

Title: Benedictine University Alcohol and Drug Policy**Policy Reference: Student, Faculty and Employee Handbooks****Background:**

The Federal Government enacted legislation titled “The Drug-Free Schools and Communities Act (DFSCA) Amendments of 1989” (20 U.S.C. § 1011i; 34 C.F.R. § 86.1 *et seq.*; 55 Fed. Reg. 33,580 (Aug. 16, 1990)). The Department of Education amended title 34 of the Code of Federal Regulations by adding a new part 86 called the Drug-Free Schools and Campuses Regulations. The regulations require higher education institutions receiving federal financial assistance to establish drug and alcohol abuse prevention programs for students and employees. Benedictine University (the “University”) is expected to set clear codes of conduct and institute firm and consistent enforcement practices. Meeting the requirements of the law also requires that the University provide students and employees with information on applicable laws regarding drugs and alcohol; the health risks of drug and alcohol abuse; available counseling and treatment programs; and sanctions the University will impose for a violation of its codes of conduct.

Policy Statement:

The Benedictine University Alcohol and Drug Policy (the “Policy”), like other codes of conduct applicable to the University community, is intended to further the educational mission of the University. Faculty, staff and students are expected to foster an environment that promotes the acquisition of knowledge, nurtures the growth of the individual and assures the safety, security and well-being of everyone in the University community. Accordingly, the use, including sale, delivery, possession, and consumption of alcoholic beverages in or on any property owned or controlled by the University is strictly prohibited, except as otherwise provided in this Policy. Where permitted in the Policy, the use of alcoholic beverages on University premises shall be considered a privilege and may be allowed only if consistent with state laws and University policy, and only when it will not interfere with the Benedictine community values of respect and consideration for every individual, mutual concern for the good of all and the welcoming of the stranger. In addition, faculty, staff and students must adhere to a code of conduct that recognizes that the unlawful manufacture, sale, delivery, possession, or use of any illicit drug is also strictly prohibited on property owned or controlled by the University or as part of any on-campus or off-campus University activity.

I. Definitions:

- **Alcoholic Beverage:** For the purpose of this Policy, the term “alcoholic beverages” includes only legally produced, commercially available beverages having alcoholic content. All other beverages having an alcoholic content shall be strictly prohibited and excluded from the permissible uses under this Policy.
- **Cannabinoid:** Any of various naturally, occurring, biologically active, chemical constituents (such as cannabidiol or cannabinol) of hemp or cannabis including some (such as THC) that possess psychoactive properties.
- **Designated Student Housing:** All student housing residential buildings on the Lisle campus, Founders’ Woods, Jaeger and Ondrak Halls. Mesa campus does not have a Designated Student Housing location.
- **Designer Drugs:** A synthetic version of a controlled substance that is produced with a slightly altered molecular structure to avoid having it classified as an illicit drug (i.e., ecstasy)
- **Event Coordinator:** A faculty or staff member who is organizing the University sanctioned event for a department or student group.

- **Illicit Drug:** Drugs that are illegal to use, possess or produce; and the unlawful possession, use and sharing of Prescription Drugs.
- **Legal Drinking Age:** The legal age for use or possession of alcoholic beverages in Illinois and Arizona is 21 years.
- **Medical Marijuana (M/M):** Persons in possession of M/M must carry a Patient Card, which allows for the purchase, possession and use of M/M and paraphernalia within the limits of the statute.
- **Prescription Drug:** An FDA-approved drug legally dispensed only pursuant to a prescription written by an authorized person.
- **University Sanctioned Event:** This is an event held on campus or at an off-campus location where alcohol is provided or served by the University. The Event Coordinator must complete an Alcohol Authorization Form with all the appropriate signatures. A Benedictine University employee must be present at all University Sanctioned Events.

II. Codes of Conduct:

All University faculty, staff and students are expected to comply with applicable local, state and federal laws and all University policies pertaining to the possession, use or sale of alcohol and drugs. The University follows local and federal laws prohibiting the unlawful manufacture, distribution, dispensation, sale, possession, advertisement or use of illicit drugs and alcohol by any person on property owned or controlled by the University or as part of any on-campus or off-campus University activity. These laws carry penalties for violations, including monetary fines, forfeiture, and imprisonment.

