

# Alcohol and Drug Policies

## I. Introduction

The goal of the Loyola Marymount University Policy on Alcohol and other Drugs is to create an environment in which the responsible use of alcohol is taught and promoted for individuals age 21 years and over who choose to lawfully consume alcohol. The misuse of alcohol and the use of illicit drugs are discouraged and will be disciplined. This goal can be achieved by campus-wide involvement in comprehensive and on-going alcohol and drug education and the enforcement of the following guidelines.

## II. University Regulations Governing the Use of Alcohol

The LMU Alcohol Policy adheres to the laws of the State of California (listed in Section V of this policy) regarding the purchase, sale, furnishing and consumption of alcohol. Intoxication and/or alcohol abuse is not permissible as an excuse for unlawful behavior or misconduct. Providing false information and/or identification to consume alcohol is subject to disciplinary action as outlined in the Student Conduct Code. The policy acknowledges the fact that persons age 21 years and over may purchase and consume alcoholic beverages. Those who fall in this category are responsible for setting a positive example to all minors by discouraging alcohol-related behavior that is abusive to oneself or to others.

The University expects all members of the campus community to conduct themselves in an appropriate manner and encourages the adoption of a mature attitude towards the use of alcohol. Alcohol consumption is permitted for those of legal age in designated areas on campus (The Hannon Loft, Crimson Lion, private living units in University Housing Facilities) and at certain University sponsored and/or approved events on campus. Open containers of alcohol outside of the aforementioned facilities and approved events on campus are not permitted. It is the position of the University that drunkenness and public intoxication are unacceptable and that those who violate the norm of temperate drinking will be subject to disciplinary sanctions. Accordingly, each person assumes full personal responsibility and will face conduct proceedings for any of their actions or the actions of their Guest(s) that violate any University policy.

### A. Regulations Regarding Registered Student Organization Events on Campus

The following policy applies to all Registered Student Organizations wishing to provide alcoholic beverages at on-campus events.

#### 1. Prior to the Event

- a. Student events involving alcohol must be approved by Student Leadership & Development and Sodexo.
- b. All event publicity must comply with all Student Leadership & Development policies including the Alcohol Advertising Policy.
- c. Sodexo is the sole provider of alcohol for all Registered Student Organization events. Only beer and wine may be served. A Sodexo bartender must be hired for the event to serve alcohol and check IDs.

#### 2. General Event Guidelines

- a. LMU Students wishing to consume alcohol must be 21 or over and present a valid state-issued ID or passport. All individuals consuming alcohol are required to wear wristbands during the event.
- b. Non-alcoholic beverages and food must be provided.
- c. Several factors will be considered to determine if a controlled area for those consuming alcohol is required. Factors include numbers of attendees, ages of attendees, location of event and type of event.
- d. There are two (2) options for providing alcohol at a Registered Student Organization event:
  - i. Cash Bar- A cash bar must be used if there is a charge to attend the event or alcohol is sold. Examples include charging an event fee, individual drink tickets or cash exchanged for drinks. An alcohol license is required and must be obtained through Sodexo a minimum of 14 days prior to the event;
  - ii. Hosted Bar- A hosted bar may be used if alcohol is donated. Alcohol must be provided to Sodexo three (3) working days in advance. Alcohol remaining at the end of the event will be returned within three (3) days following the event to the on campus advisor. Registered Student Organization funds may not be used to purchase alcohol.
- e. Alcohol may not be served at events where new member recruitment is the primary focus.

### 3. Event Advisors and Security

- a. Public Safety officers and/or Alcohol Moderators are required for events where alcohol is served. The sponsoring group is responsible for the cost, and Public Safety and Student Leadership & Development will determine the number of officers required.

