

Virginia State University  
Policies Manual

Title: VSU Alcohol and Other Drugs Policy

Policy: 1102

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**Purpose**

The Virginia State University is dedicated to providing a productive and challenging educational environment, free from the adverse effects of alcohol and other drugs. The adverse effects of alcohol and other drugs in the University community create a serious threat to the welfare of students, employees and to Virginia's citizens; and it undermines the mission of the University. The purpose of this policy is to protect the health, safety and welfare of members of the University community and the public being served by the University.

**Authority, Responsibility, and Duties**

This policy governs the conduct of all full-time and part-time University employees (i.e., faculty, administrators, staff, contracted workers and volunteers), and students when on the campus of Virginia State University, or on other University property, or in facilities, owned, or controlled by Virginia State University, or being used for a university-related event. Any exceptions in the application or enforcement of these policies must be approved by the President or her/his designee. The Associate Vice President for Human Resources and Vice President of Student Affairs are responsible for the official interpretation of this policy. Questions regarding the application of this policy should be directed to the Offices of Human Resources and Student Affairs.

**Definitions**

<b>Alcohol</b>	Any product, including spirits, wine, beer or other containing one-half of one percent or more of alcohol by volume and every consumable liquid or solid containing alcohol. Any product as defined in Code of Virginia Section 4.1-100 of "The Alcoholic Beverage Control Act".
<b>Conviction</b>	A finding of guilt, including a nolo contendere (no contest), or imposition of sentence, or both, by any judicial body charged with the responsibility of determining violations of federal or state criminal drug laws, alcoholic beverage control laws, or laws which govern driving while intoxicated.
<b>Controlled Drug</b>	Any substance defined as such in the Drug Control Act, Chapter 34, Title 54.1 of the Code of Virginia, as amended, and whose manufacture, distribution, dispensation, use, or possession is controlled by law.
<b>Criminal Drug Law</b>	A criminal law prohibiting the unlawful manufacture, distribution, dispensation, use, or possession of any controlled substance.

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<b>Employee</b>	Any full- or part-time employee of the University, including, but not limited to, classified, hourly, faculty, health care providers, house staff, adjunct faculty, student workers, and any other individual working on campus to support, provide or assist with operation in return for compensation or non-compensatory benefits (i.e., contract employees, temporary staff, service providers, employment program participants and volunteers. For purpose of this policy these workers shall be governed by all requirements as employees.
<b>Illicit Drug</b>	Any drug that is illegally in the possession of or is illegally being used by a person.
<b>Student</b>	Any person taking one or more classes for any type of academic credit except continuing education units regardless of the length of the student's program of study.
<b>Unauthorized</b>	Not officially approved by the University.
<b>Authorized Event</b>	Any official or sponsored function/activity of the university or supported by any entity of VSU that is approved by the President or events that use university property, such as the Multipurpose Center, where alcohol is lawfully served in accordance with approved university procedures.
<b>University Activity/Function</b>	Any official activity or function of the University.
<b>Workplace</b>	Any state-owned or -leased property or any site where official duties are being performed by a state employee.
<b>Responsible Drinking</b>	Responsible drinking, for purposes of this policy, means taking precautions (i.e. not drinking, limiting the amount and number of alcoholic beverage consumed, you know how much alcohol you can tolerate and you never go beyond that point) so that you're in control of your conduct while you are drinking, and your drinking does not harm yourself or others <sup>1</sup> . Responsible drinking pertains strictly to the conduct of students and employees at University activities and functions, on or off campus, involving the authorized sale or distribution of alcoholic beverages to individuals of legal age (21 or older) in accordance with applicable official University procedures, and in compliance with Virginia Alcoholic Beverage Control laws

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Engs, R.C. *Alcohol and Other Drugs: Self Responsibility*. Tichenor Publishing Company, Bloomington, IN, 1987; <http://www.nlm.nih.gov/medlineplus/ency/patientinstructions/000527.htm>

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and regulations. Any misconduct associated with the consumption of alcohol during these situations will be subject to disciplinary actions, inclusive of suspension, expulsion, and/or termination.