- A. University faculty and staff are expected to remain unimpaired by drugs or alcohol while working or when participating in any on-campus or off-campus University activity.
- B. Possession and/or consumption of alcoholic beverages by persons less than 21 years of age and intoxication of any person, regardless of age on property owned or controlled by the University, or as part of any on-campus or off-campus University activity are strictly prohibited.
- C. The responsible consumption of alcoholic beverages by persons 21 years of age or older is permitted at University food service facilities with a current liquor license, and in specified areas at authorized University events. Employees who consume alcohol will not be permitted to work for the remainder of the day. Those that return to work after consuming alcohol could be subject to disciplinary action up to and including termination of employment.
- D. Student residents of Designated Student Housing on the Lisle campus that are 21 years of age or older are allowed to possess and responsibly consume alcoholic beverages. Mesa campus does not have a Designated Student Housing location.

III. Prohibitions:

The University prohibits the following on property owned or controlled or as part of any on-campus or off-campus University activity.

A. Pertaining to alcohol:

1. Possession and/or consumption of alcoholic beverages by persons less than 21 years of age;
2. Selling, distributing or otherwise providing alcoholic beverages to and/or by anyone less than 21 years of age.
3. Driving under the influence of alcohol.
4. Consumption of alcoholic beverages by persons 21 years of age or older in any public area or outside of designated areas at authorized University events.

5. Public intoxication of any person, regardless of age.
6. Possession of containers that previously contained alcoholic beverages.
7. Possession of common source containers, of alcohol, whether full or empty, such as bottles, cans, growlers, kegs, beer balls, or boxed wine.

B. Pertaining to illicit drugs:

1. Possession of illicit drugs.
2. Use of illicit drugs.
3. Driving while impaired.
4. Distribution (any form of exchange, gift, transfer or sale) of illicit drugs.
5. Possession of paraphernalia including any item typically used to inhale/ingest/inject/mask drugs, regardless of whether the item has been used for illegal purposes.

C. Pertaining to Marijuana:

The University prohibits the unlawful manufacture, distribution, dispensation, sale, possession or use of any illicit drug by any of its students, employees in its workplace, on its premises, or as any part of its activities. Illicit Drugs are defined as drugs that are illegal to use, possess or produce; and the unlawful possession, use and sharing of prescription drugs; as defined in the Policy. Anyone violating the law may be turned over to civil authorities for prosecution and will be subject to all of the University's disciplinary procedures.

Criminal penalties include fines, imprisonment and, in certain cases, the seizure and forfeiture of the violator's property. In addition, federal and other forms of financial aid may be forfeited.

Illinois law regarding cannabis changed on January 1, 2020 and Arizona law changed November, 2020. The University policy continues to prohibit students, employees and members of the general public from possessing, using or distributing marijuana in any form (by inhalation, topically, or orally) on any of the University's campuses or facilities and during any University activities (on or off campus).

As a recipient of federal funding, such as financial aid and federal grants and contracts for research, the University is required to continue to prohibit the use, possession and distribution of all federally controlled substances – including marijuana. Consequently, such activity remains prohibited by University policy.

At the federal level, the Controlled Substances Act states that the growing and use of marijuana is a crime and federal enforcement agencies can prosecute users and growers of marijuana, regardless of state law. In addition to being a federal offense, the use of medical marijuana in the workplace and on campus is restricted by additional federal laws, such as the federal Drug Free Schools and Communities Act and the Drug-Free Workplace Act. Even in the absence of federal law, the possession, use and distribution of these substances would be inconsistent with the University's dedication to assuring the safety, security and well-being of everyone in the University community.

IV. University Sanctioned Events:

All University Sanctioned Events (the “Event”) involving use of alcoholic beverages on campus including Tailgating must be approved in advance. Event Coordinators must complete and submit the Benedictine University Event with Alcohol Authorization Form prior to the Event. The University’s administration retains complete authority and discretion in determining which events are approved for the use of alcoholic beverages.

