



**DRUG-FREE SCHOOLS AND COMMUNITIES ACT**

**BIENNIAL REVIEW**

**2023-2024 CALENDAR YEARS**

**Published: November 20, 2024**

**STUDENT WELLNESS RESOURCE CENTER**

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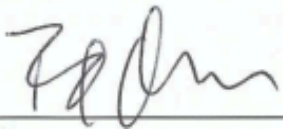
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## Alcohol and Other Drug Prevention Certification

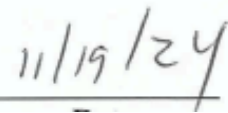
The undersigned certifies that The University of Maine (UMaine) has adopted and implemented an alcohol and other drug prevention program for its students and employees that, at a minimum, includes:

1. Each employee and every student who is taking one or more classes for any kind of academic credit (except for continuing education units), regardless of the length of the student's program of study, will annually receive the distribution of:
  - At the minimum, standards of conduct that clearly prohibit the unlawful possession, use, distribution, or sale of illicit drugs and alcohol by students and employees on its property or as part of any of its activities.
  - A description of the applicable legal sanctions for the unlawful possession or distribution of illicit drugs and alcohol under local, State, or Federal law.
  - A description of the health risks associated with the use of illicit drugs and the abuse of alcohol.
  - A description of any drug or alcohol counseling, treatment, or rehabilitation/reentry programs that are available to employees or students.
  - An explicit statement that UMaine will impose disciplinary sanctions on students and employees (consistent with State and Federal law); a description of those sanctions for violations of the standards of conduct, up to and including expulsion or termination of employment and referral for prosecution. A disciplinary sanction may include the completion of an appropriate rehabilitation program.
  
2. An institutional Biennial Review of its alcohol and other drug prevention programming to:
  - Determine its effectiveness and implement any changes to the comprehensive alcohol and other drug prevention program and policies, if needed.
  - Ensure that disciplinary sanctions are consistently enforced.

The University of Maine  
168 College Ave, Orono ME 04469  
207.581.1406



Robert Q. Dana  
Vice President for Student Life & Inclusive Excellence  
Dean of Students



Date

## **I. Introduction to The University of Maine**

Founded in 1865, The University of Maine (UMaine) is a four-year, residential institution of higher education located in Orono, ME with an overall enrollment of 11,500 students. UMaine is the flagship institution of the University of Maine System and is home to the only Division 1 athletics program in the state of Maine. UMaine currently holds an R1 designation according to the Carnegie Classification of Institutions in Higher Education, achieving this designation in 2020. In addition to the R1 designation, UMaine is one of only a handful of institutions to hold the triple designation as a land-grant, sea-grant, and space-grant university.

UMaine advances learning and discovery through excellence and innovation in undergraduate and graduate academic programs while addressing complex challenges and opportunities of the 21st century through research-based knowledge. Providing opportunity for all members of the UMaine community is a cornerstone of the mission. The University welcomes students, research partners, and collaborators into an atmosphere that honors the heritage and diversity of our state and nation.

UMaine is committed to fostering and maintaining an environment that supports the health and wellbeing of its community members while discouraging the illicit use of drugs and alcohol. This commitment is demonstrated through continuous development of policies, programs, and services that support healthy lifestyles.

## **II. The Objectives of the Biennial Review**

The intent of this document is to meet the legal requirements of conducting a biennial review and provide summarization of the various activities and programs that occurred at UMaine as they related to drug and alcohol prevention during the 2022-2023 and 2023-2024 academic years. In accordance with the Clery Act, biennial reports are maintained for seven years.

As required by the Drug Free Schools and Community Act, The University of Maine is required to publish a biennial review every two years to review the progress of alcohol and other drug prevention measures. This report will meet the six requirements as set forth by the Act.

1. Documentation of all alcohol and drug cases adjudicated at the institution and the accompanying sanctions issued for these violations.
2. Copies of the policies distributed to students and employees.
3. Identification of alcohol and drug programming that occurs on the University campus and a summary of their strengths and weaknesses.
4. Review of the University's alcohol and drug related policies, procedures, programming, and intervention methods.
5. Procedures for distributing annual alcohol and other drug notification to students and employees.

6. Recommendations for revising alcohol and other drug policies, procedures, programs, and overall coordination.

For the purpose of research and accuracy, the following campus and community partners were included on the 2023-2024 Biennial Review Committee:

Kevin Hudson, Chair, Student Wellness Resource Center  
Lauri Sidelko, Associate Dean for Student Life  
Jason Smith, Assistant Vice President for Student Life  
David Fiacco, Director of Community Standards, Rights, and Responsibilities  
Angela Fileccia, Director of the Counseling Center  
William Flagg, University of Maine Chief of Police  
Sean Sibley, Faculty and NP with Northern Light Primary Care, University of Maine  
Heather Hogan, UMaine and University of Maine at Machias Deputy Title IX Coordinator  
Shane Smith, Assistant Director for Residence Life  
Samantha Hegmann, Associate Athletic Director for Compliance/SWA  
Dan Merrill, Orono Chief of Police  
Bryan Hardison, Acting Chief/Deputy Chief for Orono Fire Department

### **III. Student and Campus Services**

These primary departments work together on prevention and education of alcohol and other drugs for our students.

#### **A. Student Wellness Resource Center (SWell)**

The goals of the SWell office are consistent with the alcohol and other drug prevention strategies recommended by the National Institute on Alcohol Abuse and Alcoholism (NIAAA), the Substance Abuse and Mental Health Services Administration (SAMHSA), the Safe and Drug Free Schools Act, and the Higher Education Center For Alcohol and Other Drug Prevention (HECAOD).

The primary goals of our program are to:

1. Provide educational programming for the purpose of changing knowledge, attitudes, and behavioral intention outcomes.
2. Offer health promotion and wellness initiatives for the purpose of promoting a normative environment through environmental management.
3. Implement early intervention, treatment, and referral strategies.
4. Assist in the enforcement of related laws and policies through work with the Office of Community Standards, Rights, and Responsibilities and local law enforcement.
5. Innovate training and outreach efforts to reach the campus and local community through partnerships and coalitions.
6. Use data collected through research assessment and evaluation to drive decisions, remain nimble, and stay abreast of issues and needs.

To meet these goals, SWell offers individual, group, and campus-wide educational and prevention-based programs for students, faculty, and staff throughout the year. The SWell office operates with two full time staff members, one graduate assistant, and student staff

providing programs to residence halls, fraternities and sororities, athletic teams, first-year student seminar classes, and other academic classes. The office conducts both individual screening and brief interventions for students who have received a sanction related to a substance-based incident. SWell provides training to Student Life staff, Residence Life staff, student orientation leaders, Counseling Center staff, clubs, organizations, and other groups on campus and in the community by request. Programs for students in recovery are available through our partnership with the Bangor Area Recovery Network (BARN) and other local recovery groups.

SWell also produces health promotional material which is distributed and posted in the residence halls and through social media accounts such as Facebook, Instagram, and Tiktok. Topics include information about alcohol, cannabis, and other drugs, along with other information about harm-reduction, prevention, and healthy coping strategies.

As part of campus-wide and community prevention, SWell established the Wellness Advisory Council (WAC) to allow communication between departments on campus and with organizations off campus. This includes local police departments, businesses, and the town of Orono and meets each semester and as needed.

## **B. Counseling Center**

The Counseling Center provides free, confidential mental health and substance use therapy services to all students at both the UMaine Flagship Campus in Orono and the satellite campus in Machias. The Counseling Center is a low-barrier provider that has easy access to non-acute therapy services as well as daily access to acute-care therapy. In addition to providing this short-term, solution-focused therapy service, staff also provide crisis response, consultation services, training, and educational prevention programming. Students taking a minimum of one class are eligible for services.

The SWell office is integrated with the Counseling Center, which provides a wide range of prevention and educational programs aimed at improving skills, knowledge base, and well-being of students. Coupled with the outreach coordination that the Counseling Center provides, substance-use education and treatment is explored. The Counseling Center staff offer programs to students, faculty, and staff on stress management, anxiety management, healthy relationships, staying safe, suicide prevention, meditation, and relaxation. They also provide training to Residence Life staff on listening skills, conflict management, and management of student crises. Additionally, the UMaine Counseling Center has a dedicated Mental Health Therapist for our Division I Student-Athletes and is fully compliant with NCAA guidelines for mental health services.

## **C. Title IX Student Services**

The office works to promote a safe community for everyone. The goals are to reduce sexual assault, relationship violence, and stalking by encouraging healthy and consensual relationships, to increase reporting of sexual and relationship violence and stalking, and to provide support and services to those who are impacted by these behaviors.

Services are available to all students, free of charge, and include:

- Support through incidents of sexual violence, relationship abuse, and stalking

- Resources and referrals to both on-campus and off-campus agencies
- Addressing questions and concerns
- Education and accommodations

The office provides education on consent, sexual assault prevention, and mandated reporting to any group via request. Groups who receive annual Safe and Informed trainings include, but are not limited to, first-year students, student-athletes, Greek Life, ROTC, and resident assistants.

