

# Alcohol and Other Drugs Policy

## ROWAN UNIVERSITY POLICY

**Title:** *Alcohol and Other Drugs Policy*

**Subject:** *Student Life, Human Resources*

**Policy No:** *SL: 2016:02*

**Applies:** *University-Wide*

**Issuing Authority:** *President*

**Responsible Officer:** *Vice President of Student Life/Dean of Students*

**Adopted:** *07/01/2016*

**Last Revision:** *08/01/2020*

**Last Reviewed:** *08/01/2020*

### I. PURPOSE

The policy states the University's expectations regarding the use of alcohol and other drugs by students, student organizations, faculty and staff. The policy also serves to articulate compliance and obligations with local, state and federal laws which includes the Drug-Free Schools and Communities Act.

### II. ACCOUNTABILITY

Under the direction of the President, the Vice President of Student Life/Dean of Students shall implement and ensure compliance with this policy.

### III. APPLICABILITY

This policy applies to all students, faculty and staff of Rowan University.

### IV. REFERENCES

[Rowan University Student Code of Conduct](#)

### V. POLICY

1. Rowan University is committed to the pursuit of a quality education by providing an environment which promotes respect, safety, and optimal health and well-being to all members of the campus community. This includes students, faculty, staff, administration, alumni, and Rowan University guests. Alcohol and illicit drug use can pose many safety and health risks. Such use may result in impaired judgment and coordination, physical and psychological dependence, damage to vital organs, inability to learn and retain information, psychosis and severe anxiety, unwanted or unprotected sex, injury, and death. In light of this, the Rowan University Alcohol and Other Drugs Policy prohibits all use of illegal drugs and only permits the consumption of alcoholic beverages in a manner that is responsible and adheres to restrictions imposed by law and University standards of conduct. Rowan University does not accept misuse of illicit drugs or alcoholic beverages as an excuse for violations of any University policies. Emphasis is placed on responsible and legal use of alcohol. Responsible drinking is the use of alcohol in ways that do not have negative effects on either the individual or the community and do not violate the law. The preparation, sale, service, and consumption of alcoholic beverages must comply with the limitations established by University policies, local ordinances, state laws, and federal laws. As an institution of higher education and an employer, Rowan University is obligated to abide by and enforce provisions in the Drug-Free Workplace Act of 1988 and Drug-Free Schools and Communities Act.

2. Behavior at off-campus events, which are not sponsored or funded by Rowan University or a University recognized organization, will be subject to the University discipline system if the conduct violates local, state, or federal law or when the University determines that the conduct has a direct impact on the educational mission and interests of the University and/or the safety and welfare of the University community.
3. Violations will result in disciplinary sanctions as specified in sections entitled "Consequences for Non-Compliance" and "Parental Notification for Student Violations of the Alcohol and Other Drugs Policy."
4. Rowan University Regulations
  - a. In compliance with the Drug Free Schools and Communities Act and the Drug-free Workplace Act, Rowan University prohibits the unlawful possession, sale, use, or distribution of alcohol and illicit drugs on campus or as part of any of its sponsored events.
  - b. In addition to the legal requirements from the New Jersey Statute, Title 2C, the following University regulations must be observed whenever alcoholic beverages are served, sold, or consumed in approved facilities on campus, in University-owned or operated residential facilities, or at university sponsored events. The office of the Vice President of Student Life/Dean of Students has been charged with overall responsibility to administer, support, and enforce the Alcohol and Other Drugs Policy. This office also reserves the right to suspend alcohol privileges temporarily when it is in the best interest of the University community. Additional personnel involved in the administration, support, and/or enforcement of the policy include, but are not limited to, Greek Affairs, Community Standards, Athletics, Student Affairs, Residential Learning and University Housing, Public Safety, Dining Services, Faculty, Staff, Human Resources, and Counseling and Psychological Services.
  - c. The Vice President of Student Life/Dean of Students may convene an ad hoc board to review policy details of process and educational approach.
5. Illegal Drugs
  - a. The intent of, actual distribution of, sale of or manufacturing of drugs, narcotics, barbiturates, hallucinogens, marijuana, steroids, amphetamines, or any other controlled substance is prohibited.
  - b. The possession or use of controlled dangerous substances, marijuana, steroids, or narcotics, including, but not limited to: opium (morphine, codeine, heroin), prescription drugs in possession of someone other than the prescribed individual, misuse of prescribed drugs, and every other substance not chemically distinguishable from them (i.e. imitation products, such as bath salts and/or K2) as well as any drug paraphernalia, on campus or in any University-related premises is prohibited.
6. Medical Marijuana
  - a. Medical marijuana, while legally permitted in New Jersey under the "New Jersey Compassionate Use Medical Marijuana Act," is prohibited on Rowan campuses.
  - b. Rowan is subject to the Controlled Substances Act, which classifies marijuana as a Schedule I drug. Accordingly, the use, possession, cultivation, or sale of marijuana violates federal policy. Importantly, Federal grants are subject to Rowan's compliance with the Drug Free Communities and Schools Act, and the Drug Free Workplace Act, which also prohibit the university from allowing any form of marijuana use on campus.
  - c. Thus, although students, staff, and faculty who legally obtain a medical marijuana "ID card" from the New Jersey Department of Health and Senior Services are allowed to possess and consume certain quantities of marijuana, doing so is not permitted on Rowan's property or at university-sponsored events (either on or off campus).  
Sharing medical marijuana with individuals who do not have a medical marijuana prescription is prohibited.
  - d. Given that the use and/or possession of medical marijuana is prohibited on Rowan property, any student, staff or faculty member who legally obtains a medical marijuana ID card should contact the Academic Success Center – Disability Resources (students) or the Office of Employee Equity and Labor Relations (staff/faculty) to discuss any possible on-campus accommodations (excluding the ability to use or possess medical marijuana on Rowan property).
7. Alcohol at Campus Events
  - a. Rowan University students, faculty, staff, guests, and facilities users, who are 21 years and older, may only possess, purchase, and consume alcoholic beverages at locations which are licensed to sell alcohol or where consuming it is legal and authorized.