### **Policy Statements**

Virginia State University prohibits the unlawful or unauthorized manufacture, distribution, dispensation, possession or use of alcohol and illicit drugs by students and employees on University property or as part of any University activity. In accordance with the federal Drug Free Workplace Act of 1988, the federal Drug Free Schools and Communities Act of 1989, and the Commonwealth of Virginia's Policy on Alcohol and Other Drugs, any employee or student who violates this policy is subject to disciplinary action up to and including termination of employment, expulsion from the University, referral for prosecution, and/or referral for satisfactory participation in an appropriate evaluation or rehabilitation program. VSU supports an environment free from retaliation. Retaliation against any employee who brings forth a good faith concern, asks a clarifying question, or participates in an investigation is prohibited.

### **Procedures**

#### **I. Application of the Policy**

The University is committed to protecting the health, safety and welfare of its members and the public served by the University through both policy enforcement and education. All employees and students are subject to the provisions of this policy.

#### **A. Education**

This policy, together with information regarding alcohol and drug counseling, treatment, and rehabilitation programs, descriptions of the health risks associated with alcohol and other commonly abused drugs, and descriptions of applicable legal sanctions under state and federal law for the unlawful possession or distribution of controlled substances, illicit drugs and alcohol, will be distributed at least annually to all employees and students.

A biennial report will be written by a Committee on even years to review the program's educational effectiveness and the consistency of enforcement sanctions. At a minimum, the committee will be comprised of the Substance Abuse Prevention Coordinator, a representative from Human Resources, Residence Life, Student Conduct, and Department of Police and Public Safety and others as determined by the Offices of Human Resources and Student Affairs.

Each employee of the University is responsible for ensuring her/his attendance at scheduled prevention and awareness training by affixing his/her signature to the sign-in roster. The Office of Human Resources shall maintain an account of attendance at such training.

Students shall be made aware of the University's prohibition on alcohol and other drugs through the Office of the Vice President for Student Affairs. Informational sessions shall be conducted at a minimum, at the beginning of each semester.

**B. Policy Enforcement for Employees**

1. Pursuant to this policy and the *Commonwealth of Virginia Policy on Alcohol and Other Drugs* employees are prohibited from engaging in the following acts:
  - a. the unlawful or unauthorized manufacture, distribution, dispensation, possession or use of alcohol or illicit drugs in the workplace, on University property or as part of any University activity, or
  - b. reporting to or remaining at work impaired by or under the influence of alcohol or illicit drugs
2. Employees are required to report to their supervisors in writing within five calendar days after conviction that they have been convicted of either of the following actions:
  - a. violation of any criminal drug law, based upon conduct occurring either in or outside the workplace, or
  - b. violation of any alcoholic beverage control law or law which governs driving while intoxicated, based upon conduct occurring in the workplace.
3. Supervisors are required to report such occurrences to Human Resources immediately.
4. Violation of any of the foregoing prohibitions may subject an employee to disciplinary action including, but not limited to, dismissal or suspension, in accordance with the Employee Standards of Conduct Policy, 1.60, Faculty Handbook, and/or any other applicable University procedure. Convictions for unlawful conduct under local, state, or federal criminal drug laws may result in penalties such as fines, imprisonment, and loss of driver's license.
5. As a result of any violation of this policy, an employee may be referred to an appropriate evaluation or rehabilitation program as a condition of continued employment. Satisfactory participation in any such program shall be determined by the appropriate University department or official after consultation with the individual or organization providing the evaluation or rehabilitation.

### C. Policy Enforcement for Students

1. Students are prohibited from the unlawful or unauthorized manufacture, distribution, dispensation, possession, or use of alcohol or illicit drugs on University property or as a part of any University activity. Violation of any of the foregoing prohibitions will subject a student to disciplinary action up to and including expulsion from the University in accordance with the rules and procedures established in the Student Handbook. Convictions for unlawful conduct under local, state, or federal criminal drug laws may result in penalties such as fines, imprisonment, and loss of driver's license.
2. In accordance with the Student Handbook, a student may be referred to an appropriate educational, evaluation or rehabilitation program or offered community service, in lieu of suspension or dismissal for any violation of this policy. Satisfactory participation in any such program shall be determined by the appropriate University department or official after consultation with the individual or organization providing the evaluation or rehabilitation program, coordinating the community service, and/or conducting the educational program.
3. When students under the age of 21 are found guilty of violating alcoholic beverage and/or controlled substance laws or policies while on campus or at University activities, their parent or guardian will be notified of such violations. Notification will be given when:
  - The student consents or the law authorizes disclosure in the absence of student consent<sup>2</sup>;
  - the disclosure is necessary to lessen or prevent:
    - a serious and imminent threat to an individual's life, health, safety or welfare;
    - a serious threat to public health, public safety or public welfare
  - the disclosure is necessary to assist with the prevention, detection, investigation, prosecution or punishment of criminal offences or breaches of a law;
  - the disclosure is necessary to assist with the prevention, detection, investigation or remedying of a seriously improper conduct.