- A. For all approved Events involving use of alcoholic beverages on any campus or off campus, the Event Coordinator is responsible for assuring that:
 1. Nonalcoholic beverages and food must be made available for the duration of the Event.
 2. For events in The Pub at Coal Ben that run after operating hours have expired, reference the Event with Alcohol Authorization Form for specific times and requirements.
 3. Only Food Service staff that have been TIPS or BASSET trained are authorized to serve alcohol at the Events on the Lisle campus. At any Event held off campus and on the Mesa campus, a licensed and trained bartender must serve alcohol, who is not a member of the University staff or a student.
 4. The Event shall not include any form of drinking contest in its activities or promotion.
 5. Adequate supervision and security are available for the Event as necessary to provide for a safe atmosphere and to permit enforcement of the law concerning underage consumption of alcoholic beverages and other state laws and University policies.
 6. Promotion of the Event includes a statement concerning the legal age for consumption of alcoholic beverages and the intent to enforce state laws and University policies.
- B. Campus Safety, in consultation with the Event Coordinator and appropriate administrative staff will determine necessary security measures and other actions to assure enforcement of state laws and University policies. In Mesa, Safety Officers will work with Event Coordinators and appropriate administrative staff to assure enforcement of state laws and University policies.
- C. Tailgating is allowed in specified areas reserved for fans, recognized student organizations and University departments. Rules for tailgaters are located on Benedictine University’s Tailgating Information Page. Tailgating is permitted on the Lisle campus only.
- D. Information on the use of alcoholic beverages at the Village of Lisle-Benedictine University Sports Complex is published in the Sports Complex Information and Policies.
- E. **The Pub at Coal Ben:** Events scheduled outside operating hours are subject to having the Event with Alcohol Authorization Form completed. In addition, if the Event is scheduled during normal operating hours and alcohol will be served separate from the main bar area, the Benedictine University Event with Alcohol Authorization Form would need to be completed.

Check Dining Services website for [hours of operations](#).

V. Student Housing

The possession and moderate consumption of alcoholic beverages is permitted in Designated Student Housing (Founders’ Woods, Jaeger and Ondrak Halls) under the following circumstances:

1. Residents assume responsibility for their own actions, the actions of their roommates, as well as the actions of other persons on the premises, whether invited or uninvited.

2. Residents limit their consumption of alcohol and that of their guests to a responsible level.
3. Residents do not allow any person under the age of 21 to possess or consume alcoholic beverages on the premises.
4. Use of alcohol is confined to the premises. Alcohol consumption is not allowed in any area outside the premises including, on the balcony, stairways, exterior passageways or the area immediately outside the main door to the premises.
5. Residents do not allow the number of occupants in the apartment at any time to exceed the maximum occupancy.

VI. Disciplinary Penalties/Sanctions:

- A. Any person who violates this Policy or applicable laws while on University property or while participating in a University activity will be subject to disciplinary sanctions and/or arrest and referral for criminal prosecution. See list of sanctions found in the Student Handbook <https://ben.edu/student-life/student-handbook/>.
- B. Faculty, staff and students are responsible for the conduct of their guests on property owned or controlled by Benedictine University or as part of any on-campus or off-campus University activity.
- C. Students are responsible to seek immediate assistance for any person known to be experiencing a serious crisis resulting from the consumption of alcoholic beverages or the use of illicit drugs. Students seeking such assistance who are themselves under the influence and the student who needs assistance will not receive a sanction under this Policy.
- D. Students found to be in violation of this Policy will be issued a citation, which will initiate the Student Conduct Process. Sanctions for students range from a warning to expulsion as provided in the Student Handbook.
- E. Students who have been convicted under state or federal law involving the possession or sale of a controlled substance are ineligible for federal student aid for specific periods, ranging from one year to an indefinite period depending on the nature of the offense and whether the student is a repeat offender.
- F. Employees found to be in violation of this Policy or applicable law will be subject to University disciplinary procedures up to and including dismissal from employment.
- G. The University is committed to referring members of the community for appropriate treatment and education through its Student Wellness Center and Employee Assistance Programs.

VII. Health Risks:

Health risks associated with the abuse of drugs or alcohol are numerous and can include mental and physical impairment. The abuse of drugs or alcohol can affect a person's academic, professional and personal life. Drug or alcohol use can create a health and safety risk for the user and other members of the University. Additional information on other commonly abused drugs can be found at http://www.drugabuse.gov/sites/default/files/cadchart_2.pdf.