- b. The University and/or management of the facility in use have the right to request identification and proof of age from all persons seeking admission to an event on campus at which alcohol will be served.
- c. Intoxication is prohibited, regardless of age. Behavioral symptoms frequently associated with intoxication will be considered in determining intoxication. These symptoms may include, but are not limited to, the following: impaired motor skill coordination, difficulty communicating, vomiting, glazed/red eyes, the smell of alcohol on one's breath, verbal and/or physical aggressiveness, destructive and/or disruptive behavior, and engaging in any behavior which may endanger oneself or others.
- d. Carrying open containers of alcohol is strictly forbidden in public areas of the University, i.e. academic buildings, the Chamberlain Student Center, parking lots, and common grounds, regardless of age.
- e. Any marketing, advertising, and promotion of alcoholic beverages on campus is prohibited. All advertisements for social events at which alcohol is served will not make reference to the amount of alcohol available. There will be no publicity distributed or posted indicating the availability of alcoholic beverages, except to indicate legal age requirements for admission.
- f. Non-alcoholic beverages must also be served whenever alcohol is served/sold, and must be displayed as openly as the alcohol. Food must be served in adequate amounts when alcoholic beverages are served or sold.
- g. Except in authorized designated areas, alcohol is strictly prohibited in athletic facilities, at athletic events and at any "tailgating."
- h. No event will include any kind of a "drinking contest" or "drinking game," or feature any inducements to consume excessive amounts of alcohol.
- i. For a listing of consequences for non-compliance, please refer to Sections VI. – "Consequences for Non-Compliance" and VII. – "Parental Notification for Student Violations of the Alcohol and Other Drugs Policy."

#### 8. Alcohol in University Housing (Living Units)

- a. Designated "Dry" Living Units
  - i. Alcohol is not permitted within undergraduate living units serving predominately underage students (Chestnut, Evergreen, Holly Pointe Commons, Magnolia, Mimosa, Mullica, or Willow halls- excluding graduate and professional staff living units). These areas are designated "dry" living units. No one, regardless of age, is permitted to possess, consume or be in the presence of alcohol in these areas.
  - ii. All other living areas (Edgewood Park, International House, Nexus Apartments, Rowan Blvd., Triad, Townhouses, Whitney Center or any temporary University housing such as a hotel) in which any assigned resident is under the age of twenty-one is a designated "dry" living unit. No one, regardless of age, is permitted to possess, consume or be in the presence of alcohol in these areas. It is the responsibility of each resident to know if alcohol is permitted within their living unit.
- b. "Wet" Living Units
  - i. Alcohol is permitted only in living units in which all assigned residents are of legal drinking age. These are considered "wet" living units. It is the responsibility of each resident to know if alcohol is permitted within their living unit.
- c. Presence in any living unit (room, apartment or townhouse) where an alcohol policy violation is taking place, even if not actually in possession of or consuming alcoholic beverages may result in disciplinary action.
- d. Residents holding a gathering in their living unit where an alcohol violation is taking place will be considered the hosts. Hosts may be held responsible for injury or damage occurring to any person or property in which the consumption of alcohol was a contributing factor. Hosts will be subject to disciplinary action and may receive harsher sanctions.
- e. At the time of an alcohol violation, all alcohol and containers will be confiscated and properly disposed of regardless of the age of the occupant(s) or the designation of the living unit as "wet" or "dry."
- f. Kegs and beer balls are prohibited in all living units at all times.
- g. Possession of grain alcohol is prohibited at all times.
- h. Students of legal drinking age may transport an alcoholic beverage as long as it is in its original closed container.

- i. Consumption of any form of alcohol in an open container, including but not limited to cups, cans, plastic containers, or bottles, is prohibited outside a student's living unit and/or any outside campus area.
  - j. Games or activities that encourage excessive drinking of alcohol (e.g. beer pong, flip cup, beer funnels, etc.) or the serving of alcohol that leads to the endangerment of an individual's well-being or property damage will not be tolerated.
  - k. Consumption of alcohol to the point of intoxication, regardless of age, is prohibited. Behavioral symptoms frequently associated with intoxication will be considered in determining intoxication. These symptoms may include, but are not limited to, the following: impaired motor skill coordination, difficulty communicating, vomiting, glazed/red eyes, the smell of alcohol on one's breath, verbal and/or physical aggressiveness, destructive and/or disruptive behavior, and engaging in any behavior which may endanger oneself or others. A person in this condition may be asked to leave the campus. If the person is a student, the student's family or emergency contact may be called to assist. Other guests may have a taxi/ride called (at the intoxicated person's expense) to take them to their permanent residence.
  - l. Alcoholic beverage containers and paraphernalia, including but not limited to empty cans and bottles, are not permitted as room decorations in any living unit.
9. Alcohol in University Housing Regulations state:
- a. Persons under the age of twenty-one **MAY NOT**:
    - i. Be in possession of or in the presence of alcohol in any living unit.
    - ii. Permit persons to bring in or consume alcohol in their living unit.
    - iii. Carry opened or unopened alcoholic beverage containers any place on campus.
    - iv. Provide alcohol to any persons on campus.
    - v. Possess alcohol displays made up of empty alcoholic beverage containers.
  - b. Persons twenty-one and older **MAY NOT**:
    - i. Consume alcohol outside of a living unit (lobby, hallways, stairwells, grounds, etc.).
    - ii. Possess/Consume alcohol in a "dry" living unit.
    - iii. Permit underage persons to possess or be in the presence of alcohol in their living unit.
    - iv. Provide alcohol to others under the age of twenty-one.
    - v. Charge in any way for alcohol consumption by others.
    - vi. Possess kegs, beer balls, or paraphernalia that promotes excessive consumption of alcohol.
    - vii. Possess alcohol displays made up of empty alcoholic beverage containers.
  - c. Persons twenty-one and older **MAY**:
    - i. Possess/Consume alcohol in their living unit if it is designated "wet" and all those present are of legal drinking age.
    - ii. Possess/Consume alcohol in another living unit if it is designated "wet" and all those present are of legal drinking age.
    - iii. Transport unopened alcoholic beverage containers within University housing areas that are packaged and out of plain view.
    - iv. Provide alcohol in their living unit to others of legal drinking age.
  - d. Persons who are present, within University housing, where alcohol is being consumed by those over or under the legal drinking age will be presumed to have been drinking or in possession of alcohol if Public Safety, RAs, RDs, or other University officials are called to the scene. This is because it is not possible to distinguish who is actually consuming or possessing alcohol on an individual basis where a number of persons are present.
  - e. Off-Campus Events
    - i. University-affiliated events are covered by this policy, even though they may take place off campus. A University affiliated event is defined as an off-campus gathering of members of the Rowan University community (and/or their guests) which is sponsored or funded in whole or in part by Rowan University. This includes Study Abroad, field trips and professional meetings attended by employees. Private off-campus events which are not sponsored or funded by Rowan University will also be subject to the University discipline system if the conduct violates University regulations or local, state, or federal law, or when the University determines that the conduct has a direct impact on the educational mission and interests of the University and/or the safety and welfare of the University community. Please be aware that the University reserves the right to hold a student responsible for