Anyone who wants to speak with someone about these topics, set up a presentation, or become an advocate, can contact Title IX Student Services for arrangements. In the fall of 2023, Title IX Student Services began an initiative to provide reusable cup covers to students in an effort to prevent drink spiking. This initiative will continue throughout the 2024-2025 academic year.

#### **D. Residence Life**

This department is committed to providing a healthy, safe, and inclusive living and learning environment for students residing on the University of Maine campus. Residence Life collaborates with many other departments and develops programming to educate students about alcohol and drug use. Professional staff have also been active members of the Wellness Advisory Council, organized by the Student Wellness Resource Center.

Residence Life has addressed the issue of substance use problems through a three-pronged approach of educational programming, policy enforcement, and monitored access. The department has worked closely with other campus units to increase our efforts in these three areas. Residence Life continues to monitor the impact of these programs and policies on alcohol and drug use problems.

The department is committed to providing programming and resources on the issues of alcohol and drug use as well as appropriate training for Residence Life staff. SWell also provides drug and alcohol training to both Resident Assistants and professional staff.

#### **E. Office of Community Standards, Rights, and Responsibilities**

The University of Maine has minimum sanction guidelines adopted by this office to respond to drug and alcohol violations and other related allegations under the Student Conduct Code. The University is concerned about the extent to which some underage students engage in consumption of alcohol, especially when that consumption results in the need for emergency medical intervention or other extraordinary assistance. In addition, the University seeks to deter students from engaging in conduct that poses risk to the safety and well-being of the individual student and/or the University community. Standard minimum sanction guidelines are intended to uniformly and consistently alert students and other members of the University community to the seriousness of alcohol and drug-related behaviors, violence, and safety violations, provide meaningful consequences for violations of University expectations, and ensure that students are provided opportunities to access education, counseling, and support services.



This office often works with SWell on educational programming, policy, and planning phases to address vulnerable populations.

#### **F. Northern Light Primary Care - University of Maine**

This practice is a multidisciplinary family medicine practice located on campus with integrated behavioral health, lab services, and physical therapy. The practice is staffed with physicians, nurse practitioners, physician assistants, medical assistants, nurses, psychiatric medication managers, and licensed clinical social workers. The patients served are exclusively UMaine students, faculty, staff and their families. As part of a larger health organization, after hours triage and close collaboration with speciality care is accessible. The clinic is housed in the Cutler Health Center building, shared with the UMaine Counseling Center and University Volunteer Ambulance Corps.

All patients, during all unique encounters, are screened for substance use upon intake. Beyond screening, the practice provides evidence-based, individualized, and holistic behavioral counseling for unhealthy alcohol use, tobacco and nicotine use, and misuse of prescription and illicit drugs. Treatment plans for substance use and related disorders can be developed inclusive of managing outpatient withdrawal and medications for opioid use disorder (MOUD). Care coordination is provided for all level-of-care needs working closely with area resources. Practice clinical leadership communicates with UMaine Student Life the current aggregate trends in substance use and concerns relevant to ensuring a safe community.

#### **G. Employee Assistance Program (EAP)**

Services provided through CIGNA insurance routinely provide assessments for substance abuse problems as part of a complete assessment. EAP also assists people who have lived with a substance abuser. Employees are referred to resources for treatment when appropriate.

#### **H. University of Maine Police Department (UMPD)**

UMPD is a full service police department staffed by state-certified police officers and support personnel 24 hours per day, 365 days per year. The training and professional standards met by UMaine's officers are the same as those required in any municipality across the state. They are engaged with the campus and students in large part because of their community policing model. Officers make special efforts to engage with the residence halls and connect with students living on campus. Further, they routinely alert the Dean of Students' office when they encounter students of concern for drug or alcohol issues. UMPD also collaborates with local police departments in Old Town and Orono to facilitate delivery of resources to off campus students.

#### **I. Office of the Dean of Students**

This office is involved in monitoring alcohol and drug issues among students. Regular meetings take place three to four times per semester to look at trends, review police calls, and conduct geography, resident assistant reports, and review other information. This allows them to form a global view and address any environmental concerns or potential threats.

### **J. University Volunteer Ambulance Corps (UVAC)**

Operating 24 hours a day, 7 days a week, UVAC is a state-licensed emergency medical service run by student volunteers which is responsible for evaluating and/or transporting students who are experiencing a medical emergency, including alcohol or other substance overdose. UVAC offers University of Maine students unique learning and leadership opportunities by delivering emergency medical services to those who live on, work on, or visit the University of Maine property.

UVAC also provides harm-reduction training concerning substance use including poison control and CPR to targeted at-risk groups on campus.

### **K. Town Of Orono Emergency Services**

Firefighters in Orono are trained in both fire and emergency medicine allowing an economically feasible way to provide both fire and medical care to the community. A minimum of five emergency staff are on duty at all times and are trained to respond to substance-use cases involving alcohol and other drugs with crisis intervention techniques meant to address a variety of scenarios. The fire department operates two ambulances which are housed at the Main Street station and staffed 24 hours a day, 7 days a week.

The Orono Police Department provides support to the University of Maine Police Department and will assist with emergencies as needed. They have a close partnership with UMPD and UMaine and will keep staff up to date on issues, specifically alcohol and other drug use, in the community so campus authorities can craft appropriate and timely notifications and resources.

## **IV. Alcohol and Other Drug Policy Distribution**

The University of Maine System annually updates the alcohol and other drug policy with information to be distributed to all students, faculty, and staff members on each campus. Annually, in August, the policy is given to the contact person(s) at each campus for distribution.

At the University of Maine, every staff member receives a copy of the policy to their UMaine email account prior to October 1. Print copies are available through Human Resources and the Division of Student Life.

Distribution to students is done via email from the Vice President of Student Life prior to October 1<sup>st</sup> of each year. In addition to the alcohol and other drug policy, the student handbook, code of conduct, Title IX student services policy, and hazing policy are sent to all students. For transfer students, the policy is emailed again in early February.

In accordance with the guidance provided to Occidental College, “An institution may distribute the annual disclosure by electronic mail if it wishes to do so. The method for such a distribution would require the institution to post program materials on its website and then send an email message to each mandatory recipient that includes a direct link to the document.”

## A. Student Conduct Code

The University of Maine System Student Conduct Code contains the expectations of students during their time at any of the University of Maine System institutions. The code in its entirety is housed on the UMS website:

<https://www.maine.edu/board-of-trustees/policy-manual/section-501/>.

The alleged violations pertaining to alcohol and other drugs are as follows:

- **Section III.C.5. Illegal Possession, Use, or Sale of Drugs:** Illegal possession, use, or sale of drugs or drug paraphernalia.
- **Section III.C.9. Violation of Alcohol, Drug, or Tobacco and Smoke Free Policies:** Violations of alcohol, drug, or tobacco and smoke free policies, regulations, or laws.

## B. Student Handbook

The Alcohol and Other Drug Policy is available in the University of Maine Student Handbook available on the University's website at

<https://umaine.edu/studentlife/student-handbook/>.

The Student Handbook states the following under The University of Maine Policies & Recommendations: Alcohol Beverage and Drug Policies:

### A. Philosophy

Social settings may vary in size and purpose, and some will include the consumption of alcoholic beverages. In this respect it is expected that all those who choose to use alcohol on the University campus do so in a responsible and appropriate manner and at no time should alcohol become a primary focus of any activity. Students should understand that misuse of alcohol or other drugs can result in psychological and physical dependence and that alcohol and other drug abuse can lead to serious physical consequences such as suppression of immune response, organ damage, and learning and memory problems. Any substance used immoderately will result in negative consequences for the user.

### B. Basic Principles

- Illicit drug use, including consumption, possession, and distribution, is a violation of University policy as well as state and federal law. It is, therefore, prohibited at the University of Maine. Students who violate the University's drug policy and/or state and federal laws will be subject to the University's Student Conduct Code and/or state and federal criminal justice procedures.
- Students desiring information or help concerning a substance use or abuse issue are encouraged to contact the Student Wellness Resource Center at 207.581.1423 for a private consultation.
- Consumption of alcoholic beverages on campus, on University property, or in fraternity/sorority houses is a privilege accorded any person 21 years of age or older unless other rules do not allow drinking at all (ex. facility rules, etc.).

- Everyone is expected to assume responsibility for their own behavior at all times and must understand that being under the influence of alcohol in no way lessens their accountability to the University community.
- Whenever alcohol is served, there must be a variety of non-alcoholic beverages (served in the same type containers in which alcoholic beverages are served) and food available in sufficient quantities to last for the entire event.
- Although cannabis is legal in Maine for medical and recreational use, it is not permitted on any campus owned, controlled, or leased property by UMS policy.