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See § 99.31(a)15 of the FERPA.

## **II. Alcohol and Other Drug Counseling and Treatment Program Resources**

### **A. Employees**

An employee who experiences a problem with alcohol or other drugs may contact a Human Resource Employee Relations Manager for confidential assistance or referral to appropriate resources (e.g. Employee Assistance Program). See Appendix for list of resources. An employee may directly contact the Employee Assistance Program if eligible or visit their website at the following address:  
<http://www.dhrm.virginia.gov/genlbenefits/employeeassistance.html>. These resources may also be utilized by a manager.

### **B. Students**

A student who experiences a problem with alcohol or other drugs may contact University Counseling Center or Student Health Services for confidential counseling, assessment and referral to community services if needed.

## **III. Alcohol Use at University Functions**

### **A. Authorization**

1. The use of alcohol on University property by students or employees is expressly prohibited regardless of age except for authorized events in which a special permit is granted in advance and in accordance with applicable official University procedures, and in compliance with Virginia Alcoholic Beverage Control laws and regulations. The authorize use of alcohol permits responsible drinking in a manner that adheres to restrictions imposed by law and University standards of conduct.

### **B. Requirements**

1. Only persons 21 years of age or older with photo identification may be served or sold alcohol on University property at authorized University functions. Postings of this requirement, penalties for violating Virginia law, campus policy and the unlawful purchase of alcohol for persons under age 21 will be required for the authorized event.
2. Alcoholic beverages or containers may not be taken out of the designated area during the authorized event.
3. Distribution and selling of alcoholic beverages will stop one hour before the scheduled ending of the authorized event.

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4. All other state and local laws governing alcohol consumption, including regulations of the Virginia Alcoholic Beverage Control Board, must be adhered to on University property and/or at University functions.
5. Employees and students will be subject to disciplinary actions, inclusive of suspension, expulsion, and/or termination, for any misconduct associated with the use of alcohol or other controlled substances on University property or at University functions.
6. All other policies that relate to alcohol use and govern specific University departments, buildings or groups must be adhered to on University property and/or at University functions.
7. Caterers or other food service organizations that possess, serve, dispense and/or sell alcoholic beverages on University property or at authorized University functions must be licensed to do so, be properly insured and able to provide documented proof thereof to the service coordinator before performing the service and provide the posting of the requirements in this section.
8. The University shall not be responsible for any fines and/or penalties for lack of required documentation. It shall be the responsibility of the service coordinator to validate receipt of any license prior to commencement of any function.

**Policy Violations:**

Each of the following constitutes a violation of this policy:

- The unlawful or unauthorized manufacture, distribution, dispensation, possession, or use of alcohol or other drugs in the workplace;
- Impairment in the workplace from the use of alcohol or other drugs, except from the use of drugs for legitimate medical purposes;
- A criminal conviction for a:
  1. violation of any criminal drug law, based upon conduct occurring either on or off the workplace; or
  2. violation of any alcohol beverage control law or law that governs driving while intoxicated, based upon conduct occurring in the workplace; and
  3. An employee's failure to report to his or her supervisor the employee's conviction of any offense, as required in Obligations and Responsibilities.

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Any employee who commits any violation, as described in section IV above, shall be subject to the full range of disciplinary actions, including discharge, pursuant to applicable disciplinary policies, such as the Faculty Handbook and Policy 1.60, Standards of Conduct. Violations committed by students will be addressed in accordance with the Student Handbook.