actions at their residence even if they were not present at the time of the incident. In such a case, the student would be required to produce confirming evidence that s/he was not involved.

- ii. Sponsors, coaches, and/or organization advisers are expected to ensure that their respective student organizations/groups take reasonable precautions in their activities in order that policies and laws governing alcohol/illegal drugs are not violated and that the welfare of their members is not endangered. The Vice President of Student Life/Dean of Students in conjunction with the sponsors, advisers, or coaches may designate an event as non-alcoholic and/or determine the conditions under which the consumption of alcohol may be permitted by students of legal drinking age. Therefore, a sponsor, adviser, or coach may prohibit the service, possession, or consumption of alcohol by any person, regardless of age, at University-affiliated or University-funded activities (e.g., retreats, conferences, intercollegiate athletic events, etc.). Sponsors, advisers, or coaches will inform the student organizations of their decision(s) regarding the nature of the event prior to the scheduled date of the activity.
- iii. The University expects that the existing state, local, or premises regulations which prohibit illegal drugs or regulate the service, sale, possession, or consumption of alcohol will be supported and enforced at University-sponsored events.
- iv. Under New Jersey Statute, it is unlawful for any operator or passenger in a motor vehicle to possess an open container of an alcoholic beverage, regardless of age. In addition, the University prohibits the service, sale, or consumption of alcoholic beverages while in transit in any motor vehicle, to or from any University-affiliated event. This applies to all students, faculty, staff, alumni, and their guests, regardless of legal drinking age.
- v. Alcoholic beverages will not be permitted at intercollegiate athletic events.

## **VI. CONSEQUENCES FOR NON-COMPLIANCE**

1. The University is concerned that individuals make responsible decisions regarding the use of legal and illegal substances. All members of the campus community found in violation of the Rowan University Alcohol and Other Drugs Policy will be subject to disciplinary action.
2. A student found violating the Alcohol and Other Drugs Policy will be considered to have violated the Student Code of Conduct and be subject to sanctions commensurate with the offense consistent with local, State, and Federal law, up to and including expulsion from the university, as well as the possibility of revocation of the privilege to consume alcohol on campus and/or to attend University affiliated events at which alcohol will be served or consumed. Referrals to educational programs sponsored by the Wellness Center at Winans may be required.
3. Organizational sanctions for violations of the Alcohol and Other Drugs Policy by campus groups may include written reprimand, restriction or loss of privileges, and loss of official recognition. In addition, the campus group may be mandated to participate in educational programs. Individual members of the group may also be individually sanctioned for their involvement in the violations pursuant to this section.
4. Violations of the University Alcohol and Other Drugs Policy by a University employee will be referred to the individual's supervisor for the appropriate administrative action consistent with the state regulations and applicable agreements between the state and employee bargaining units. An employee may be disciplined for violation of this policy consistent with local, State, and Federal law up to and including termination of employment and referral for prosecution.
5. Violations of the University Alcohol and Other Drugs Policy by persons who are not members of the University community may result in their being banned from the Rowan University campus or from specific facilities and/or subject to arrest for trespass. Contractors are subject to all University rules and regulations.
6. Any violation which occurs while an event is in progress may subject the violator to immediate removal from the area.
7. When violations or other circumstances occur at events which, in the judgment of University officials, constitute a threat to life or property or which create a substantial risk thereof, the event may be terminated. It is expected that such authority will be exercised only in extraordinary and/or emergency circumstances.
8. This policy does not supplant or supersede statutory or administrative law at the federal, state, county, or municipal level. Strict compliance with such laws will be the responsibility of all organizations and

individuals. Violators of the law may be subject to penalties imposed by a court or other empowered board, agency, or commission, in addition to any action taken by Rowan University.

## **VII. PARENTAL NOTIFICATION FOR STUDENT VIOLATIONS OF THE ALCOHOL AND OTHER DRUGS POLICY**

Rowan University's Alcohol and Other Drugs Policy outlines the University's position regarding the unauthorized possession, use, or distribution of alcohol and controlled substances on campus. A 1998 amendment to The Family Education Rights and Privacy Act of 1974 authorizes higher education institutions to inform a parent or guardian of any student under age 21, who has been found in violation of any federal, state, or local law or any rule or policy of the institution governing the use or possession of alcohol or controlled substances. The Office of Community Standards may notify parents/guardians of students under 21 years of age when a student is found responsible for a violation of the Alcohol and Other Drugs Policy. Please note: Citations given by the law enforcement unit of a university are not covered by FERPA. Therefore, Rowan Public Safety may notify parents/legal guardians when citations have been issued by law enforcement officials, without waiting for a hearing or any other due process.