### **B. Regulations within Student Housing Facilities**

1. In accordance with California law, Students under the legal age are not allowed to consume or possess alcohol. In accordance with University policy, Students under the legal age and their Guests are not allowed to consume or be in the presence of alcohol.
2. Alcohol may be consumed or possessed by those Students of legal age (21 years of age) only inside private living units with the door closed and not with underage persons (other than a roommate/suitemate) present.
3. Delivery of alcohol by retail or wholesale distributors to a University Housing Facility is prohibited.
4. Kegs, party balls or other such containers not designed for individual consumption are strictly prohibited.
5. Playing drinking games or participating in activities that promote excessive or binge-style drinking are prohibited in University Housing Facilities. Construction and/or use of drinking game playing surfaces (e.g. beer pong tables) is prohibited.
6. All alcoholic beverages transported on campus and within the living areas must be sealed and carried in a concealed fashion (in covered, nontransparent packages).
7. Students are responsible for any activity, including, but not limited to, underage possession and/or use of alcohol and possession and/or use of drugs and drug paraphernalia, that occurs in their University residence whether or not they are present at the time of the subject activity.

### **C. Social Gatherings in Living Areas**

During the 2021-22 academic year, COVID-19 restrictions may be instituted limiting social gatherings, as well as other health and safety protocols. Any such limitations will be communicated to the community in advance.

1. Social gatherings with more than eight people (including residents) in residence halls/suites or more than 16 people (including residents) in apartments/houses are prohibited. Students living in pods in Palm North and Palm South will be advised of social gathering capacity limits by their

Resident Advisor.

2. In accordance with California law requiring Students to be 21 years of age to possess or consume alcohol, social gatherings with alcohol will not be permitted if they involve anyone under the legal drinking age of 21.

3. The following regulations are applicable in social gatherings:

- a. Social gatherings are prohibited on days preceding class days;
- b. Social gatherings must end, with no Guests remaining, by 12:30 a.m.;
- c. If alcohol is served or consumed, all Guests and containers must remain inside the room/apartment/suite with the door closed;
- d. If alcohol is served or consumed, non-alcoholic beverages and substantial food must be provided;
- e. A plan for monitoring and preventing over consumption of alcohol must be presented;
- f. Any social gathering that is unauthorized or in violation of University policies will be shut down by a member of the Student Housing Staff and Public Safety. The hosts and Guests will also be subject to disciplinary action;
- g. Social gatherings will not be permitted in off-campus housing facilities;
- h. Alcohol is not permitted in rooms, apartments or suites where no residents are 21 years of age;
- i. Underage Guests are not permitted at social gatherings where alcohol is served;
- j. Students under the legal age are not permitted in the presence of alcohol.

### **D. Regulations Regarding Athletic Events**

1. Alcoholic beverages may not be sold during intramural sports or club sport events sponsored on campus. Violators may lose the privilege of participating in or attending athletics events and will also be subject to disciplinary action.
2. The Senior Vice President for Student Affairs may approve pre-game events to be held in a designated area immediately preceding any home NCAA game. Students,

faculty, staff and Guests who are age 21 and older may responsibly consume alcoholic beverages in the designated area only during the hours set for the event. This policy does not supersede federal, state and city laws and regulations governing sale, consumption and dispensing of alcoholic beverages or any NCAA regulations. Once approved, certain event guidelines from Section II (A) of this policy may apply.

3. Student athletes traveling for the purpose of competition are expected to abide by all University policies including, without limitation, Athletics Department policies, federal, state and local regulations.

#### **E. Policy Regarding Alcohol Shipped to the University**

1. Students, including those of legal drinking age, are not permitted to receive alcohol at the University through the mail or parcel delivery service (e.g. UPS, FedEx).

2. The LMU Distribution Center will return any packages that indicate contents that include alcohol or various other alcohol-related products.

### **III. Illicit Drugs**

**A.** Individuals involved in the sale, distribution or transfer of illegal drugs, are subject to suspension or dismissal from the University per the Student Conduct Code.

**B.** Sanctions for drug related violations of the Student Conduct Code may include disciplinary and/or housing probation, monetary fines, parental/guardian notification, educational programs, removal from University housing, suspension and/or dismissal from the University.

**C.** The University reserves the right to remove a Student from University housing if that Student is involved in the use or possession of a controlled substance or paraphernalia at any time.