### **C. General Guidelines**

- Illicit drug use is forbidden on-campus and off-campus at any University sponsored event.
- Persons 21 years of age and over may use alcohol in the privacy of their rooms unless otherwise determined by University policies.
- The consumption of alcohol or possession of an open container is prohibited in all public areas.
- The University prohibits delivery of alcoholic beverages to the campus except delivery by wholesale distributors to an event for which proper permits and liquor licenses exist.
- The use of containers other than glass is strongly encouraged to prevent breakage and personal injury.
- All members of the University community who are of legal drinking age are urged to limit their consumption of alcoholic beverages to one drink (5 oz. wine, 12 oz. beer, 1 1/4 oz. distilled spirits) per hour to decrease the likelihood of intoxication.
- Alcohol shall not be the primary focus of any event.
- Consumption of alcoholic beverages is not allowed in any academic building without prior approval from the appropriate vice president and registration of the event with the University of Maine Police Department.
- Consumption of alcoholic beverages is prohibited in the University dining facilities. Requests for exception to this regulation must be approved by the facility manager. Proper licenses or permits must be obtained through catering services.
- Any student event where alcoholic beverages will be available must be approved through the University's event management process including, but not limited to, the filing of the appropriate form through the office for Student Involvement.

### **D. Maine State Law**

All students and employees should be familiar with the Maine State Law pertaining to the sale, consumption, or possession of alcoholic beverages. A copy of the laws along with the University Alcohol Beverage and Drug Policies will be distributed to all incoming students, employees, and outside users of University facilities prior to October 1st of each academic year. Please see Federal and Maine State laws website for more details at:

<https://www.maine.gov/dafs/bablo/liquor-lottery-rules-statutes>.

### **E. State Alcohol Beverage Control Liquor Licensing and Compliance**

The University recognizes the function of this authority and will cooperate with all those responsible in the discharge of their duties: [maine.gov/dafs/bablo](http://maine.gov/dafs/bablo).

### **F. Alcohol and Education**

The University recognizes that consuming alcohol is a common adult activity that some students choose to participate in. It is further recognized that alcohol use, misuse, and abuse are complex behaviors and that increased education and knowledge concerning alcohol leads to more responsible use and consequently fewer problems associated with alcohol misuse. In this regard, the University actively supports alcohol education and awareness programs through its Alcohol Education Program, which is situated within the Student Wellness Resource Center. This office provides an array of services to the student body, including workshops, screening, brief intervention, staff training, prevention programming, non-alcoholic activities, assessment, limited outpatient treatment, and referral services.

Throughout the year, educational programs and alternative non-alcoholic functions are offered to promote environments which are conducive to positive functions and responsible drinking. Further efforts to disseminate knowledge and reduce alcohol and drug misuse in this community are mandated in the following ways:

- The University will support and maintain the Student Wellness Resource Center and an Employee Assistance Program that provide extensive services and education for the entire University community. These services will include, but are not limited to policy dissemination, assessment, prevention programming, training, consultation, referral to internal and external facilities, assessment, and limited outpatient treatment.
- Alcohol education norms campaigns will be distributed to the campus annually.
- Alcohol education sessions will occur each academic year that target the highest risk populations including first year students, Greek Life students, and athletic teams.
- The University will support and maintain an active Alcohol and Other Drugs Community Coalition.
- Each October is designated as Alcohol Responsibility Month. During this month extensive alcohol-related programming will occur.
- All student services staff will be given an appropriate (as determined by individual program directors) alcohol and other drug education. These staff will include Residential Life, Counseling Center, Police, Conduct Office, and Student Life staff.
- All residence halls will be required to present an alcohol/substance abuse oriented workshop for their students each semester.
- All new fraternity and sorority members will attend an alcohol and other drug education series as recommended and mandated by the University of

Maine Interfraternity Council and the University Panhellenic Association respectively in association with Fraternity and Sorority Life.

- All fraternity and sorority groups will present one alcohol or substance abuse-oriented workshop each year as suggested and mandated by the University of Maine Interfraternity Council and the University Panhellenic Association respectively.
- The University expects that faculty will be educated in alcohol and other drug issues. This could occur through separate colleges in conjunction with the Student Wellness Resource Center. Model plans are available through this office.

### **G. Pub Policy**

Pub Policy applies to all facilities at the University of Maine where the University license is used.

- All local, state, and federal laws pertaining to the sale of alcoholic beverages will be upheld.
- All patrons will present positive proof of age (Maine Liquor I.D. or Maine Driver's License) to the host or hostess.
- Risk management advertisements outlining safe levels of consumption, alternatives to alcohol consumption, and management of situations where a guest becomes intoxicated will be conspicuously posted in the room where alcohol is being served and during such service. Acceptable risk management advertisements will be approved and available through the Student Wellness Resource Center.
- Campus pubs may serve alcohol Monday through Friday, 4 p.m. to one half hour before closing and on Saturdays and Sundays from Noon to one half hour before closing.
- In fraternities and sororities, sale of alcoholic beverages is not permitted except by the University's Catering Service, which holds a qualified liquor license. Such activities may only occur on approved special occasions on Friday from 5 p.m. to Saturday midnight a.m., and from Saturday 1 p.m. through Sunday at midnight, during which, sales are permitted to members and invited guests.

### **H. Residence Halls and University Buildings: Guidelines for Private Functions Where Alcoholic Beverages Are Available**

The following arrangements must be made for these functions:

- All events with alcohol must follow Maine State Liquor Laws and proper permits and licenses must be obtained.
- All events with alcohol must have an approved event management form through the Center for Student Involvement, who will go over risk management.
- An event management catered party form must be filled out with the Center for Student Involvement and Catering Services. This will indicate the individuals who are responsible for the event. These individuals, who must be over 21 years of age, will be designated the host.

- State Liquor I.D.s or State of Maine Driver's Licenses are required and must be checked by an attendant at the door. Legal drinkers will receive a distinctive hand stamp or otherwise be visually recognizable (e.g. wrist band, etc.).
- The host or their designee will control access to alcohol.
- Attendants must be assigned who will help assure that alcohol is not given to minors.
- Violators of the law will be asked to desist by the attendants. If the violators refuse, a staff member must be notified who will notify proper personnel to deal with the situation, i.e., resident director, area director, police.
- If staff is aware of a violation, they should notify the attendants, who should confront the violator(s). If the attendants are unable to handle the situation, they should call the University of Maine Police Department (UMPD).
- Any function at which minors are found drinking may be shut down immediately, and the minors and students responsible for the function will be immediately referred through appropriate channels (e.g. Community Standards, UMPD, residence life) as appropriate.
- All common-source containers of alcohol (i.e., kegs, punch bowls, beer balls, alcohol-filled fruits) must be approved by the Director of Residence life, the appropriate building manager, or their designee, and may be obtained for approved functions only. The Director of Residence life or their designee determines whether there is a sufficient number of students to warrant common source containers and then determines the number permitted at any given time.
- Students with illegal common source containers will be immediately referred to the Office of Community Standards, Rights, and Responsibilities.
- All illegal common source containers will be confiscated and given to the police.

#### **I. Alcohol Beverage Marketing Policy**

The misuse of alcohol is a potential problem for college campuses. The inappropriate and irresponsible advertising of alcohol on a campus can further contribute to the problems of alcohol abuse. Therefore, the University of Maine has developed the following policy in support of a responsible approach to dealing with alcohol distributors wishing to advertise alcoholic beverages on campus: departments, programs, or officially recognized organizations of the University of Maine will only enter into advertising agreements with alcoholic beverage distributors/companies or their agents when the advertisements clearly advocate responsible alcohol use, have been approved by the Student Wellness Resource Center, and meet the following criteria. The essential element of on-campus alcohol ads being a clear anti-alcohol abuse message:

- Alcohol advertisements specifically targeted for members of the UMaine campus must avoid demeaning, sexual, or a discriminating portrayal of individuals.

- Alcohol ads will not encourage any form of alcohol misuse nor place emphasis on the quantity of or frequency of use.
- Alcohol beverage advertising will subscribe to the philosophy of responsible and legal use of the products represented.
- Alcohol beverages advertised on campus or in campus media will not portray drinking as contributing to the personal, academic, or social success of students.
- Alcohol beverage advertising will not associate beverage alcohol with increased sexual prowess, athletic ability, or with the performance of tasks that require skill or skilled reactions.
- Distribution of free alcohol shall not be used as a marketing tool.
- Alcohol advertisements promoting drink specials are prohibited on campus

Administration and oversight of the University's Alcohol Beverage Marketing Policy rests with the Student Wellness Resource Center. In interpreting the policy, the decisions of that office are subject to the same administrative review which applies to all other University policies, namely, that decisions can be appealed to the next supervisory level, up to and including the President. Oversight includes seeking action on non-compliance and resolving differences in policy interpretation. All individuals and departments within the University are expected to comply.

**J. Coerced/Forced Consumption of Alcohol and/or Other Drugs and/or Responsible Organization(s).**

In instances such as hazing, where a person or people force another person or people to consume alcohol or other drugs, or conspires to force another person or people to consume alcohol or other drugs, or fails to take direct action to stop the incident (personal intervention, calling authorities, etc.), immediate and strict sanctions, including suspension/dismissal, may be imposed on the responsible individual(s).