## **VIII. ATTACHMENTS**

1. Attachment 1 - Summary of Applicable State and Local Laws Regarding Alcohol Offenses and Penalties
2. Attachment 2 - Summary of Applicable State and Federal Laws Regarding Drug Offenses and Penalties
3. Attachment 3 – State of New Jersey Drug-Free Workplace Act - Executive Order No. 204
4. Attachment 4 – Commonly Abused Drugs
5. Attachment 5 - Education and Prevention - Important Telephone Numbers
6. Attachment 6 - Biennial Review of Policy and the Alcohol and Drugs Education Program

### **ATTACHMENT 1**

#### **SUMMARY OF APPLICABLE STATE AND LOCAL LAWS REGARDING ALCOHOL OFFENSES AND PENALTIES**

As of January 1, 1983 New Jersey state law prohibited the sale, possession, or consumption of alcohol by individuals under 21 years of age. Rowan University is a public institution governed by Federal, State, and local laws, and by University policies and procedures. The University complies with municipal and other law enforcement authorities in enforcing these laws as stated below:

#### *State of New Jersey*

1. The purchase and consumption of alcohol is a right extended by the State of New Jersey. The legal age to purchase and consume alcoholic beverages in the State of New Jersey is twenty-one (N.J.S.A. 9:17b-1).
2. Possession or Consumption of Alcoholic Beverages in Public Places by persons under legal age (N.J.S.A. 2C:33-15) Any person under the legal age to purchase alcoholic beverages who knowingly possesses without legal authority or who knowingly consumes any alcoholic beverage in any school, public conveyance, public place, place of public assembly, or motor vehicle is guilty of a disorderly persons offense and shall be fined not less than \$500.
3. Purchase of Alcohol by/for the Under-aged (N.J.S.A. 2C:33:1-81) An under-aged person who purchases or attempts to purchase alcohol, or who misstates his/her age, or a person of legal age who purchases alcohol for an under aged person faces a conviction of a disorderly persons offense, which incurs a fine of not less than \$500 and loss of license for six months. In addition, under aged persons may be required to participate in a state-sponsored alcohol education program.
4. Offering Alcoholic Beverages to Underage Person (N.J.S.A. 2C:33-17) Anyone who purposely or knowingly offers or serves or makes available an alcoholic beverage to a person under the legal age for consuming alcoholic beverages or entices that person to drink an alcoholic beverage is a disorderly person. This provision does not apply to certain close relatives, certain activities confined to the home, or if the consumption is part of a religious observance.

5. Transfer of ID (N.J.S.A. 33:1-81.7) Someone who is under aged and uses another person's ID card to obtain alcohol, or someone of legal age who gives his/her ID card to an under aged person so that he /she can obtain alcohol, faces a fine of up to \$300 or up to 60 days in jail.
6. False ID (N.J.S.A. 2C:21) A person who knowingly possesses a document or other writing which falsely purports to be a driver's license or other document issued by a governmental agency and which could be used as a means of verifying a person's identity or age or any other personal identifying information is guilty of a crime in the fourth degree.
7. Social Host Liability (N.J.S.A. 2A:15-5.6.) A social host who willingly and knowingly provides alcoholic beverages to a person who the host should reasonably foresee will soon be driving, may be held liable for injuries suffered by a third party as a result of a motor vehicle accident caused by that person.
8. Driving While Intoxicated
  - a. Operating Motor Vehicles While under the Influence of Intoxicants (N.J.S.A. 39:4-50) A person is said to be legally drunk in New Jersey if his/her blood alcohol concentration is at or above .08%
  - b. PENALTIES: All persons convicted of DWI must pay an insurance surcharge. In addition:
    - i. For the first offense, there are additional fines and charges of at least \$470 (bringing the total minimum charges for a first offense to \$3,470); loss of license for 7-12 months; and a requirement to spend 12-48 hours in an Intoxicated Driver Resource A first-time offender also faces a possible 30- day jail term.
    - ii. For a second offense, there are additional fines and charges of at least \$720; loss of license for 2 years; a requirement to perform 30 days of community service and to spend 48 hours in an Intoxicated Driver Resource Center or jail. Also, there is a possible 90-day jail term.
    - iii. For a third offense, additional fines and charges of at least \$1,220; loss of license for 10 years; and a 180-day jail term. The insurance surcharge for a third-time offender is \$1,500 per year for three years. These fines and charges do not include court and legal fees.
9. Driving While License Is Suspended Due to DWI (N.J.S.A. 39.3- 40). If a person is found driving while his/her license is suspended due to a conviction for Driving While Intoxicated, that person upon conviction again shall be fined \$500, shall have his license to operate a motor vehicle suspended for an additional period of not less than one year nor more than two years, and may be imprisoned in the county jail for not more than 90 days.
10. Refusal to Take the Breathalyzer Test (N.J.S.A. 39:4-50.4a). Refusal to take the breathalyzer test where there is probable cause for arrest for DWI will result in up to 10 year loss of license, a fine of \$300-\$1000, and an obligation to satisfy the requirements of an alcohol education or rehabilitation program. A person can also be convicted of DWI without the results of a breathalyzer test. In that case, he/she will suffer all the additional fines and penalties specified for the DWI conviction.

## **Local Ordinances**

### **Glassboro Ordinances**

#### **1. 150-26 Unlawful acts for underage persons.**

[Added 12-8-1998 by Ord. No. 98-26]

It shall be unlawful for a person under the legal age to consume, to have consumed, to purchase, attempt to purchase or have purchased for him or her or have in his or her possession any alcoholic beverage. For purposes of this section, "consume" or "consumed" excludes those instances where a person under the legal age, in the home, apartment or rental unit of his or her own parent or parents, or an adult in loco parentis, under the supervision and control of his or her own parent or parents,

consumes or has consumed any alcoholic beverage. <sup>[1]</sup>

#### **2. 150-27 Violations and penalties.**

[Amended 12-8-1998 by Ord. No. 98-26; 8-23-2011 by Ord. No. 11-34; 12-29-2016 by Ord. No. 16-60]

Each and every person violating any of the provisions of this chapter, may, in addition to other penalties noted, upon the conviction thereof, be punished by one or more of the following: a fine not less than \$400 and not more than \$2,000; or by imprisonment not exceeding 90 days or by a period of community service not to exceed 90 days, or both, in the discretion of the Court.