**D.** In accordance with federal law and University regulations, possession and/or use of marijuana is prohibited on campus.

**E.** The distribution and/or trafficking of prescription drugs is prohibited. Both the distributor(s) and the distributee(s) will be subject to disciplinary action.

### **IV. Federal Laws**

#### **A. Possession of Illicit Drugs**

1. Federal laws prohibit illegal possession of controlled substances (U.S. Department of Justice and Drug Enforcement Administration).

a. First offense: prison sentences up to one year and a

minimum fine of \$1,000.

b. Second offense: prison sentences up to two years and fined a minimum of \$2,500.

c. Third offense: prison sentences up to three years and fined a minimum of \$5,000.

d. Special sentencing provisions apply for possession of flunitrazepam, including imprisonment of three years as well as the fine schedule referenced above.

#### **B. Trafficking of Illicit Drugs**

1. Under federal law, the manufacture, distribution, dispensation or possession with intent to manufacture, distribute or dispense of all Schedule I and II illicit drugs (e.g., cocaine, ecgonine, methamphetamines, heroin, PCP, LSD and all mixtures containing such substances) is a felony.

a. First offense: (dependent upon the amount and type of substance) prison sentences of ten years to life (20 years to life if death or serious bodily injury is involved) and fines of up to \$10,000,000 for offenses by individuals (\$50,000,000 for other than individuals).

b. Second offense: (dependent upon the amount and type of substance) prison sentences of 20 years to life (life imprisonment if death or serious bodily injury is involved) and fines up to \$20,000,000 for offenses by individuals (\$75,000,000 for other than individuals).

2. Federal law also prohibits trafficking in marijuana, hashish, hashish oil and mixtures containing such substances.

a. First offense: prison sentence up to five years and fines of up to \$250,000 for offenses by individuals (\$1,000,000 for other than individuals). Penalties vary depending upon the quantity of drugs involved.

b. Second offense: prison sentence up to ten years and fines of up to \$500,000 for offenses by individuals (\$2,000,000 for other than individuals).

3. The trafficking of medically useful drugs (e.g., prescription and over-the counter drugs) is illegal. Outcomes for trafficking of such drugs is dependent upon which Schedule the substance falls under according to the Controlled Substances Act (CSA).

### **V. State of California Law**

#### **A. Alcohol**

1. It is a crime to sell, furnish or give alcoholic beverages to a person under age 21 or to any obviously intoxicated person (California Business & Professions Code 25658 & 25602).
2. It is a crime for a person under the age of 21 to purchase or possess alcoholic beverages (California Business & Professions Code 25658 & 25662).
3. It is a crime to sell alcohol without a valid liquor license or permit (California Business & Professions Code 23301).
4. It is a crime for any person to drink any alcoholic beverage while driving a motor vehicle, to drink any alcoholic beverage while riding as a passenger in any motor vehicle or to drive under the influence of alcohol (California Vehicle Code 23220-23222 & 23152).
5. It is a crime to be intoxicated in a public place (California Penal Code 647(f)).
6. Intoxication is presumed at blood levels of .08% or higher (California Vehicle Code 23152).

#### **B. Penalties for Drunk Driving Offenses**

1. First offense: fines up to \$1,000, imprisonment up to six months, driver's license suspension up to six months and interlock ignition device required in some counties.
2. Second offense: fines up to \$1,000, imprisonment up to one year, driver's license suspension up to two years and interlock ignition device required up to 1 year.
3. Third offense: fines up to \$1,800, imprisonment up to one year, driver's license suspension up to three year and interlock ignition device required up to 2 years.
4. Refusal to submit to a blood alcohol content test: \$125 fine and driving privileges are suspended for one year, for two years if there is a prior offense within 10 years and for three years with three or more offenses within 10 years.
5. Drivers under the age of 21 found with any measurable amount of blood alcohol (.01% or more) will be fined up to \$300 and have their driver's license suspended for one year and will be required to attend DUI school. If the driver does not have a license, there will be a one-year delay in obtaining one.