**K. University's Relationship to Students**

The University recognizes its contractual relationships with its students. In regard to alcohol and other drug use, the University realizes that its students are adults who are ultimately responsible for their own behavior. The University does, however, recognize its responsibility to provide services and policies which are designed to diminish the incidence of alcohol misuse and other illicit drug use and consequent negative outcomes, and in this regard, will educate its students and consistently enforce its alcohol and other drug-related policies as well as comply with local, state, and federal laws pertaining to alcohol and drug use.

**L. University Catered-Party Policy**

The service of alcoholic beverages at University functions must be in compliance with Maine State Law and University policies - i.e., an individual must be of legal age to possess or purchase alcoholic beverages, and individuals/organizations may not sell alcoholic beverages without proper license. The only approved University of Maine plan for dispensing alcoholic beverages at student functions is the



University through UMaine Dining Catering. The sale of alcohol at any function is illegal without a liquor license.

*Catering Services:* The University, through UMaine Dining Catering, will extend its qualified caterers a liquor license for University Catered Parties under the following conditions:

- Arrangements must be made with the Catering Office fourteen (14) days prior to the event with an approved event form from the University Center for Student Involvement.
- The sponsoring organization plays a major role in planning and implementing the event. Furthermore, the student organization is responsible for seeing the members' and guests' behavior is consistent with University policies and state statutes. The sponsoring organization must create an atmosphere where norms of responsible alcohol use prevail.
- In consultation with student groups, the University Center for Student Involvement will determine the number of staff, including police coverage, required to service a party function.
- A variety of non-alcoholic beverages must be available at the service areas at the same price or less than the cost of alcoholic beverages. Food available in sufficient quantities to last the entire event must be present.
- University Student Organization-catered parties will occur only on Fridays and Saturdays. Exceptions for special occasions will be considered.
- Money collected for University-catered parties is limited to cash sales over the bar with all money being collected by catering staff. Student-related Organizations hosting licensed parties may collect a cover charge at the door to help defray party expenses related to entertainment.
- The cost of beer and wine offered for sale at University-catered parties should be competitive with market prices.
- All party venues must be in compliance with town fire, safety, and crowd control regulations in order to be eligible for the University Catered-Party Policy. Regulations are available from the the Center for Student Involvement.

#### **M. Federal Notifications Regarding Alcohol and Other Drugs**

Federal notifications occur through the Clery Annual Safety and Fire Report from UMPD: <https://umaine.edu/police/clery-annual-safety-report/>

#### **N. University Policy on Alcohol and Illegal Drugs**

University policy recognizes that substance abuse is a complex problem that is not easily resolved by personal effort and may require professional assistance and/or treatment. Accordingly, each campus and system-wide services have designated an individual to assist employees and students who seek referral for assistance with a substance-abuse problem. Students, faculty, and staff members with substance-abuse problems are encouraged to take advantage of available diagnostic, referral, counseling, and prevention services. However, employees and students availing themselves of these services will not be granted special

privileges and exemptions from standard personnel practices applicable to job performance requirements or from standard academic and student conduct requirements. The University will not excuse acts of misconduct committed by employees or students whose judgment is impaired due to substance abuse.

- *Alcoholic Beverages:* The sale, possession, and use of alcohol on campuses of the University of Maine System must comply with the laws of the State of Maine and with local campus regulations and procedures. The acquisition, possession, transportation, and consumption of alcohol by anyone under 21 years of age is prohibited by University policy.
- Although cannabis is legal in Maine for medical and recreational use, it is not permitted on any campus owned, controlled, or leased property by UMS policy.
- *Illegal Drugs:* The possession, use, manufacture, or distribution of illegal drugs (heroin, cocaine, cannabis, LSD, steroids, etc.) is prohibited at any time on University property and as part of any University activities. “Illegal drugs” does not mean the use of drugs under a valid prescription. Employees and students known to use, possess, manufacture, or distribute illegal drugs are liable to public law-enforcement actions and University disciplinary actions.
- *Sanctions:* Employees and students who violate the University’s policy will be subject to disciplinary action by the University. The severity of the imposed sanctions will be appropriate to the violation; possible sanctions include suspension, probation, dismissal, restitution, official censure or reprimand, referral for prosecution, participation in a rehabilitation program, and other actions the University deems appropriate.

### **Special Rules That Apply to Employees and Students Under the Drug-Free Workplace Act**

In November of 1988, the United States Congress enacted the Anti-Drug Abuse Act which contains a section called the “Drug Free Workplace Act of 1988.” This section requires organizations receiving federal grants and contracts to ensure that their workplaces are free from illegal use, possession, manufacture, or distribution of controlled substances.

The law requires employers who receive federal funds to enact the following:

- Notify employees that drug abuse is prohibited in the workplace,
- Establish a drug-free awareness program,
- Require each employee to notify the University of any criminal conviction for violations occurring in the workplace, and
- Impose sanctions or remedial actions for convicted employees.
- As a result of the Anti-Drug Abuse Act of 1988, a court of law may suspend or terminate an individual’s eligibility for federal benefits, including student financial assistance, if that individual is convicted of certain drug offenses.

- Cannabis is not permitted on campus even though the possessor may have a valid Maine medical cannabis card or is currently legal according to state law.

As a University employee, the Drug Free Workplace Act requires you to notify your supervisor (for example, Department Director or Principal Investigator) if you are convicted of any workplace-related criminal drug violation. You must notify your supervisor within five calendar days after the conviction. Failure to report a conviction may be grounds for dismissal.

Grantees, whether the University or individuals, must report in writing to the contracting or granting agency within 10 calendar days of receiving notice of the conviction.

Violations of the Drug Free Workplace Act can result in:

- Disciplinary action, including dismissal
- Suspension of payments under the grant
- Suspension or termination of the grant
- Suspension or debarment of the grantee

### **Maine Alcohol Laws**

Please see the state of Maine Alcohol Laws website at <https://www.maine.gov/dafs/bablo/liquor-lottery-rules-statutes>.

### **Maine Drug Laws**

Maine law prohibits the knowing, intentional and unauthorized possession, furnishing (distribution or giving away), and trafficking (selling) of scheduled drugs, such as cocaine, marijuana, lysergic acid diethylamide (LSD), heroin, and steroids.

Possession can include merely allowing drugs to be kept in your room, car, or locker even though the drugs are owned by someone else. Furnishing means giving drugs to another, regardless of profit. For example, if a student on one end of a bleacher sends drugs to a student at the other end, everyone who passed the drugs and who knew (or should have known) they were passing illegal drugs is legally guilty of “furnishing” that drug. Sharing a line of cocaine with friends (even if the friends don’t pay for it) is “furnishing cocaine.”

Trafficking is selling or exchanging an illegal drug and getting something in return. Trafficking also includes making, creating, manufacturing, growing, or cultivating drugs. Aggravated trafficking (carrying longer terms of imprisonment or greater fines) includes one of these factors:

- Trafficking within 1,000 feet of an elementary or secondary school
- Trafficking on a school bus
- Trafficking involving a minor (under 18)

- Trafficking 112 grams or more of cocaine or 32 grams or more of cocaine base
- Trafficking involving a firearm
- Prior conviction of a drug-related offense with a prison term of more than a year
- Death or serious bodily injury of another person caused by the trafficking of one or more scheduled drugs

### **Federal Drug Offenses**

The criminal offenses most commonly charged under the Federal Controlled Substances Act are the knowing, intentional, and unauthorized manufacture, distribution, or dispensing of any controlled substance or the possession of any controlled substance with the intent to manufacture, distribute, or dispense. Federal law also prohibits the knowing, intentional, and unauthorized creation, distribution, dispensing, or possession with intent to distribute or dispense a “counterfeit substance.”

Simple possession without necessarily intent to distribute is also forbidden by federal law and carries a penalty of imprisonment. Furthermore, “attempts” and/or conspiracies to distribute or possess with intent to distribute controlled substances are crimes under federal law

Specific drug crimes carry greater penalties, including:

- Distribution of narcotics to persons under 21
- Distribution or manufacturing of narcotics near schools and colleges
- Employment of juveniles under the age of 18 in drug trafficking operations
- Distribution of controlled substances to pregnant women

The penalties for violating federal narcotic statutes vary considerably. The penalties may be more harsh based on two principal factors:

- Type of drug involved (heroin, cocaine, marijuana, LSD, etc.)
- Quantity of the drug involved

With the exception of simple possession charges, which result in up to one year imprisonment, maximum penalties for narcotic violations range from 20 years to life in prison. Certain violations carry mandatory minimum prison sentences of either 5 years or 10 years. Harsher penalties will be imposed if a firearm is used in the commission of a drug offense. If a drug offense results in death or serious bodily injury to an individual who uses the drug involved, the penalties are also more harsh.