The severity of disciplinary action for violations of this policy shall be determined on a case-by-case basis. Mitigating circumstances that may be considered in determining the appropriate discipline include whether the employee voluntarily admits to, and seeks assistance for, an alcohol or other drug problem.

**Obligations and Responsibilities:**

**Employees**

1. Employees must abide by the University and the Commonwealth of Virginia's Policy on Alcohol and Other Drugs, and applicable disciplinary policies.
2. Employees must notify their supervisors of any conviction of:
  - (a) a criminal drug law, based on conduct occurring in or outside of the workplace; or
  - (b) an alcohol beverage control law or law that governs driving while intoxicated, based on conduct occurring in the workplace.
3. How notification is given:

Notification of a conviction must be made in writing and delivered no later than five calendar days after such conviction.
4. Effect of appeal of conviction:

An employee's appeal of a conviction does not affect the employee's obligation to report the conviction.

**Administrators, Managers, and Supervisors**

1. Fair Application of Policy
  - (a) The Commonwealth is dedicated to assuring fair and equitable application of this policy. Therefore, management shall use and apply all aspects of this policy in an unbiased and impartial manner.



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- (b) Any supervisor who knowingly disregards the requirements of this policy, or who is found to have deliberately misused this policy in regard to subordinates, shall be subject to disciplinary action, up to and including discharge.
2. Provide employees with a copy of the policy summary or, upon request, copy of entire policy.
  3. Ensure that a copy of the entire policy is posted in a conspicuous place or places in the workplace.
  4. Attend training on how to implement this policy, including how to recognize behaviors that may indicate impairment from alcohol and/or other drug use; appropriate referral techniques; and resources for rehabilitation for alcohol and other drug use.
  5. Take appropriate action when notified of violations:

Within 30 calendar days of receiving notice of an employee's criminal conviction, or of any other violation of this policy, management must:

- take appropriate disciplinary action against the employee; and/or
  - require the employee to participate satisfactorily in a rehabilitation program if a drug-related conviction is received, or recommend such a program if an alcohol-related conviction is received. An employee's satisfactory participation in a rehabilitation program shall be determined by management after:
    1. the employee's presentation of adequate documentation (the agency has discretion to determine what documentation will be required); and/or
    2. consultation with EAP or with any rehabilitation program, provided that the employee gives his or her consent when the consultation is to be with the rehabilitation program that treated the employee.
6. Within ten calendar days after receiving notice that an employee covered by the federal Drug Free Workplace Act has been convicted of a criminal drug law violation occurring in the workplace, the agency shall notify any federal contracting or granting agency.
  7. Management shall require contractors working on state agency workplaces to certify that they will not commit violations as described in this policy.

This policy shall be distributed throughout the campus community, or made available to all members of the campus community through the Office of Human Resources, the Office of the Provost and Vice President for Student Affairs. Additionally, this policy shall be made available online and by posting on a bulletin board in all residence halls and University buildings.

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**References**

Family Educational Rights and Privacy Act (FERPA)

Drug Free Schools and Communities Act of 1989 (DSFCA)

Drug Free Workplace Act of 1988 (DFWA)

Commonwealth of Virginia Department of Human Resource Management Policies and Procedures Manual, "Policy Number: 1.05 - Alcohol and Other Drugs"

Drug Control Act, Chapter 34, Title 54.1 of the Code of Virginia

Virginia Commonwealth University "VCU Alcohol and Drug Policy"

Approval By: \_\_\_\_\_

  
President

Date: \_\_\_\_\_

August 6, 2015

## APPENDIX 1

### Resources for Alcohol and Other Drugs

#### Employee Assistance Programs-

A confidential assessment, referral, and short-term problem-solving service available to eligible employees and family members. Enrollment in the Employees Assistance Program (EAP) is automatic as part of the health plan coverage. The EAP can provide information regarding health insurance coverage for rehabilitation programs. The EAP helps participants deal with problems affecting personal and work life, such as:

- conflicts within the family and workplace,
- personal and emotional concerns,
- alcohol and substance abuse,
- financial and legal problems,
- elder and child care, and
- career concerns and other challenges.