A. Alcohol:

Alcohol consumption causes a number of changes in behavior and physiology. Even low doses significantly impair judgment, coordination, and abstract mental functioning. Statistics show that alcohol use is involved in a majority of violent behaviors on college campuses, including acquaintance rape, vandalism, fights, and incidents of

drinking and driving. Continued abuse may lead to dependency, which often causes permanent damage to vital organs and deterioration of a healthy lifestyle.

B. Illicit Drugs:

1. **Cannabinoids (Marijuana, Hashish):** The use of marijuana may impair or reduce short-term memory and comprehension, alter sense of time, and reduce coordination and energy level. Frequent users often have a lowered immune system and an increased risk of lung cancer. The active ingredient in marijuana, THC, is stored in the fatty tissues of the brain and reproductive system for a minimum of 28 to 30 days.
2. **Hallucinogens:** Lysergic acid (LSD), mescaline, and psilocybin cause illusions and hallucinations. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects, or flashbacks, can occur even when use has ceased. Phencyclidine (PCP) affects the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries.
3. **Opioids (Heroin and Opium):** The use of opioids causes the body to have diminished pain reactions. They can also be a respiratory depressant; cause drowsiness, impaired coordination, feeling of heaviness in the body and fatal overdose.
4. **Stimulants (Amphetamines, Cocaine, and Methamphetamine):** The use of stimulant drugs can cause a rapid or irregular heartbeat, tremors, reduced appetite, paranoia, loss of coordination, collapse, and death. Heavy users are prone to irrational acts, nasal damage and severe dental problems.

C. Prescription Drugs:

An FDA-approved drug which must, by federal law or regulation, be dispensed only pursuant to a prescription written by an authorized person. Some [Common Types](#) of prescription drugs are antianxiety drugs, antidepressants, antipsychotics, immunosuppressive and tranquilizers. The misuse and abuse of prescription drugs can have a variety of physical and psychological effects, and can result in addiction, accidental overdose and death. Mixing prescription drugs and alcohol or other drugs increases the likelihood of overdose and death.

VIII. Student Wellness Center and Employee Assistance Programs:

The University provides services and resources for alcohol and/or drug related difficulties. The following programs are available for students and employees:

- A. The University offers an Employee Assistance Program among other services through ComPsych Guidance Resources. Confidential support is available 24 hours a day. Call (877) 595-5284 for more information.
- B. On the Lisle Campus, Student Wellness Center and the Counseling Center provide alcohol and drug prevention resources, education, brief assessment, and referral. Call (630) 829-6046 for Student Wellness Center and (630) 829-1800 for the Counseling Center.
- C. Numerous programs exist in DuPage County in Illinois and Maricopa County in Arizona. Consultation with one's personal physician is advised prior to self-referral to such programs. For further information regarding referral to such programs, contact your personal physician.

IX. Laws:

The following is a list of local, state, and federal laws pertaining to the unlawful possession or distribution of illicit drugs and alcohol. Information on the laws can be found by clicking on the links below.

A. Drugs

1. **Illinois Controlled Substances Act - 720 ILCS 570 -**
<http://www.ilga.gov/legislation/ilcs/ilcs5.asp?ActID=1941&ChapterID=53>
2. **Illinois Cannabis Regulation and Tax Act – 410 ILCS 705/10 -**
<http://www.ilga.gov/legislation/ilcs/ilcs4.asp?DocName=041007050HArt%2E+10&ActID=3992&ChapterID=35&SeqStart=2000000&SeqEnd=3000000>
3. **Compassionate Use of Medical Cannabis Program Act – 410 ILCS 130 -**
<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=3503&ChapterID=35>
4. **Illinois Vehicle Code – 625 ILCS 5/11 -**
<http://www.ilga.gov/legislation/ilcs/ilcs4.asp?DocName=062500050HCh%2E+11+Art%2E+V&ActID=1815&ChapterID=49&SeqStart=113000000&SeqEnd=115000000>
5. **Federal Controlled Substances Act – 21 U.S.C. 801 -**
<https://www.govinfo.gov/content/pkg/USCODE-2014-title21/html/USCODE-2014-title21-chap13-subchapI.htm>
6. **Possession and Sale of Controlled Dangerous Substances (CDS)**
Arizona Revised Statutes Title 13 – 13.3401-13.3422, Chapter 34
<https://casetext.com/statute/arizona-revised-statutes/title-13-criminal-code/chapter-34-drug-offenses>
7. **Responsible Adult Use of Marijuana – Arizona Revised Statutes Title 36, Chapter 28.2**
<https://casetext.com/statute/arizona-revised-statutes/title-36-public-health-and-safety/chapter-282-responsible-adult-use-of-marijuana>