Anabolic steroids are controlled substances. Distribution or possession with intent to distribute carries a sentence of up to five years and a \$250,000 fine.

Questions sometimes arise as to what amount of narcotics found in the possession of a person is considered to be for personal use as opposed to the more serious offense of possession with intent to distribute. Federal law, as a general rule, considers anything more than a dosage unit as indicating an intent to distribute. In other words, the greater quantity possessed by the individual, the more likely it is that an individual possessed such quantity with an intent to distribute.

Maine Drug laws can be found at:

<https://legislature.maine.gov/legis/statutes/17-A/title17-Ach45sec0.html>.

### **Health Risks Associated with Alcohol and Drug Abuse**

Alcohol and other drug-use problems are a national health concern. Consumption of chemical compounds found in alcohol and other drugs, either on their own or concurrently, potentially incurs health risks associated with a variety of substances, such as use-disorders, detrimental metabolic effects, or major functional decline on a scale that includes death.

### **Where Can Students Go For Help?**

Each campus of the University of Maine System has designated individuals to help students deal with substance abuse problems. In addition to the designated individuals, they may discuss problems with residence hall staff, counselors, Student Wellness Educators, or supervisors. Those individuals can provide assistance or connect students to a trained professional. TDD callers may leave a message for one of these individuals by calling the University of Maine System Office TDD: 207.973.3300. Students then indicate the name and campus of the person they wish to contact.

- Lauri Sidelko, Associate Dean of Students, Memorial Union, Room 315, 207.581.1406
- Counseling Center 207.581.1392
- Student Wellness Resource Center 207.581.1423

In addition to campus resources local social service agencies exist to provide a variety of resources, which are searchable at: [maine.gov/dhhs/samhs/osa](http://maine.gov/dhhs/samhs/osa).

The following state and national telephone numbers may also be helpful:

- National Treatment and Referral Line: 1.800.662.HELP

### **C. Employee Handbook**

The University of Maine System Alcohol and Drug Policy is available through Human Resources at the following webpage:

<https://www.maine.edu/human-resources/wp-content/uploads/sites/7/2022/09/Alcohol-and-Drug-Brochure-October-2022-accessible-pdf.pdf>.

The Information about Alcohol and Drugs for Students and Employees of the University of Maine System PDF in its entirety is attached to this Biennial Review in Appendix A and contains the expectations of staff, faculty, and students within the University of

Maine System, as well as local, state, and federal regulations and sanctions for violating the policy.

## **V. Sanctions**

### **A. Students**

The University of Maine sees more than 1,000 cases annually through the Student Conduct process. To respond to substance abuse violations and other serious violations of the Student Conduct Code, hearing officers are specially trained. The University seeks to deter students from engaging in conduct that poses risks to the safety and well being of the individual student and/or the University community. Sanctions are intended to alert students and other members of the University community to the seriousness of alcohol and drug related behaviors, violence, and safety violations. Sanctioning goals include providing meaningful consequences, evidence-based educational interventions, and developmentally appropriate strategies for students found in violation. Students are provided opportunities to access education, counseling, and support services as well.

Specific situations to which standard minimum sanctions do not apply:

1. A student is found to have engaged in multiple violations of the Student Conduct Code in a single incident, rather than solely in the violation addressed by the standard sanction
2. The student is already on a judicial sanction status equal to or greater than the standard sanction for a subsequent offense
3. A specific incident presents exacerbating circumstances, an ongoing risk to persons or property, or other serious concerns

In these situations, appropriate sanctions will be determined on a case-by-case basis in light of all the circumstances. Generally, these situations will result in sanctions in excess of the standard minimum sanctions.

The presence of substantial mitigating circumstances may result in the reduction of a standard sanction at the discretion of the Vice President of Student Life, the Director of Community Standards, and/or the appropriate hearing body.

### **B. Employees**

Employees who violate the University's policy are subject to disciplinary action by the University. The severity of the imposed sanctions will be appropriate to the violation; possible sanctions include suspension, probation, dismissal, restitution, official censure or reprimand, referral for prosecution, participation in a rehabilitation program, and other actions the University deems appropriate. Violations should be reported to the Director of Human Resources by calling 207-581-1581.

Special Rules That Apply to Employees and Students under the Drug Free Workplace Act:

In November of 1988, the United States Congress enacted the Anti-Drug Abuse Act which contains a section called the "Drug Free Workplace Act of 1988." This section requires organizations receiving federal grants and contracts to ensure that their

workplaces are free from illegal use, possession, manufacture, or distribution of controlled substances.

The law requires employers who receive federal funds to:

- notify employees that drug abuse is prohibited in the workplace,
- establish a drug-free awareness program,
- require each employee to notify the University of any criminal conviction for violations occurring in the workplace, and
- impose sanctions or remedial actions for convicted employees.

As a result of the Anti-Drug Abuse Act of 1988, a court of law may suspend or terminate an individual's eligibility for federal benefits, including student financial assistance, if that individual is convicted of certain drug offenses.

The Drug Free Workplace Act further requires employees to notify their supervisor (for example, Department Director or Principal Investigator) if they are convicted of any workplace-related criminal drug violation. Supervisors must be notified within five calendar days after the conviction. Failure to report a conviction may be grounds for dismissal.

Grantees, whether the University or individuals, must report in writing to the contracting or granting agency within 10 calendar days of receiving notice of the conviction.

Violations of the Drug Free Workplace Act can result in:

- Disciplinary action, including dismissal
- Suspension of payments under the grant
- Suspension or termination of the grant
- Suspension or debarment of the grantee

All listed violations for employees can be found in the “Information About Alcohol and Drugs for Students and Employees of the University of Maine System” PDF found in Appendix A of this review.

## **VI. Prevention and Education Programs**

Student Wellness (SWell) has two professionals, one graduate assistant, and student employees who provide a comprehensive approach to reducing high-risk alcohol use on campus. The staff develops and delivers a comprehensive array of substance abuse services on campus including educational programs, screening and brief intervention, prevention campaigns, and training.

SWell develops strategies and initiatives that engage the entire campus community in reducing the abusive use of substances by UMaine students. The program researches currently available programs, new programs, and curricula with substance abuse prevention initiatives and peer education approaches which address substance abuse. All programs and education are consistent with the 3-in-1 framework presented by NIAAA. While many of these programs involve other departments, the SWell staff takes a primary role in the creation and facilitation of the programs.

## **A. Brief Alcohol Screening and Interventions for College Students (BASICS)**

BASICS is a nationally recognized and evidence-based program to reduce potentially-harmful alcohol use. The program addresses multiple facets of alcohol abuse such as problem drinking, excessive drinking, and binge drinking. BASICS utilizes motivational interviewing techniques to speak with students about their relationship with substance-use and addresses harmful trends. While BASICS is open to all students, it is primarily used as an educational sanction through the conduct process.

As part of the BASICS process, students are encouraged to explore their relationship with alcohol in a non-judgemental environment, learn how to reduce high-risk behavior, and avoid harmful consequences by employing harm-reduction strategies. Students are encouraged to identify changes they can make to reduce their personal risk, form harm-reduction strategies that work best for them, and gain important knowledge about the effects of substance-use.

## **B. Bystander Intervention**

Bystander intervention is a program intended to raise awareness of helping others, increase motivation for helping peers in need, learning and developing helping behaviors, and finding confidence in responding to harmful behaviors or situations. Students looking out for each other add to the culture of safety and well-being for self and others within the UMaine community.

Bystander intervention presentations are given in conjunction with alcohol education and Title IX education to all athletes, Greek Life new members, first year orientation courses, and by request.

## **C. Workshops/Trainings**

Professional and graduate staff within SWell are often asked to present workshops and training by request. Many workshops and trainings revolve around the topics of alcohol or other drugs, bystander intervention, hazing prevention, and sexual violence prevention. Topics may vary by request, though all training endeavors to meet the needs of the individual or group requesting them, as well as furthering all aspects of wellness across UMaine.

## **D. Wellness Advisory Committee (WAC)**

The Wellness Advisory Committee is an ad hoc committee that meets based on the community health needs for UMaine, ranging from drug or other substance use to the prevalence of sexually transmitted infections. These committees put forth information to help spread awareness of community health issues as they arise.

A small portion of this group also meets to discuss community health and safety messaging in partnership with the University of Maine Police Department. These



messages include safety trends in the general community as well as weather and other relevant safety advisory information.

### **E. Resident and Community Assistant Training**

As part of their required training, all Resident and Community Assistants (RAs and CAs) attend presentations where an overview of the alcohol and drug policy is given, as well as the protocol for documentation of incidents. The RAs and CAs are expected to document all situations that potentially involve alcohol or other substances. The RAs and CAs work with Residence Life On-Call and UMPD to address situations as warranted.

### **F. Residential Educational Programming**

As part of their job duties, RAs and CAs implement educational programs in the residence halls. The information created in collaboration with SWell focuses on alcohol education, harm reduction, risk management, bystander intervention, mental health awareness, and other pertinent topics. Much of the programming is passive flyers, social media posts, and bulletin boards, with active programs available upon request.