#### **C. Marijuana**

1. It is a crime for any person to smoke or ingest marijuana or any marijuana product while driving a motor vehicle, to smoke or ingest marijuana or any marijuana product while riding as a passenger in any motor vehicle or be under

the influence of any illegal drug while driving a motor vehicle (California Vehicle Code 23220, 23221 & 23152).

#### **D. Illicit Drugs**

1. Under California law, first offenses involving the sale or possession for sale of amphetamines, codeine, cocaine, heroin, LSD, mescaline, methadone, methamphetamine, morphine, PCP, peyote and psilocybin (among others) are felonies carrying prison terms of up to four years (California Health & Safety Code 11054, 11055 & 11351).
2. If the offense involved heroin, cocaine, cocaine base, or any analog of these substances and occurred upon the grounds of, or within, a church or synagogue, a playground, a public or private youth center, a child day care facility or a public swimming pool, during hours in which the facility is open for business, classes, or school-related programs, or at any time when minors are using the facility, the defendant shall, as a full and separately served enhancement to any other enhancement provided in paragraph (3), be punished by imprisonment in the state prison for one year (California Health & Safety Code 11353.1).
3. It is unlawful to possess any pipe or any device, contrivance, instrument or paraphernalia used for unlawfully injecting or smoking a controlled substance from Section 11054 and Section 11055 (California Health & Safety Code 11364).
4. Personal property may be subject to forfeiture if it contains drugs or was used in a drug manufacture, sale, possession for sale, offer for sale, offer to manufacture or conspiracy to commit at least one of those offenses, if the exchange, violation or other conduct which is the basis for the forfeiture occurred within five years of the seizure of the property, or the filing of a petition under this chapter, or the issuance of an order of forfeiture of the property, whichever comes first (California Health & Safety Code 11470).
5. The illegal possession of most of the above-mentioned drugs may be felonies or misdemeanors depending upon amounts involved.
6. The California Legislature declares that the dispensing and furnishing of prescription drugs, controlled substances and dangerous drugs or dangerous devices without a license poses a significant threat to the health, safety and welfare of all persons residing in the state. It is the intent of the Legislature in enacting this provision to enhance the penalties attached to this illicit and dangerous act (California Health & Safety Code 11352.1).

## VI. Local Law

### A. Open Container

No person shall drink any malt, spirituous or vinous liquor containing more than one-half of one percent of alcohol by volume, upon any street, sidewalk or parkway, park, playground, Los Angeles Memorial Coliseum, or in any railroad depot or bus station, or in any public place or in any place open to the patronage of the public, which premises are not licensed for the consumption of such liquor on the premises (Los Angeles Municipal Code: Sec.41.27).

## VII. Disciplinary Action for Alcohol

Violation of the Alcohol Policy will result in the initiation of disciplinary action for such violation(s) under the Student Conduct Code. Charges for violating the Alcohol Policy will be initiated against Students who violate other University rules and regulations while under the influence of alcohol, along with all other applicable charges. The outcome of the disciplinary action will result in appropriate sanctions, which will vary depending on the nature of the offense.

**A.** The following examples of possible sanctions are not exclusive and may also include, but are not limited to, attending and/or sponsoring alcohol education programs, writing research papers, restitution, community service, fines, removal from University housing, limiting access to living areas, suspension or dismissal from the University. When warranted, Students will be referred for more intensive alcohol and/or substance abuse education.

**B.** The University's disposition of individual cases does not preclude criminal prosecution in accordance with federal and/or state law. The University reserves the right to refer cases to federal, state and/or local authorities.

The following are possible sanctions which may result from behavior in violation of the Alcohol Policy.

1. Underage Students in the presence of alcohol.
  - a. First instance: warning, parental/guardian notification, education on alcohol and/or campus policies.
  - b. Second instance: parental/guardian notification, alcohol education program.
2. Underage possession and/or consumption of alcohol or open container of alcohol in public area or unconcealed transportation of alcohol.
  - a. First instance: disposal of alcohol, warning, parental/guardian notification, education on alcohol and or campus policies.