3. **150-29 Underage drinking.**

It shall be unlawful for any person under the legal age who, without legal authority, knowingly possesses or knowingly consumes an alcoholic beverage on private property.

4. **150-30 Violations and penalties.**

5. Any person violating the provisions of this article shall, in accordance with the provisions of N.J.S.A. 40:48-1, as amended, be punished by a fine of \$250 for a first offense and \$350 for any subsequent offense.

6. **5. 354-5 Consumption of alcoholic beverages in public and quasi-public places.**

[Added 8-26-1975 by Ord. No. 75-20]

- a. It shall be unlawful for any person to consume any alcoholic beverage or to possess any alcoholic beverage in an open container with intent to consume the same on any sidewalk, street, avenue, highway, public parking lot or other public place, or in any motor vehicle not on private property, within the Borough of Glassboro at any time.
- b. It shall be unlawful for any person to consume any alcoholic beverage or to possess any alcoholic beverage in an open container with intent to consume the same on any parking lot, yard or other open area which is open to the public or to which the public is invited at any time.
- c. It shall be unlawful for the owner or any other person in control of any such parking lot, yard or other open area which is open to the public or to which the public is invited as described in Subsection B above to knowingly permit or suffer the consumption or possession in an open container with intent to consume of any alcoholic beverage on said premises by any person at any time.
- d. Violations and penalties. Any person violating any of the provisions of this section shall, upon conviction, be punished by one or more of the following, in the discretion of the Court:  
[Added 8-23-2011 by Ord. No. 11-35; amended 6-26-2018 by Ord. No. 18-30]
  - i. A mandatory fine of not less than \$150 and not more than \$2,000;
  - ii. Imprisonment not to exceed 90 days;
  - iii. A period of community service not to exceed 90 days.

## **Stratford Ordinances**

1. **9.04.010 - Prohibited acts generally.**

- a. No person shall consume any liquor, wine, beer or any other alcoholic beverage, or have access to or in his or her possession, any open bottle, can, jar or any other vessel containing liquor, wine, beer or any alcoholic beverage:
- b. While in or on a public street, lane, sidewalk, public parking lot or quasi-public parking lot or any other public or quasi-public place, or in any public conveyance; or
- c. In a private conveyance while such conveyance is in motion, stopped or parked in or on a public street, lane, public parking lot or quasi-public parking lot; or
- d. While in or upon private property, not his or her own, without having the express permission of the owner or any person authorized to grant such permission; or
- e. In a private conveyance while such conveyance is in motion, stopped or parked in or on private property without having the express permission of the owner or any person authorized to grant such permission.
- f. No person shall discard any bottle, can, jar or other vessel used to contain liquor, wine, beer or any other alcoholic beverage upon any public street, lane, sidewalk, public parking lot, quasi-public place, or upon any private property not his or her own, without the express permission of the owner or any person having authority to grant such permission.
- g. The prohibitions contained in subsection A. shall not apply to any conveyance or place specifically licensed for the consumption of alcoholic beverages in accordance with the provisions of N.J.S.A. 33:1-1 et seq.
- h. Any individual, firm or corporation, who or which suffers, aids, abets or permits any person to violate any provision of this section shall also be deemed in violation of this section.
- i. Any individual, firm or corporation, which or who shall violate this section upon conviction thereof, shall pay a fine not exceeding five hundred dollars (\$500.00), or be imprisoned in the county jail for a term not exceeding ninety (90) days or both, for each offense in the discretion of the court. (Ord. No. 98:13, §§ 1—4, 7, 1998)

2. **City of Camden Ordinances**

- a. **129-22Places restricted.** Any person who shall consume an alcoholic beverage or possess an alcoholic beverage with intent to consume in the following places shall be in violation of this article:
  - i. While in or on a public street, lane, sidewalk, public parking lot, public or quasi-public place, public park or in any public conveyance.  
[Amended 10-13-2005 by Ord. No. MC-4111]
  - ii. While in a private motor vehicle, while the same is in motion or parked in any public street, lane or public parking lot.
  - iii. While upon any private property not his own without the express permission of the owner or other person having authority to grant such permission.
- b. **129-23Determination of intent to consume.** For the purposes of § 129-22, any person who has possession of an open container, of any kind whatsoever, containing an alcoholic beverage in any place or location set forth in § 129-22 shall be presumed to have possession of an alcoholic beverage with intent to consume in violation of § 129-22 hereof.
- c. **129-24Violations and penalties..**  
[Amended 4-9-1987 by Ord. No. MC-2289] The violation of any such provisions shall be punishable by a fine not to exceed \$1,000 or by imprisonment for a term not to exceed 90 days, or both.
- d. **129-31Prohibitions..** It shall be unlawful for any underage person to, without legal authority, knowingly possesses or knowingly consume an alcoholic beverage on any private property within the City of Camden.
- e. **129-33Violations and penalties..**
  - i. Any violation under this article shall be punishable by a fine of \$250 for a first offense and \$350 for any subsequent offense.