### **G. Risk Management Training**

The Center for Student Involvement oversees the UMaine event management process and when issues of risk management, specifically with alcohol use, arise, will collaborate with SWell staff to meet with students or student groups and go over risk management plans. While this is a proactive measure, this training is also given as an educational sanction for student groups found in violation of the Student Conduct Code.

### **H. Hazing Prevention**

Hazing prevention occupies a significant portion of the yearly Safe and Informed presentations given to Student Athletes, Greek Life members, and First Year students. Within this education is information about the dangers of alcohol poisoning by way of forced consumption during a hazing incident. Members of the Hazing Prevention Team are administrators of these presentations and are able to thoroughly engage the respective student population and educate them on healthier and safer ways to create bonds.

In addition, the Hazing Prevention Team is able to give these presentations as part of the sanction process in cases where a student group has been found in violation of the UMaine hazing policy. This education is meant to alleviate future occurrences and ensure safe practice by all members of respective student groups.

## **VII. Summary of Alcohol and Other Drug Program Effectiveness and Areas for Improvement**

## **A. Effectiveness**

- The University of Maine System Student Conduct Code is administered in the same fashion for residential on-campus students and non-residential off-campus students. Hearing officers with the Office of Community Standards, Rights, and Responsibilities, the Office of Residence Life, and the Dean's Suite work collaboratively to ensure consistency in the communication and sanctioning of students. All hearing officers receive training about case management and appropriate educational sanctions.
- The "Safe & Informed" training, which encompasses alcohol and other drug education, bystander intervention, and Title IX education transitioned to offering selected dates in September, rather than selecting classes to attend. This training was given to 2,766 students at the beginning of the 2023-2024 academic year.
- Collaboration and communication across departments is a major strength in developing a comprehensive substance use prevention campus initiative.

## **B. Areas of Improvement**

- Continue to work towards consistent enforcement of policies to effectively address infractions and provide education and support.
- Continue to evaluate and adjust campus programming efforts to meet the needs of the current student population.
- Develop better connections to recovery and support programs in the area in order to provide better options for students who need assistance.
- Any and all policies related to alcohol and other drugs should be reviewed for accuracy and relevancy on a regular basis.
- Best practices should be employed in order to ensure harm reduction is kept at the core of any future plans for expansion of alcohol offerings during sports-related activities.

# **Appendix A: Information about Alcohol and Drugs for Students and Employees of the University of Maine System**

## **INFORMATION ABOUT DRUGS AND ALCOHOL FOR STUDENTS AND EMPLOYEES OF THE UNIVERSITY OF MAINE SYSTEM**

REVISED OCTOBER 2022

### **UNIVERSITY POLICY ON ALCOHOL AND ILLEGAL DRUGS**

University policy recognizes that substance abuse is a complex problem that is not easily resolved solely by personal effort and may require professional assistance and/or treatment. Accordingly, each campus and University Services have designated an individual to assist employees and students who seek referral for assistance with a substance-abuse problem. Students, faculty, and staff members with substance-abuse problems are encouraged to take advantage of available diagnostic, referral, counseling, and prevention services. However, employees and students availing themselves of these services will not be granted special privileges and exemptions from standard personnel practices applicable to job performance requirements and from standard academic and student conduct requirements. The University will not excuse acts of misconduct committed by employees and students whose judgment is impaired due to substance abuse.

#### **Alcoholic Beverages**

The sale, possession, and use of alcohol on campuses of the University of Maine System must comply with the laws of the state of Maine and with local campus regulations and procedures. The acquisition, possession, transportation, and consumption of alcohol by anyone under 21 years of age is prohibited by university policy. Alcohol may be possessed or consumed on university property only by persons 21 years of age or older in their rooms or in appropriately licensed and/or approved campus facilities. Persons are expected to assume responsibility for their own behavior while drinking and must understand that being under the influence of alcohol in no way lessens their accountability to the University community.

#### **Illegal Drugs**

The possession, use, manufacture, dispensing or distribution of illegal drugs (heroin, cocaine, marijuana, LSD, steroids, etc.) is prohibited at any time on university property and as part of any University activities. “Illegal drugs” does not mean the use of drugs under a valid prescription. Employees and students known to use, possess, manufacture, dispense, or distribute illegal drugs are liable to public law-enforcement actions and University disciplinary actions. Employees and students who use prescribed medications are responsible for their secure storage and disposal. Marijuana for medicinal or personal use may not be possessed, used, grown, dispensed, or distributed on any University property.

#### **Sanctions**

Employees and students who violate the University's policy will be subject to disciplinary action by the University. The severity of the imposed sanctions will be appropriate to the violation; possible sanctions include suspension, probation, dismissal, restitution, official censure or reprimand, referral for prosecution, participation in a rehabilitation program, and other actions the University deems appropriate.

### **SPECIAL RULES THAT APPLY TO EMPLOYEES AND STUDENTS UNDER THE DRUG FREE WORKPLACE ACT**

In November of 1988, the United States Congress enacted the Anti-Drug Abuse Act which contains a section called the "Drug Free Workplace Act of 1988." This section requires organizations receiving federal grants and contracts to ensure that their workplaces are free from illegal use, possession, manufacture, dispensation, or distribution of controlled substances.

The law requires employers who receive federal funds to:

- notify employees that drug abuse is prohibited in the workplace,
- establish a drug-free awareness program,
- require each employee to notify the University of any criminal drug conviction for violations occurring in the workplace, and
- impose sanctions or remedial actions for convicted employees.

As a result of the Anti-Drug Abuse Act of 1988, a court of law may suspend or terminate an individual's eligibility for federal benefits, including student financial assistance, if that individual is convicted of certain drug offenses.

As a university employee, the Drug Free Workplace Act requires you to notify your supervisor (for example, Department Director or Principal Investigator) if you are convicted of any workplace related criminal drug violation. You must notify your supervisor within five calendar days after the conviction. Failure to report a conviction may be grounds for dismissal.

The University must report in writing to the contracting or granting agency within 10 calendar days of receiving notice of the conviction.

Violations of the Drug Free Workplace Act can result in:

- disciplinary action, including dismissal
- suspension of payments under the grant
- suspension or termination of the grant
- suspension or debarment of the grantee

Maine has a medical marijuana law that permits medical use and possession of marijuana under certain circumstances. However, permitting employees or students to use or possess marijuana for medical purposes on campus would violate the federal Drug Free Workplace Act. Consequently, medical use or possession of marijuana on campus is prohibited. Employees and students who are under the influence of medical marijuana are

not exempt from normal conduct and job performance standards. Maine also has legalized the possession and use of small amounts of marijuana for personal use by persons 21 and over. However, permitting such possession or use of marijuana for personal use on university property would still violate federal law and the Drug Free Workplace Act and is prohibited.

### **FEDERAL DRUG OFFENSES**

The criminal offenses most charged under the Federal Controlled Substances Act are the knowing, intentional, and unauthorized manufacture, distribution, or dispensing of any controlled substance or the possession of any controlled substance with the intent to manufacture, distribute, or dispense. Federal law also prohibits the knowing, intentional, and unauthorized creation, distribution, dispensing, or possession with intent to distribute or dispense a “counterfeit substance.”

Simple possession without necessarily an intent to distribute is also forbidden by federal law and carries a penalty of imprisonment and/or a minimum \$1,000 fine. Furthermore, “attempts” and/or conspiracies to distribute or possess with intent to distribute controlled substances are crimes under federal law.

Specific drug crimes carry greater penalties, including:

- the distribution of controlled substances to persons under 21
- the distribution, possession with the intent to distribute or manufacturing of controlled substances near schools and colleges
- the employment or use of juveniles under the age of 18 in drug trafficking operations
- the distribution of controlled substances to pregnant women

The penalties for violating federal narcotic statutes vary considerably. The penalties may be harsher based on three principal factors:

- the type of drug involved (heroin, cocaine, marijuana, LSD, etc.)
- the quantity of the drug involved
- prior conviction for a felony drug offense under Federal or State law

Except for simple possession charges which result in up to one year imprisonment and/or a fine, maximum penalties for narcotic violations range up to life in prison and, in very limited circumstances, the death penalty. Certain violations carry mandatory minimum prison sentences of either 5 years or 10 years. Harsher penalties will be imposed if a firearm is used in the commission of a drug offense. If a drug offense results in death or serious bodily injury to an individual who uses the drug involved, the penalties are also harsher.

Anabolic steroids are controlled substances. Distribution or possession with intent to distribute carries a term of imprisonment up to 10 years and up to a \$500,000 fine.

Questions sometimes arise as to what the amount of narcotics found in the possession of a person is for personal use as opposed to the more serious offense of possession with

intent to distribute. Federal law, as a rule, considers anything more than a dosage unit as indicating an intent to distribute. In other words, the greater quantity possessed by the individual, the more likely it is that an individual possessed such quantity with an intent to distribute.