Employees may contact other agencies, such as the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Department of Health, the Department of Rehabilitative Services, and/or Virginia Office for Protection and Advocacy. See Community Resources below:

#### Student Assistance Programs

The Substance Abuse Prevention Program has the primary role of alcohol and substance abuse prevention, assessment, screening, education, and counseling for all students enrolled at Virginia State University. The office is located in the University Counseling Center in room 409 Memorial Hall.

- Substance Abuse & Sexual Assault Prevention 804-524-5939 or 804-524-5061
- VSU United Campus Ministry 804-524-5681
- Student Health Services 804-524-5711

#### Community Resources

- Poplar Springs Hospital (Short-term detox 2-5 days) 804 -733-6874
- Chesterfield MH/SA Services 804-768-7318  
(Chesterfield County residents)
- District 19 MH/SA Services 804-862-6410  
(Tri Cities, Dinwiddie, Sussex, Surry, Emporia, Prince George)

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Self-help Organizations--Groups based on a Twelve-Step Program, offer individual sponsorship, group meetings, and membership to anyone interested in dealing with substance abuse problems. Check local phone listings for help.

Alcoholics Anonymous (AA) 804-452-1955  
Narcotics Anonymous (NA) 1-888-747-4047

## APPENDIX 2:

### Health Effects of Alcohol and Other Drugs

**Alcohol** - Alcohol acts as a central nervous system depressant. Its initial effects include altered perception, judgment, motor coordination and abstract thinking/cognitive impairment. Continued use of alcohol results in physical and psychological dependence marked by increased tolerance, memory blackouts and the experience of withdrawal symptoms. The disease of alcoholism progresses in stages from an individual's unplanned use, to being preoccupied, to failing in controlling alcohol use, on to eventual loss of control and continued use despite negative consequences. Statistics show that alcohol use is involved in a majority of violent behaviors on university campuses including acquaintance rape, vandalism and assaults.

**Amphetamines** - (street names include "speeders", "black beauties", "uppers"). Users experience euphoria, abundant energy, and decreased need for sleep. Other signs and symptoms may include irregular heartbeat, rapid breathing, irritability, anxiousness, restlessness, panic, paranoia, aggression and impulsive behavior.

**Anabolic Steroids** - (brand names include Anadrol, Oxandrin, Durabolin, Depo-Testosterone, Equipoise; street names include "roids", "juice"). Health effects may include high blood pressure, blood clotting, cholesterol changes, liver cysts and cancer, kidney cancer, hostility and aggression, acne; in adolescents, premature stoppage of growth; in males, prostate cancer, reduced sperm production, shrunken testicles, breast enlargement; in females, menstrual irregularities, abnormal hair growth.

**Cannabis** - (street names include "marijuana", "pot", "hashish", "blunt", "herb", "reefer", "ganja", "sinsemilla") The user experiences slowed thinking and reaction time, time distortion, confusion, impaired balance and coordination, and impaired judgment. Long term effects include loss of short-term memory, loss of motivation, increased anxiety, increased upper respiratory illness.

**Cocaine** - (street names include "crack", "rock", "toot", "blow", "nose candy") The user experiences feelings of exhilaration, energy, increased mental alertness, rapid or irregular heart beat, reduced appetite and weight loss. Users often have a stuffy, runny nose and nosebleeds. Immediate effects include dilated pupils, elevated blood pressure, heart rate, respiratory rate and body temperature. Withdrawal symptoms include strong cravings, depression, alterations in sleep patterns. Crack, the free-base use of cocaine, can produce hallucinations, blurred vision, chest pains, convulsions and even death.

**GHB** - (street names include "Georgia home boy", "grievous bodily harm", "liquid ecstasy") Gammahydroxybutyrate. It can cause electrolyte imbalance, decreased respiration, slow heart rate, vomiting, low blood pressure, confusion, unconsciousness, coma, and death.

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**Hallucinogens** - (street names include “acid”, “blotter”, “microdot”, “magic mushrooms”) Lysergic Acid Diethylamide (LSD), mescaline, and psilocybin cause altered states of perception and feeling including delusions, hallucinations and illusions including body and time distortion. Physical effects include fever, rapid heartbeat, elevated blood pressure, blurred vision, and flushed face. Mood can range from euphoria to panic and depression. Long-term effects of use include depression, constant anxiety, paranoia, chronic personality changes and lingering perceptual changes.