## ATTACHMENT 2

### SUMMARY OF APPLICABLE STATE AND FEDERAL LAWS REGARDING DRUG OFFENSES AND PENALTIES

#### State of New Jersey

1. J.S.A. 2C:35-3, Leader of Narcotics Trafficking Network, provides penalties for a person found to have acted as an organizer, supervisor, manager or financier of a scheme distributing any Schedule I or II drug.
2. J.S.A. 2C:35-4, Maintaining or Operating a Controlled Dangerous Substance (CDS) Production Facility, provides that such conduct is a first degree crime punishable by imprisonment and fines.
3. S.A. 2C:35-5, Manufacturing, Distributing, or Dispensing, provides that such conduct results in imprisonment and fines.
4. J.S.A. 2C:35-6, Using a Juvenile in a Drug Distribution Scheme, provides that such conduct is a second degree crime punishable by imprisonment and fines.
5. J.S.A. 2C:35-7, Drug-Free School Zones, provides that any person who distributes, dispenses, or possesses with intent to distribute a controlled dangerous substance within 1,000 feet of school property is guilty of a crime of the third degree.
6. S.A. 2C:35-8, Distribution to Persons Under Eighteen or Pregnant Females, provides that such conduct carries a penalty of imprisonment and fines.
7. J.S.A. 2C:35-9, Strict Liability for Drug-Induced Death, provides that such a situation is a first degree crime, same as murder, but no intent need be shown, only that death resulted as a result of the use of a drug supplied by the defendant.
8. J.S.A. 2C:35-10, Possession, Use, Being Under the Influence, or Failure to Make Lawful Disposition, provides that such conduct carries penalties of imprisonment and fines. Possession of anabolic steroids is a third degree crime. N.J.S.A. 2C:35-11, Imitation Controlled Dangerous Substance (CDS), provides that dispensing or distributing a substance falsely purported to be a CDS is a third degree crime, and can carry a fine up to \$200,000. Drug paraphernalia is defined "...all equipment, products, and materials of any kind which are used or intended for use in planting, propagating, cultivating, growing,

harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, ingesting, inhaling, or otherwise introducing into the human body a controlled dangerous substance... including... roach clips... bongs... pipes..."

9. J.S.A. 2C:36-2, Use or Possession with Intent to Use, Narcotic Paraphernalia, provides that such conduct carries a disorderly persons offense.
10. J.S.A. 2C:36-3, Distribute, Dispense, Possess with Intent to, Narcotics Paraphernalia, provides that such conduct is a fourth degree crime.
11. J.S.A. 2C:36-4, Advertise to Promote Sale of Narcotics Paraphernalia, provides that such conduct is a fourth degree crime.
12. J.S.A. 2C:36-5, Delivering Paraphernalia to Person Under Eighteen Years, provides that such conduct constitutes a third degree crime.
13. J.S.A. 2C:36-6, Possession or Distribution of Hypodermic Syringe, provides that such conduct constitutes a disorderly persons offense.

### Federal Drug Offenses

#### Federal Trafficking Penalties

An up to date list of federal drug trafficking penalties (by schedule) can be found online. See <http://www.dea.gov/druginfo/ftp3.shtml> for a complete listing of drugs by schedule.

#### Federal Penalties and Sanctions for the Illegal Possession of Controlled Substances:

1. First Conviction – Up to one year's imprisonment and fine of at least \$1,000, or both.
2. After one prior drug conviction – At least 15 days in prison, not to exceed two years and fine of at least \$2,500, or both.
3. After two or more prior drug convictions – at least 90 days in prison, not to exceed three years and a fine of at least \$5,000, or both.
4. In addition, the offender may be forced to relinquish personal and real property used to possess or facilitate possession of a controlled substance if the violation is punishable by more than one year in prison. Any vehicle used to transport or conceal a controlled substance must be forfeited and a civil fine may be imposed. For first-time offenders, federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, can be denied for up to one year. For the second and subsequent offenses, federal benefits can be denied for up to five years.

## **ATTACHMENT 3**

### **STATE OF NEW JERSEY DRUG-FREE WORKPLACE ACT**

The Governor of the State of New Jersey issued Executive Order 204, on March 14, 1989, in compliance with federal law. This order, the Drug-Free Workplace Act, is a condition of continued employment by all public employees, including Rowan University employees. This policy prohibits the unlawful possession, use, distribution, dispensation, sale, or manufacture of controlled substances on University premises. Violation of this policy may result in the imposition of employment discipline up to and including termination as defined for specific employee categories by existing college policies, statutes, rules, regulations, employment contracts, and labor agreements. In addition to campus rules, faculty and staff must obey applicable Federal, State, and local laws concerning drugs and alcohol and are subject to criminal and civil penalties. The University cooperates with municipal and other law enforcement authorities in enforcing these laws.

### **EXECUTIVE ORDER NO. 204**

WHEREAS, the problem of drug abuse is adversely affecting the lives and safety of our citizens; and

WHEREAS, the abuse of drugs in the workplace, among other things, reduces job efficiency, increases absenteeism and sick leave, and, most importantly, jeopardizes the lives and safety of fellow employees and citizens; and

WHEREAS, the State of New Jersey has a vital interest in promoting a safe and drug-free workplace and in ensuring our citizens that public safety employees do not threaten life and limb due to the abuse of drugs; and

WHEREAS, the Federal Drug-Free Workplace Act of 1988, Public Law 100-690, Title V, Subtitle D, conditions receipt of Federal grant funds upon the grantee's agreement to provide a drug free workplace; and

WHEREAS, the Federal Drug-Free Workplace Act requires a grantee to prohibit the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, to specify actions that may be taken against employees who violate the prohibition, to establish a drug free awareness program for employees, to require employees and employers to give notice of any conviction for a drug offense committed in the workplace; and

WHEREAS, the citizens of the State greatly benefit from the State government's participation in federally funded programs;

NOW, THEREFORE, I, THOMAS H. KEAN, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The following "Policy for a Drug-Free Workplace in New Jersey State Government" shall apply to all principal executive departments in New Jersey State Government, the Office of the Governor, and all agencies that are in, but not of, principal executive departments. This policy establishes minimum standards for the imposition of discipline and for participation in drug abuse treatment programs in the limited context of convictions for drug offenses committed in the workplace. Nothing in this Policy precludes the application of other more comprehensive or more stringent provisions governing drug offenses committed by State employees. In fact, the Cabinet Task Force on Drug Testing in the Workplace, which was created in Executive Order No. 191, will formulate a more comprehensive State policy regarding drug abuse and the workplace in the near future.
2. The State of New Jersey is committed to maintaining a drug-free workplace for all State employees in order to protect the health and safety of State employees and the public.
3. The unlawful manufacture, distribution, dispensation, possession, or use of a drug in the workplace is prohibited.
4. In addition to any other applicable civil or criminal penalty, any employee convicted of illegal manufacture, distribution, dispensation, possession, or use of a drug in the workplace shall be subject to the following consequences
  - a. The State Forfeiture of Public Office Statute (N.J.S.A. 2C:51-2) requires forfeiture of public office or employment upon conviction of a crime of the third degree or higher. All convictions of crimes of the third degree or higher listed in the Comprehensive Drug Enforcement Act of 1987, and all convictions for equivalent Federal and out-of-state drug offenses, require forfeiture of public office or employment.
  - b. The Forfeiture of Public Office Statute also requires forfeiture of public office or employment upon conviction for an offense involving dishonesty or upon conviction for an offense involving or touching upon the convicted person's public employment irrespective of the degree of the offense. Consequently, convictions for any drug offense occurring in the workplace (including fourth degree, disorderly persons, and petty disorderly persons offenses) which are determined to involve or touch upon the office or employment of an individual may result in the statutory forfeiture of public office or employment.
  - c. In the case of a drug conviction for an offense occurring in the workplace that does not result in statutory forfeiture of public office or employment, disciplinary action shall be taken. The extent of disciplinary action shall be determined by the appointing authority. In addition, in the case of any