- b. Second instance: disposal of alcohol, parental guardian notification, alcohol education program, monetary fine, probation.

3. Furnishing and transporting alcohol for a minor.

- a. First instance: disposal of alcohol, warning, education on alcohol and/or campus policies, monetary fine.
  - b. Second instance: disposal of alcohol, monetary fine, probation, removal from University housing.

4. Possession of a common source of alcohol (including, but not limited to, keg, party ball, etc.).

- a. First instance: confiscation of alcohol, parental guardian notification, monetary fine per person involved, probation, removal from University housing.
  - b. Second instance: disposal of alcohol, parental/guardian notification, monetary fine per person involved, removal from University housing, suspension from the University.

## VIII. Disciplinary Action for Illicit Drugs

Violation of the Drug Policy will result in the initiation of disciplinary action for the subject violation in accordance with the Student Conduct Code. Charges of violating the Drug Policy will be initiated against Students who violate other University rules and regulations while under the influence of drugs, along with other charges. The outcome of the disciplinary action will result in appropriate sanctions. Sanctions will vary depending on the nature of the offense.

**A.** The following examples of possible sanctions are not exclusive and may also include, but are not limited to, attending and/or sponsoring drug education programs, writing research papers, restitution, community work projects, fines, removal from University housing, limiting access to living areas, suspension or dismissal from the University. When warranted, Students will be referred for more intensive drug and/or substance abuse education.

**B.** The University's disposition of individual cases does not preclude criminal prosecution in accordance with federal and/or state law. The University reserves the right to refer cases to federal, state and/or local authorities.

The following are possible sanctions which may result from behavior in violation of the Drug Policy.

1. In the presence of illegal drugs.
  - a. First instance: warning, parental/guardian notification, education on drugs and/or campus policies, probation.

b. Second instance: parental/guardian notification, drug education program, monetary fine, probation, suspension from the University.

2. Possession and/or consumption of marijuana.

a. First instance: disposal of marijuana, parental/guardian notification, education on drugs and/or campus policies, probation.

b. Second instance: disposal of marijuana, parental/guardian notification, drug education program, monetary fine, probation, removal from University housing, suspension from the University.

3. Possession and/or consumption of illegal drugs.

a. First instance: disposal of illegal drugs, parental guardian notification, education on drugs and/or campus policies, monetary fine, probation, removal from University housing, suspension from the University.

b. Second instance: suspension or dismissal from the University.

4. Misuse of prescription drugs.

a. First instance: confiscation of prescription drugs, parental/guardian notification, education on drugs and/or campus policies, monetary fine, probation, removal from University housing, suspension from the University.

b. Second instance: parental/guardian notification, drug education program, monetary fine, probation, removal from University housing, suspension or dismissal from the University.

5. Distributing marijuana and/or illegal or prescription drugs.

a. First instance: dismissal from the University.

## IX. Health Effects

**A.** Drug Type: Acute Effects/Health Risks (as found on the National Institute on Drug Abuse website: [drugabuse.gov](http://drugabuse.gov))

1. **Alcohol:** affects every organ in the drinker's body, impairs brain function and motor skills and may cause fetal damage (in pregnant women), heavy use can damage the heart, liver and pancreas, increase risk of certain cancers, stroke and liver disease and weaken the immune system.

2. **Amphetamines/Methamphetamines:** increased heart rate, blood pressure, body temperature and breathing,

reduced appetite, irregular heartbeat, anxiety, confusion, mood problems, paranoia, violent behavior, hallucinations, weight loss, insomnia, severe dental problems, intense itching leading to skin sores from scratching, risk of HIV, hepatitis and other infectious diseases from shared needles, addiction.

3. **Cocaine:** increased heart rate, blood pressure, body temperature, reduced appetite, headache, abdominal pain and nausea, restlessness, anxiety, panic attacks, paranoia, violent behavior, psychosis, nasal damage, weight loss, insomnia, heart rhythm problems, infection and death of bowel tissue, heart attack, stroke, seizures, coma, addiction.