**Heroin** - (street names include “smack”, “horse”, “dope”, “H”) It is injected, snorted or smoked. The opiate effect diminishes the sense of pain, inducing euphoria, drowsiness, and confusion. Overdose results in death from stopping breathing.

**Inhalants** - (street names include “poppers”, “snappers”, “whippets”) Solvents (paint thinners, gasoline, glues, butane, propane aerosol propellants, nitrous oxides) produce stimulation, loss of inhibition, slurred speech, and loss of motor coordination. Long-term effects are depression, memory impairment and damage to the liver, the heart and nervous system.

**Ketamine** - (street names include “Special K”, “cat valiums”, “Vitamin K”) Ketamine can be injected, snorted, or smoked. The user experiences increased heart rate and blood pressure, problems with control of movements, memory loss, numbness and nausea/vomiting. The user is at high risk for slowed breathing that may lead to brain damage or death.

**MDMA** - (street names include “Ecstasy”, “X”, “E”, “Adam”) Methylenedioxymethamphetamine produces mild hallucinogenic effects, amphetamine-like stimulation, and increased touch sensitivity. An increase in display of affection to others may occur. Long-term effects include impaired memory and learning.

**PCP** - (street names include “angel dust”, “love boat”, “peace pill”, “hog”) Since Phencyclidine is relatively inexpensive, it is often used to enhance the effects of other drugs such as LSD, cannabis or cocaine. PCP users seek an altered state of bizarre perceptions, confusion, disorientation, impaired judgment and often delirium. Behavioral changes may range from hyperactivity to catatonic states.

Please access NIDA (National Institute on Drug Abuse) Web site for further information on these and other substances of abuse at [www.drugabuse.gov](http://www.drugabuse.gov).

## APPENDIX 3:

### **Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance**

#### **21 U.S.C. 844(a)**

Civil Penalties for possession of “personal use” amounts of certain controlled substances. First conviction: Up to 1 year imprisonment and fined up to \$10,000.

After one prior state or federal drug conviction: At least 15 days in prison and up to two years in prison and fined at least \$2,500 but not more than \$250,000, or both.

#### **21 U.S.C. 844 (a) continued**

After two or more prior drug convictions: At least 90 days in prison and up to three years in prison and fined at least \$5,000 but not more than \$250,000, or both. Special sentencing provisions for possession of crack cocaine: Mandatory five years and up to 20 years in prison and fined up to \$250,000, or both, if:

- (a) First conviction and the amount of crack cocaine possessed exceeds five grams.
- (b) Second conviction and the amount of crack cocaine possessed exceeds three grams.
- (c) Third or subsequent conviction and the amount of crack cocaine possessed exceeds one gram.

#### **21 U.S.C. 862**

Provides for forfeiture of personal property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one-year imprisonment. (See special sentencing provisions re: crack cocaine)

#### **21 U.S.C. 881(a)(4)**

Provides for forfeiture of vehicles, boats, aircraft or any other conveyance used to transport, conceal or facilitate possession of a controlled substance.

#### **21 U.S.C. 881(a)(7)**

Provides for forfeiture of land, houses or buildings used to commit or to facilitate commitment of a violation of controlled substance laws.

#### **21 U.S.C. 860**

Provides enhanced penalties for distributing, or possessing with intent to distribute, or manufacturing a controlled substance in, on, or within 1000 feet of a public university, school, playground and other locations. These include 20 years to life in prison plus \$4,000,000 fine for first offense; and twice any term of supervised release; 30 years to life in prison plus \$8,000,000 fine for second offense. After two or more felony drug convictions, a mandatory term of life imprisonment is imposed. Penalties are enhanced even more if death or personal injury results from

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the distribution of the substance near schools, public housing, video arcades, and other designated locations.

**21 U.S.C. 862**

Provides for the denial of Federal benefits to drug traffickers. These include student loans, grants, contracts, and professional and commercial licenses, up to one year for the first offense, up to five years for the second and subsequent offenses.

The foregoing is intended to illustrate and or summarize the likely penalties to result from the commission of a federal drug crime. It is not intended as a substitute for sound, personalized legal advice.

**18 U.S.C. 922 (g)**

Ineligible to receive or purchase a firearm.