disciplinary action other than removal, an employee shall be required to satisfactorily participate in a program for the treatment of drug abuse approved by both the appointing authority and any Federal or State agency responsible for the approval or licensure of such programs.

- d. Each department head, agency head, or their designee who receives notice of a drug offense conviction shall, within 30 days of receipt of notice, take the administrative action necessary for removal where statutory forfeiture is required, and where statutory forfeiture is not required, take the administrative action necessary to impose discipline and require satisfactory participation in an approved program for drug abuse where appropriate.
5. An employee who is convicted of a drug offense committed in the workplace must, within five days, report the conviction to his or her supervisor.
6. Each supervisor who receives a report of a conviction for a drug offense in the workplace must immediately report the conviction, according to departmental or agency procedures, to the department head, agency head, or their designee.
7. Within 10 days of the supervisor's receipt of notice of a conviction for a drug offense, the department head, agency head, or their designee shall ensure that notification of such conviction is provided to any Federal agency providing funds for a program in which the convicted employee is employed.
8. Each department head, agency head, or their designee must develop and implement procedures to ensure that reports, which are received by supervisors concerning convictions for drug offenses in the workplace, are reported promptly to the department head, agency head, or their designee.
9. Each department head, agency head, or their designee must maintain records that contain the following information on each conviction for a drug offense committed in the workplace by an employee:
  - a. Date of conviction
  - b. Disciplinary action taken
  - c. Whether the employee is one whose duties involve the performance of a Federal grant
  - d. Date Federal grantor was notified of the conviction, if applicable.
10. Each department head, agency head, or their designee will distribute an Employee Notice, and this Executive Order to each current employee. Each department head, agency head, or their designee shall distribute these documents to any employee who joins the work force after the initial A program entitled, "Drug-Free Awareness" is being developed, and upon completion will be provided to all employees.
11. Definitions for purpose of this policy:
  - a. Conviction - means a finding of guilt, or a plea of guilty, before a court of competent jurisdiction, and, where applicable, a plea of nolo contendere. A conviction is deemed to occur at the time the plea is accepted or verdict returned. It does not include entry into and successful completion of a pre-trial intervention program, pursuant to N.J.S.A. 2C:43-12, et seq., or a conditional discharge, pursuant to N.J.S.A. 2C:36A-1.
  - b. Drug - means a controlled dangerous substance, analog, or immediate precursor as listed in Schedules I through V in the New Jersey Controlled Dangerous Substances Act, N.J.S.A. 24:21-1, et seq., and as modified in any regulation issued by the Commissioner of the Department of Health. It also includes controlled substances in Schedules I through V of Section 202 of the Federal Controlled Substance Act of 21 U.S.C. 812. The term shall not include tobacco or tobacco products or distilled spirits, wine, or malt beverages as they are defined or used in N.J.S.A. 33:1-1, et seq.
  - c. Employee - means all employees of the Office of the Governor or a department or agency within the scope of this Policy, whether full- or part-time and whether in the career, senior executive, or unclassified service.
  - d. Workplace - for the purposes of this Policy only, means the physical area of operations of a department or agency including buildings, grounds, and parking facilities provided by the State. It includes any field location or site at which an employee is engaged, or authorized to engage, in work activity, and includes any travel between such sites.
  - e. This policy is effective March 18, 1989 and shall remain in effect until superseded by statute, regulation, or Executive Order. (signed) Thomas H. Kean, GOVERNOR

## COMMONLY ABUSED DRUGS

Substance	Nicknames /Slang Terms	Short Term Effects	Long Term Effects
Alcohol		slurred speech, drowsiness, headaches, impaired judgment, decreased perception and coordination, distorted vision and hearing, vomiting, breathing difficulties, unconsciousness, coma, blackouts	toxic psychosis, physical dependence, neurological and liver damage, fetal alcohol syndrome, vitamin B1 deficiency, sexual problems, cancer, physical dependence
Amphetamines	uppers, speed, meth, crack, crystal, ice, pep pills	increased heart rate, increased blood pressure, dry mouth, loss of appetite, restlessness, irritability, anxiety	delusions, hallucinations, heart problems, hypertension, irritability, insomnia, toxic psychosis, physical dependence
Barbiturates and Tranquilizers	barbs, bluebirds, blues, yellow jackets, red devils, roofies, rohypnol, ruffies, tranqs, mickey, flying v's	slurred speech, muscle relaxation, dizziness, decreased motor control	severe withdrawal symptoms, possible convulsions, toxic psychosis, depression, physical dependence
Cocaine	coke, cracks, snow, powder, blow, rock	loss of appetite, increased blood pressure and heart rate, contracted blood vessels, nausea, hyper-stimulation anxiety, paranoia, increased hostility, increased rate of breathing, muscle spasms and convulsions, dilated pupils, disturbed sleep	depression, weight loss, high blood pressure, seizure, heart attack, stroke, hypertension, hallucinations, psychosis, chronic cough, nasal passage injury, kidney, liver and lung damage
Gamma Hydroxybutyrate	GHB, liquid B, liquid X, liquid ecstasy, G, georgia homeboy, grievous bodily harm	euphoria, decreased inhibitions, drowsiness, sleep, decreased body temperature, decreased heart rate, decreased blood pressure	memory loss, depression, severe withdrawal symptoms, physical dependence, psychological dependence