## **HEALTH RISKS ASSOCIATED WITH ALCOHOL AND DRUG ABUSE**

Alcohol abuse and drug-use problems have become a national health concern. Alcohol is a chemical. So are drugs. Any chemical is potentially harmful to someone. Some of the health risks associated with alcohol and drugs are listed below. You should contact the resources in the back of this pamphlet for additional information about health risks.

### **ALCOHOL**

- Slowing down of brain function, judgment, alertness, coordination, and reflexes
- Attitude and/or behavioral changes, such as uncharacteristic hostility, or increased risk taking such as driving recklessly
- Alcohol taken with other drugs can intensify the drug's effects, alter the desired effect of the drug, cause nausea, sweating, severe headache, and convulsions
- Addiction or chemical dependency
- Memory blackouts
- Uncharacteristic family, school, work, legal problems
- Physical problems such as cirrhosis of the liver
- Birth defects and mental retardation in user's children

### **COCAINE**

- Destruction of nasal tissues
- Kidney damage
- Stroke
- Diseases of the lung, heart, and blood vessels
- Cardiac arrhythmia, convulsions, seizures, suppression of respiration, sudden death
- Intense anger, restlessness, paranoia, fear
- Hearing and seeing imaginary things
- Malnutrition

### **LSD**

- Experiencing frightening hallucinations
- Triggering more serious problems for a person who has a history of mental or emotional instability
- Distortions of reality such as feeling that the unusual and sometimes frightening effects of the drug will somehow last forever
- Tolerance with repeated use means that increased amounts are needed to bring about the same effects
- Effects may recur ("flashbacks") days or weeks later, even without further use of LSD
- Death may result from suicide, accident

### **MARIJUANA**

- Elevated blood pressure, coughing, dryness of the mouth and throat, decrease in body temperature, sudden appetite, swollen red eyes
- Panic reaction, paranoia
- Distortions of time, reality, and perception, often impairing short-term memory
- Possible addiction
- Dysfunctions related to thinking, learning, and recall
- Impaired ability to drive and do other things that require physical and intellectual capabilities
- Irritate lungs, aggravate asthma, bronchitis, emphysema
- Listlessness, fatigue, inattention, carelessness about personal grooming, withdrawal, and apathy
- Chronic lung disease and lung cancer

**METHAMPHETAMINE** (commonly known as Crank, Crystal Meth, Speed, Meth, Ice)

- Mood swings, anger, depression
- Increased heart rate and blood pressure
- Insomnia
- Delusions, paranoia
- Violent and psychotic behavior
- Convulsions
- Infectious diseases from injection, including hepatitis and HIV
- Fatal overdose OPIATES (including heroin, methadone, codeine, OxyContin, Fentanyl)
- Loss of appetite
- Severe addiction
- Infectious diseases from injection, including hepatitis and HIV
- Fatal overdose

**PRESCRIPTION DRUGS** (most common are OxyContin, Vicodin, Valium, Xanax, Ritalin, Adderall)

- Unknown reaction or allergy
- Overdose leading to harm or fatality
- Addiction
- Seizures
- Drowsiness or trouble sleeping
- Breathing problems
- Heart problems
- Disruption of normal body function

**STEROIDS**

- Liver disease
- Cancer
- Growth problems
- Testicular atrophy
- Bone fusions
- Acne

- Psychological problems
- Rage and uncontrolled anger
- Breast reduction
- Failure of secondary sex characteristics
- Sexual dysfunction, sterility (reversible), impotence
- Fetal damage

## **MAINE ALCOHOL LAWS**

Furnishing liquor to a minor (or allowing a minor to consume alcohol in a place under your control): up to \$2,000 fine and less than one year in jail. Furnishing liquor to a visibly intoxicated person: 6 months in jail and/or \$500 fine.

Maine Liquor Liability Act: civil liability for negligently or recklessly serving alcohol to a minor or a person visibly intoxicated. If property damage, bodily injury, or death results, monetary damages of up to \$350,000 plus medical expenses may be awarded. This act could apply to a person or organization that is not licensed to serve alcohol.

Illegal sale of liquor (without a license from the Maine Bureau of Alcoholic Beverages): \$300 – \$500 fine plus costs, plus up to 30 days in jail for the first offense.

Illegal possession with intent to sell up to \$1,000 fine and six months in jail. Any vehicle used to transfer liquor with intent to sell the liquor illegally can be seized.

### **Operating Under the Influence (OUI)**

Maine motor vehicle law makes it a crime for any person to operate a motor vehicle in Maine under the influence of alcohol or drugs or with an excessive blood-alcohol level. Penalties for first convictions are: If your blood-alcohol content is .08 to .14 percent:

- a fine of at least \$500, and
- loss of license for at least 150 days

If your blood-alcohol content is .15 percent or more, or you are traveling 30 m.p.h. or more over the speed limit, or you attempt to elude an officer of the law, or you have a passenger in the vehicle who is under 21 years of age:

- a fine of at least \$500
- at least 48 hours in jail, and
- loss of license for at least 150 days

If you refuse to submit to a blood alcohol test:

- a fine of at least \$600
- at least 96 hours in jail, and
- loss of license for at least 150 days



Penalties for subsequent convictions are more severe. If you are convicted for OUI while under suspension for previous OUI, your vehicle may be seized. If you refuse to be tested, you automatically lose your license for a minimum of 275 days. Maine civil law also prohibits drinking alcoholic beverages while driving on a public road and the possession of an open container of alcohol by the driver or a passenger.

### **Special Liquor Laws Relating to Minors Illegal Possession of Liquor**

Any minor (a person under the age of 21 years) who is found to be in possession or control of alcohol, except in the scope of employment or in the minor's home in the presence of the minor's parent or guardian, is guilty of a civil infraction and shall be fined:

- 1st offense, \$200 to \$400
- 2nd offense, \$300 to \$600
- 3rd and subsequent offense, \$600

### **Teen Drinking Laws**

An individual under the age of 21 years shall have his/her license suspended for one year if he/she operates a motor vehicle with any alcohol in his/her blood. Having a passenger under age 21 must also result in an additional 180-day suspension. Refusal to submit to a chemical test will result in an eighteen-month suspension of a driver's license. One can of beer, one glass of wine, or one ounce of distilled spirits can result in a blood alcohol level of .02 or more. Minors who have a blood alcohol level of .08% or more may be prosecuted for the criminal offense of OUI.

### **Illegal Transportation**

No minor shall knowingly transport or knowingly permit to be transported alcohol in a motor vehicle under the minor's control except in the scope of his/her employment or at the request of the minor's parent. The penalty is a 30-day driver's license suspension. A reinstatement fee will be charged to get a license reinstated. Points will be assessed against the offender's license. Up to a \$500 fine may be assessed. A second offense results in a license suspension of 90 days and a fine of not less than \$200, and subsequent offenses result in a one-year suspension and a fine of not less than \$400.

### **MAINE DRUG LAWS**

Maine law prohibits the knowing, intentional, and unauthorized possession, furnishing (distribution or giving away), and trafficking (selling) of scheduled drugs, such as cocaine, marijuana, lysergic acid diethylamide (LSD), heroin, and steroids.

*Possession* can include merely allowing drugs to be kept in your room, car, or locker even though the drugs are owned by someone else.

*Furnishing* means giving drugs to another, regardless of profit. If a student on one end of a bleacher sends drugs to a student at the other end, everyone who passed the drugs and

who knew (or should have known) they were passing illegal drugs is legally guilty of “furnishing” that drug. Sharing a line of cocaine with friends (even if the friends don’t pay for it) is “furnishing cocaine.”

Aggravated furnishing (carrying longer terms of imprisonment or greater fines) involves an aggravating factor, including but not limited to the following:

- Furnishing drugs to a minor
- Furnishing 112 grams or more of cocaine
- Furnishing involving a firearm
- Prior conviction of a drug-related offense with a prison term of more than a year.

Trafficking is selling or exchanging an illegal drug and getting something in return. Trafficking also includes making, creating, manufacturing, growing, or cultivating drugs, or possessing with the intent to traffic or possessing more than a certain amount of certain drugs.

Aggravated trafficking (carrying longer terms of imprisonment or greater fines) involves an aggravating factor, including but not limited to the following:

- Trafficking within 1,000 feet of an elementary or secondary school
- Trafficking on a school bus
- Trafficking involving a minor (under 18)
- Trafficking 112 grams or more of cocaine
- Trafficking involving a firearm
- Prior conviction of a drug-related offense with a prison term of more than a year.

