenile's age or is reckless in that regard; administering these substances to any person by force, threat or deception; administering or furnishing these substances by any means with the intent to cause serious physical harm or if serious physical harm results, or with the purpose to cause the other person to become drug dependent, or if the other person becomes drug dependent; selling, distributing, or trafficking controlled substances; or illegally assembling or possessing chemicals with the intent to manufacture a controlled substance. In addition, Ohio law prohibits a person from knowingly providing money or other items of value to another person with the purpose that the recipient of the money or items of value uses such money or items to obtain a controlled substance for the

purpose of selling, manufacturing or cultivating such a controlled substance. It is also unlawful to knowingly administer or distribute illegal anabolic steroids. With few exceptions, these offenses are felonies.

The law also prohibits knowingly obtaining, possessing or using a controlled substance and permitting one's premises or vehicle to be used in the commission of a felony drug abuse offense. These offenses may be either felonies or misdemeanors. The law further prohibits knowingly obtaining, possessing or using hypodermic needles for the unlawful administration of drugs, and the knowing use, possession with the purpose to use, and/or the sale of drug paraphernalia. Ohio law also prohibits the advertisement of illegal drug paraphernalia. These offenses are misdemeanors, and the court may suspend the offender's driver's license.

Under Ohio law, a felony conviction may lead to imprisonment or both imprisonment, a fine or both. The maximum prison term for these types of offenses is 11 years. The fine for a first-degree felony in Ohio is a basic fine of not more than \$20,000. A misdemeanor conviction may lead to imprisonment for up to 6 months and/or a fine of up to \$1,000. Convictions for some offenses carry mandatory penalties, including the suspension of a driver's or commercial driver's license for a period ranging from 6 months to 5 years.

With regard to beer and intoxicating liquor, Ohio law provides that it is illegal for a person under 21 years of age to order, pay for, attempt to purchase, possess or consume beer or liquor, or furnish false information in order to affect a purchase. A person using a false or altered identification card to purchase beer or intoxicating liquors shall be fined not less than \$250 but not more than \$1,000 for a first offense and may be sentenced to a term of imprisonment of not more than 6 months. For a second offense involving the use of a false or altered identification card, the penalties include: a fine of not less than \$500 and not more than \$1,000, a sentence to a term of imprisonment for not more than 6 months; and the possibility of losing a driver's or commercial driver's license for a period not to exceed one year. For a third offense, the penalties include: a fine of not less than \$500 and not more than \$1,000, a sentence to a term of imprisonment for not more than 6 months; community service, and the loss of license is mandatory for at least 90 days and can remain in effect until the offender attains age 21. If a person is convicted of the manufacture, sale, or distribution of false identification cards, then that person is guilty of a felony. Ohio law prohibits the possession of beer or liquor which was not lawfully purchased.

Federal law forbids the illegal possession of controlled substances. A person convicted for the first time of possessing (without the intent to distribute) a controlled substance may be sentenced to up to 1 year in prison and may be fined a minimum of \$1,000. A second conviction carries a prison term of at least 15 days but not more than 2 years, and a minimum fine of \$2,500. A third conviction carries a prison term of at least 90 days but not more than 3 years, and a minimum fine of \$5,000. In addition to the above sanctions, a person convicted of possessing a controlled substance may be punished by forfeiture of property used to possess or facilitate possession or property derived from any proceeds obtained directly or indirectly from the violation, if the offense is punishable by more than one year in prison; forfeiture of any conveyance used to transport or conceal a controlled substance; denial of Federal benefits, such as student loans, for up to one year for a first Federal or State possession conviction and for up to five years for a subsequent Federal or State possession conviction; ineligibility to receive or purchase a firearm; and a civil penalty of up to \$10,000.

Federal law also prohibits illegal trafficking or manufacturing of a controlled substance. If a person violates this section, he is subject to the specified imprisonment, fine or both. Federal trafficking penalties are set forth **in the following chart**, marked Appendix B. The penalties set forth in the attached chart can, under certain circumstances, be enhanced by a multiple of two or three if such offenses are committed at or near a public or private school, college or university, or if the drugs were sold to persons under the age of 21. A trafficking offense committed after a person has been convicted of two previous felony drug offenses results in mandatory life imprisonment. In addition, if convicted of a drug trafficking offense, a person will lose Federal benefits (including school loans) for up to 5 years for a first offense, up to 10 years for a second offense, and for life for a third or subsequent offense. Federal law also prohibits the sale of drug paraphernalia. The penalty for violating this law is imprisonment for up to 3 years and a fine.

Violation of these laws may also be a violation of University policies and could result in civil liability.

This information is provided as a general summary of the major applicable laws. While it is believed to be accurate at the time of issuance, keep in mind that laws frequently are amended and reinterpreted, that the application of law to specific situations generally requires an analysis of all the facts and circumstances, and that this information therefore should not be substituted for specific legal advice.

Parental Notification Guidelines for Alcohol and Controlled Substances Violations

These guidelines are in response to the Higher Education Amendments of 1998. These amendments created an exception to the Family Educational Rights and Privacy Act (FERPA), enabling universities to notify parents or legal guardians, under certain circumstances, of a student under 21 that uses or possesses alcohol or a controlled substance. This change supports the practice of Case Western Reserve University of establishing a collaborative partnership with parents and actively involving them, when appropriate, in addressing student behavior as it relates to alcohol and drugs.

Notification of parents is done when the university believes it will help the student. When practicable, conversations normally are held with the student before contact is made with parents in an effort to determine whether such contact is the best course of action.

Factors that are considered when deciding to contact a student's parent or emergency contact are: A consistent pattern of destructive or harmful behavior; behavior that may affect the student's overall well-being or the well-being of others; behaviors that may jeopardize their ability to remain a student; and/or a situation or imminent danger.

When determining parental notification to be in the best interest of the student, it is the university's philosophy to assist the student in contacting their parent/emergency contact directly. In most cases, the university will intervene only when a student is unwilling or unable to contact their parent/emergency contact.

Questions or concerns regarding these guidelines should be directed to the Dean of Students Office, 110 Adelbert Hall, 10900 Euclid Ave., Cleveland, OH 44106; Phone: **216.368.1527**.