4. **Dissociative Drugs (Ketamine, PCP, Salvia divinorum, DXM):** impaired motor function, anxiety, paranoia, numbness, memory loss, nausea, vomiting, depression, violence, slurred speech, hallucinations, dizziness, distorted visual perceptions, suicidal thoughts, seizures, coma, death.

5. **GHB:** drowsiness, nausea, vomiting, confusion, hallucinations, aggressive behavior, memory loss, unconsciousness, seizures, slowed heart rate and breathing, lower body temperature, coma, death.

6. **Hallucinogens (LSD, mescaline, psilocybin):** hallucinations, increased body temperature, heart rate and blood pressure, loss of appetite, sweating, sleeplessness, numbness, dizziness, weakness, tremors, ongoing visual disturbances, disorganized thinking, rapid shifts in emotion, flashbacks, hallucinogen Persisting Perception Disorder, paranoia.

7. **Heroin/Opium:** itching, dry mouth, clouded thinking, nausea, vomiting, feelings of heaviness in the body, slowed heart rate and breathing, collapsed veins, abscesses, infection of the lining and valves of the heart, constipation and stomach cramps, liver or kidney disease, pneumonia, fatal overdose.

8. **Inhalants:** confusion, loss of inhibition, headache, nausea, slurred speech, loss of motor coordination, dizziness, drowsiness, lightheadedness, hallucinations delusions, liver and kidney damage, bone marrow damage, brain damage, convulsions, seizures, coma, sudden death from heart failure or asphyxiation.

9. **Marijuana/Hashish:** slowed reaction time, impaired balance and coordination, increased heart rate and appetite, impaired learning and memory, hallucinations, anxiety, panic attacks, psychosis, cough, frequent respiratory infections, possible mental health decline, addiction.

10. **MDMA:** lowered inhibition, confusion, anxiety, chills, sweating, increased heart rate and blood pressure, teeth clenching, muscle tension, sleep disturbances, depression, nausea, blurred vision, faintness, impaired memory, liver, kidney or heart failure, addiction, death.

11. **Nicotine:** increased blood pressure, breathing and heart rate, increased risk of cancer (both lung and oral), chronic bronchitis, emphysema, heart disease, leukemia, cataracts, pneumonia, adverse pregnancy outcomes, addiction.

## **X. Referral Information**

The LMU Center for Student Collegiate Recovery is located in Malone Student Center 113 ([Recovery@lmu.edu](mailto:Recovery@lmu.edu)) and is available to all students who seek information, resources and support regarding use of alcohol and/or other drugs. Student Psychological Services can further assist Students with issues regarding alcohol and other drugs. Therapists are able to refer students to community treatment centers and support groups.

The following resources are provided by the LMU Center for Student Collegiate Recovery and the University and available on campus to all Students.

**A.** Alcoholics Anonymous: During the academic year, a member of the recovery community in Los Angeles hosts a meeting open to all members of the LMU community. At times, Students have also conducted a weekly Alcoholics Anonymous meeting with the sponsorship of the OSCCR.

**B.** Al-Anon: During the academic year, Student Health Services and the OSCCR jointly sponsor a weekly meeting open to all LMU community members, which focuses on the fellowship of relatives and friends of alcoholics.

**C.** Recovery at LMU: A full-time professional staff member who supports Students and their families in the recovery process. For more information call 310.338.6551.

**D.** Choice Theory: A three-session meeting in which a CCAPP (California Consortium of Addiction Programs and Professionals) certified instructor discusses Reality Therapy, Choice Theory and the impact that choices/decisions can have on a Student's University experience.

**E.** Lions for Recovery: A Registered Student Organization whose purpose is to be of service to Students and the community at large while challenging the stigma of addiction.

For more information please visit: [lmu.edu/LEO](http://lmu.edu/LEO) and search for Lions for Recovery.

## **XI. Redefinition**

The University has the right to waive and/or redefine any of the above stipulations as they relate to a specific individual or organization.