### **SOME STATE OF MAINE ILLEGAL DRUG VIOLATION PENALTIES**

	Cocaine	Marijuana***	LSD	Heroin	Steroids
Possession*	Up to 1 yr prison and/or fines of \$400-\$2,000**	Up to 6 mos and/or fines of \$400-\$1,000	Up to 1 yr and/or fines of \$400-\$2,000	Up to 1 yr and/or fines of \$400-\$2,000	Up to 6 mos and/or fines of \$400-\$1,000
Furnishing	Up to 5 yrs and/or \$400 up to \$5,000	Up to 1 yr and/or \$400 up to \$2,000	Up to 5 yrs and/or \$400 up to \$5,000	Up to 5 yrs and/or \$400 up to \$5,000	Up to 1 yr and/or \$400 up to \$2,000
Trafficking	Up to 10 yrs and/or \$400 to \$20,000	Up to 1 yr and/or \$400 and/or \$2,000	Up to 10 yrs and/or \$400 to \$20,000	Up to 10 yrs and/or \$400 to \$20,000	Up to 1 yr and/or \$400 and/or \$2,000
Aggravated Trafficking	4-30 yrs and/or \$400-\$50,000	Up to 5 yrs and/or \$400-\$5,000	4-30 yrs and/or \$400-\$50,000	4-30 yrs and/or \$400-\$50,000	1-5 yrs and/or \$400 up to \$5,000

\*The amount of the drug possessed determines whether the crime is categorized as possession, furnishing, trafficking, or aggravated trafficking.

\*\*The court may order any person convicted of possession, furnishing, or trafficking to pay a fine in an amount up to twice the pecuniary gain he/she derived from the crime or to pay a fine equal to the value, as of the time of the offense, of the drugs involved in the offense.

\*\*\*The amount of marijuana will increase the penalties. For example, the penalties for trafficking are increased to up to 5 years in jail and \$5,000 fine if the amount of marijuana is 1 to 19 pounds, and up to 10 years in jail and \$20,000 fine if the amount of marijuana is 20 pounds or more.

NOTE: State law allows for forfeiture of motor vehicles used in the commission of drug-related crimes. Possession of marijuana may be a civil violation.

## **WHERE CAN STUDENTS AND EMPLOYEES GO FOR HELP?**

Each campus of the University of Maine System has designated individuals to help students and employees deal with substance abuse problems. In addition to the designated individuals, you may discuss problems with residence hall staff, counselors, or your supervisor. Those individuals can help you get assistance from a trained professional. TTY callers may contact these individuals at 711.

### **STUDENT RESOURCES**

UMaine

Alcohol and Drug Education Specialist

Monday – Friday: 8:00am – 4:30pm

(207) 581-1423

Student Wellness Resource Center

Memorial Union, Room 149

UMA/Augusta Campus

Counseling Services

Monday – Friday: 8:00am – 4:30pm

(207) 621-3044

Katz Building Suite 33

UMA/Bangor Campus

Counseling Services

Monday – Friday: 8:00am – 4:30pm

(207) 262-7835 127

Eastport Hall

### **UMA CENTERS**

Students may contact either the Student Services Coordinator at the center or the designated campus person at the campus

UMF

Counseling Services

Monday – Friday: 8:00am – 4:30pm

Center for Student Development

(207) 778-7034

252 Main Street

UMFK  
Counseling Services  
Monday – Friday: 8:00am – 4:30pm  
(207) 834-7530  
Powell Hall, Room 220

UMM  
Counseling Services  
Monday: 2:00pm – 6:00pm  
Tuesday – Thursday: 8:00am – 6:pm  
Friday: 8:00am – 5:00pm  
(207) 255-1343  
Torrey Hall, Room 229-B

UMPI  
Counseling Services  
Monday – Friday: 3:00pm – 7:00pm  
(207) 768-9791  
Emerson Annex

USM Director, University Counseling Services  
Monday, Wednesday – Friday: 8:00am – 4:30pm  
Tuesday: 12:00pm – 4:30pm  
(207) 780-4050  
105 Payson Smith Hall

## **EMPLOYEE RESOURCES**

CIGNA Behavioral Health Employee Assistance Program Telephone: 1-877-622-4327

## **COMMUNITY RESOURCES**

The following state and national telephone numbers may also be helpful:  
1-800-499-0027 -- Maine Office of Substance Abuse and Mental Health Services  
Information and Resource Center, to receive information about treatment services.

1-800-662-HELP – Referral for Alcohol and Substance Abuse Services

The University of Maine System is an EEO/AA employer, and does not discriminate on the grounds of race, color, religion, sex, sexual orientation, transgender status, gender expression, national origin, citizenship status, age, disability, genetic information or veteran's status in employment, education, and all other programs and activities. The following person has been designated to handle inquiries regarding non-discrimination policies: Director of Equal Opportunity, 101 Boudreau Hall, University of Maine, Orono, ME 04469-5754, 207.581.1226, TTY 711 (Maine Relay System).

## Appendix B: UMaine Hazing Policy

040611

University of Maine  
Division of Student Affairs

### Hazing Policy

#### Purpose

The purpose of this policy is to provide the University of Maine (UMaine) with an explicit policy prohibiting hazing, to establish clear procedures and reporting guidelines, to clearly define hazing, and to protect the rights of students involved with groups and organizations at UMaine.

#### Applicability

This policy is applicable to all UMaine students, faculty, staff and to all involved with any UMaine club, athletic team, organization, association, program or activity under the auspices of UMaine regardless of their student status. This policy is applicable to both recognized and unrecognized groups.

#### Policy

Certain forms of hazing are against Maine State law (Chapter 159 of the Public Laws of 1983, 20-A M.R.S.A. 10004) and/or the University of Maine System (UMS) Policy against hazing (Student Affairs, Section 503). All forms of hazing are prohibited by the UMaine both on and off campus. Included in this prohibition are actions which intentionally or recklessly put any student or anyone at risk.

#### Definitions

Hazing: Any activity without reasonable or legitimate educational value expected of someone joining a group or to maintain their status in a group that humiliates, degrades or risks emotional, psychological, and/or physical harm, regardless of a person's willingness to participate (hazingstudy.org). The definitions set forth by Maine state law and by the UMS are also adopted into this policy.

Organization: Any association, organization or group at UMaine. Recognition is not a factor so organization as used in this policy includes both recognized and unrecognized entities. Examples include but are not limited to: fraternities, sororities, athletic teams, honor societies, clubs, bands, and associations.

Prohibited Activity: Any new member, initiate (pledge) or other group activity that intentionally or recklessly puts a student or person at risk of physical, emotional, psychological, and/or physical harm is prohibited.

**Policy Enforcement** Violation of this policy is a violation of the Student Conduct Code, UMS policy and/or state law. Suspected violations of this policy should be referred and reported to the Director of Community Standards, Rights and Responsibilities (207-581-1409) and/or the University of Maine Police (581-4050). In emergency situations call 911. It is not a defense to violation of this policy to claim that: 1) participant consent was obtained; 2) participant injury was not a result of participation in a recognized, sanctioned or approved event or activity; 3) participant injury was unintentional; or 4) participant injury was minimal.

**Policy Review** This policy will be reviewed annually by the Vice President for Student Affairs or his/her designee. Last Review: 4/6/2011

## Appendix C: UMaine NCAA Drug Testing Policy

### NCAA Drug Testing Policy

The NCAA conducts postseason championship drug testing. In addition, it conducts year-round unannounced drug tests on football, and men's and women's track team members. Should a University of Maine student-athlete test positive in any NCAA drug testing session, not only will he/she face sanctions from the NCAA, he/she will be declared "positive" under the University of Maine program. The student-athlete will be required to fulfill all of the requirements under the appropriate penalty, both from the University and the NCAA.

#### Protocol for testing

Random selections for substance abuse testing are generated by the Director of Compliance from a random sample table. Random testing may be performed on an individual or team at any time. Student-athletes will also be subject to testing throughout the calendar year for banned or prohibited substances, which include but are not necessarily limited to the following: **Alcohol, Amphetamines, Anabolic Agents, Barbiturates, Cocaine, Codeine, Designer Or Club Drugs, Diuretics, Masking Agents, Methaqualude, Morphine, Opiates, PCP (Angel Dust and analogues, Tetrahydrocannabinol (THC or Marijuana) - above 15 ng/ml.** A complete list of NCAA banned substances can be found at [www.ncaa.org/drugtesting](http://www.ncaa.org/drugtesting).

#### Consequences for first positive drug test

- The student-athlete is ineligible to participate in regular-season and postseason competition for one calendar year and loses one season of competition in all sports.

#### Consequences for second positive drug test

- A second positive test for any drug other than a "street drug" as defined in bylaw 21.2.3.1, the student-athlete loses all remaining regular-season and postseason eligibility in all sports.
- If the student-athlete tests positive for a "street drug" after being restored to eligibility, the student-athlete loses one additional season of competition in all sports and remains ineligible for regular and postseason competition at least through the next calendar year.

NOTE: Many nutrition/dietary supplements contain NCAA banned substances. In addition, the U.S. Food and Drug Administration (FDA) does not strictly regulate the supplement industry. Therefore purity and safety of nutrition/dietary supplements cannot be guaranteed. Impure supplements may lead to a positive NCAA drug test. The use of supplements is at the student-athlete's own risk. Student-athletes should contact their institution's team physician or athletic trainer for further information.