B. Alcohol

1. **Illinois Liquor Control Act – 235 ILCS 5 -**
<http://www.ilga.gov/legislation/ilcs/ilcs5.asp?ActID=1404&ChapterID=26>
2. **Driving Under the Influence** is defined in Illinois as “operating a motor vehicle while impaired by alcohol, other drugs or intoxicating compounds and methamphetamine. In Illinois, a driver is legally considered to be under the influence if he/she has a blood-alcohol concentration (BAC) of .08 or more, has used any illegal substance, or is impaired by medication.” Additional information on this topic can be found at:
http://www.cyberdriveillinois.com/publications/pdf_publications/dsd_a118.pdf
3. **Driving Under the Influence** is defined in Arizona as “it is unlawful for a person to drive or be in actual physical control of a vehicle in this state under any of the following circumstances: 1) While under the influence of intoxicating liquor, any drug, a vapor releasing substance containing a toxic substance or any combination of liquor, drugs or vapor releasing substances if the person is impaired to the slightest degree; 2) If the person has an alcohol concentration of 0.08 or more within two hours of driving or being in actual physical control of the vehicle and the alcohol concentration results from alcohol consumed either before or while driving or being in actual physical control of the vehicle.”
Arizona Revised Statutes Title 28, Chapter 4 – 28-1381 – 28-1390 -
http://az.elaws.us/ars/title28_chapter4

4. Alcoholic Beverages

Arizona Revised Statutes Title 4, 4-241 – 4-244, Article 3

<https://www.azleg.gov/arsDetail/?title=4>

X. Benedictine University Alcohol and Drug Policy Committee

The following Committee members are responsible for the administration of Benedictine University's Alcohol and Drug Policy. The Policy is reviewed frequently and revisions to the Policy are made only after the Committee has approved them. Please contact any of the Committee members with comments, questions or concerns regarding Benedictine University's Alcohol and Drug Policy.

Committee Members:

- Charlie Averkamp, Director, Student Life and Athletics (Mesa) (602) 888-5507
- Brad Delphey, Director, Campus Safety (630) 829-1101
- Michi Dubes, Emergency Preparedness Manager/Safety Specialist (630) 829-6364
- Mikey Koval, Catering and Conference Services Manager (630) 829-6386
- Jen Manola, Director, Food Service (630) 829-6380
- Marco Masini, Dean, Student Affairs (630) 829-6006
- Kevin Rappel, Office of Institutional Compliance and Risk Management (630) 829-6404
- Debra Vanderploeg, Assistant Director, Campus Safety (630) 829-1104
- Joshua Williams, Residence Life Coordinator (630) 829-6603
- Kelly Zapp, Director, Human Resources (630) 829-6031

XI. Additional Resources:

- [Student Handbook - Lisle](#)
- [Student Handbook - Mesa](#)
- [Employee Handbook](#)
- Faculty Handbook—Lisle - Mesa
- Benedictine University Drug-Free Workplace Policy – Employee Handbook, sec. 1-13
- [ComPsych](#)
- Benedictine University Event with Alcohol Authorization Form - Lisle
- Benedictine University Event with Alcohol Authorization Form - Mesa
- [National Institute on Drug Abuse \(NIDA\)](#)
- [Medical Assistant Pharmacology Review](#)
- [Benedictine University's Tailgating Information Page](#)
- [Sports Complex Information and Policies](#)
- [Drug and Alcohol Abuse Prevention Program](#)

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Departments Responsible: Student Affairs, Academics, Campus Safety, Human Resources, Compliance, Emergency Preparedness