tyr ate			
H er oin	H, junk, smack, horse, skag	euphoria, flushing of the skin, dry mouth, "heavy" arms and legs, slowed breathing, muscular weakness	constipation, loss of appetite, lethargy, weakening of the immune system, respiratory (breathing) illnesses, muscular weakness, partial paralysis, coma, physical dependence, psychological dependence
Ke ta mi ne	K, super K, special K	dream-like states, hallucinations, impaired attention and memory, delirium, impaired motor function, high blood pressure, depression	Urinary tract and bladder problems, abdominal pain, major convulsions, muscle rigidity , increased confusion, increased depression, physical dependence, psychological dependence
LSD	acid, stamps, dots, blotter, A-bombs	dilated pupils, change in body temperature, blood pressure and heart rate, sweating, chills, loss of appetite, decreased sleep, tremors, changes in visual acuity, mood changes	may intensify existing psychosis, panic reactions, can interfere with psychological adjustment and social functioning, insomnia, physical dependence, psychological dependence
M D MA	ecstasy, XTC, adam, X, rolls, pills	impaired judgment, confusion, confusion, blurred vision, teeth clenching, depression, anxiety, paranoia, sleep problems, muscle tension	same as LSD, sleeplessness, nausea, confusion, increased blood pressure, sweating , depression, anxiety, memory loss, kidney failure, cardiovascular problems, convulsions, death, physical dependence, psychological dependence
M ari ju an a /C an na bis	pot, grass, dope, weed, joint, bud, reefer, doobie, roach	sensory distortion, poor coordination of movement, slowed reaction time, panic, anxiety	bronchitis, conjunctivas, lethargy, shortened attention span, suppressed immune system, personality changes, cancer, psychological dependence, physical dependence possible for some
M es ca line	peyote cactus	nausea, vomiting, anxiety, delirium, hallucinations, increased heart rate, blood pressure, and body temperature	lasting physical and mental trauma, intensified existing psychosis, psychological dependence
M or ph in e /O pi at es	M, morf, duramorph, Miss Emma, monkey, roxanol, white stuff	euphoria, increased body temperature, dry mouth, "heavy" feeling in arms and legs	constipation, loss of appetite, collapsed veins, heart infections, liver disease, depressed respiration, pneumonia and other pulmonary complications, physical dependence, psychological dependence
P CP	crystal, tea, angel dust, embalming fluid, killer weed, rocket fuel,	shallow breathing, flushing, profuse sweating, numbness in arms and legs, decreased muscular coordination, nausea, vomiting, blurred vision, delusions, paranoia, disordered thinking	memory loss, difficulties with speech and thinking, depression, weight loss, psychotic behavior, violent acts, psychosis, physical dependence, psychological dependence

	supergrass, wack, ozone		
Ps ilo cy bin	mushrooms, magic mushrooms, shrooms, caps, psilocybin & psilocyn	nausea, distorted perceptions, nervousness, paranoia	confusion, memory loss, shortened attention span, flashbacks may intensify existing psychosis
St er oi ds	roids, juice	increased lean muscle mass, increased strength, acne, oily skin, excess hair growth, high blood pressure	Cholesterol imbalance, anger management problems, masculinization or women, breast enlargement in men, premature fusion of long bones preventing attainment of normal height, atrophy of reproductive organs, impotence, reduced fertility, stroke, hypertension, congestive heart failure, liver damage, psychological dependence

## ATTACHMENT 5 EDUCATION AND PREVENTION

### IMPORTANT TELEPHONE NUMBERS

Rowan University acknowledges the importance of communicating information concerning alcohol and other drugs, and the effects and consequences of illegal use, misuse, and abuse.

1. The Wellness Center at Winans provides specialized programs for students, faculty and staff, on issues related to alcohol, tobacco, and other drug use, misuse, and abuse. Aftercare and programs for recovering students are also provided on campus. The Wellness Center at Winans offers books, pamphlets, videos, and other pertinent information regarding alcohol, tobacco, and other drug issues for use by the campus community. The office also serves as a confidential referral location for drug and alcohol assessment and evaluation.
2. Human Resources offers direction to any Rowan employee who may have questions and/or concerns related to alcohol and other drug use, misuse, and abuse. The Wellness Center at Winans offers help and information to directors and supervisors of departments in identifying an employee in need of assistance.

#### ***Drug and Alcohol Treatment***

This is a partial list only and not intended as an endorsement of facilities. Please consult Yellow Pages under Alcoholism or Drug Abuse and Addiction for additional resources.

#### *On-Campus Resources*

1. The Wellness Center at Winans: 856-256-4222

#### *Off-Campus Resources*

1. Addictions Hotline of NJ: 1-800-238-2333
2. Camden County Council on Alcoholism and Drug Abuse, Inc: 856-427-6553
3. Center for Family Services, Inc., Voorhees, NJ: 856-428-5688
4. Danielle Counseling and Wellness Center, Glassboro, NJ: 856-863-0006

5. The Southwest Council, Inc and the Cumberland County Intoxicated Driver Resource Center Vineland, NJ: 856-794-1011
6. Seabrook House, Bridgeton, NJ: 856-453-1022 Helpline: 1-800-761-7575
7. Sodat (outpatient) 124 N. Broad St., Woodbury, NJ: 856-845-6363

## **ATTACHMENT 6**

### **BIENNIAL REVIEW OF POLICY AND THE ALCOHOL AND DRUGS EDUCATION PROGRAM**

A notification regarding the availability of this policy will be distributed, via the Rowan email system, annually to each employee and student who is taking one or more classes for any type of academic credit except for continuing education units, regardless of the length of the student's program of study.

Rowan University will conduct a biennial review of this policy and Alcohol and Other Drug Education programs to determine their effectiveness and implement changes to the policy if they are needed and to ensure that the disciplinary sanctions are consistently enforced. A committee of faculty, staff, and students will review the policy and programs in consultation with Student Affairs and the Office of Human Resources.