## APPENDIX 4:

### Virginia Laws Pertaining to the Unlawful Possession or Distribution of Controlled Substances, Illicit Drugs and Alcohol

#### ALCOHOL

Virginia's Alcoholic Beverage Control Act contains a variety of laws governing the possession, use and consumption of alcoholic beverages. The Act applies to students and employees of this institution. As required by the Federal Drug-Free Schools and Communities Act of 1989, the pertinent laws, including sanctions for their violation, are summarized below.

1. It is unlawful for any person under age 21 to purchase or possess any alcoholic beverage. Violation of the law is a Class 1 misdemeanor, for which the punishment is confinement in jail for up to twelve months and a fine of at least \$500 or a minimum of 50 hours of community service. Additionally, such person's Virginia driver's license may be suspended for a period of not more than one year.
2. It is unlawful for any person to sell alcoholic beverages to persons under the age of 21 years of age. Violation of the law exposes the violator to a Class 1 misdemeanor conviction for which the punishment is confinement in jail for up to twelve months and fine up to \$2,500, either or both.
3. It is unlawful for any person to purchase alcoholic beverages for another when, at the time of the purchase, he knows or has reason to know that the person for whom the alcohol is purchased is under age 21. The criminal sanction for violation of the law is the same as #2 above.
4. It is unlawful for any person to consume alcoholic beverages in unlicensed public places. A violation of the law is a misdemeanor for which the punishment is a fine up to \$250.
5. It is unlawful for any person under the age of 21 to use or attempt to use an altered or fictitious I. D. to purchase alcoholic beverages. Punishment is confinement in jail for up to 12 months and a fine of \$2,500, either or both. Driving privileges shall also be revoked for at least 6 months or up to 1 year.
6. It is unlawful for any person under 21 to operate any motor vehicle after illegally consuming alcohol. Violation of the law is a misdemeanor for which the punishment is loss of driver's license for 6 months and up to \$500 fine.

## CONTROLLED SUBSTANCES AND ILLICIT DRUGS

The unlawful possession, distribution, and use of controlled substances and illicit drugs, as defined by the Virginia Drug Control Act, are prohibited in Virginia. Controlled substances are classified under the Act into “schedules”, ranging from Schedule I through Schedule VI, as defined in sections 54.1-3446 through 54.1-3456 of the Code of Virginia (1950), as amended. As required by the Federal Drug-Free Schools and Communities Act of 1989, the pertinent laws, including sanctions for their violation, are summarized below.

1. Possession of a controlled substance classified in Schedules I or II of the Drug Control Act, upon conviction, exposes the violator to a felony conviction for which the punishment is a term of imprisonment ranging from one to ten years, or in the discretion of the jury or the court trying the case without a jury, confinement in jail for up to twelve months and a fine up to \$2,500, either or both.
2. Possession of a controlled substance classified in Schedule III of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to twelve months and a fine up to \$2,500, either or both.
3. Possession of a controlled substance classified in Schedule IV of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to six months and a fine up to \$1,000, either or both.
4. Possession of a controlled substance classified in Schedule V of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is a fine up to \$500.
5. Possession of a controlled substance classified in Schedule VI of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is a fine up to \$250.
6. Possession of a controlled substance classified in Schedules I or II of the Drug Control Act with the intent to sell or otherwise distribute, upon conviction, exposes the violator to a felony conviction for which the punishment is a term of imprisonment from five to forty years and a fine up to \$500,000. Upon a second conviction, the violator must be imprisoned for not less than five years but may suffer life imprisonment, and fined up to \$500,000. For a third or subsequent offense, a mandatory five-year prison sentence is imposed.
7. Possession of a controlled substance classified in Schedules III, IV, or V of the Drug Control Act with the intent to sell or otherwise distribute, upon conviction, exposes the violator to the possible following punishments. For Schedule III, exposes the violator to felony conviction with 1-10 years at the discretion of the court, can be a term of

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imprisonment of up to 12 months and a fine not more than \$2,500, either or both. For Schedules IV, exposes the violator to a felony with a term of imprisonment from 1-5 years or at the discretion of the court, the violator can be confined in jail for up to 12 months and a fine not more than \$2,500, either or both. For Schedule V, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to 12 months and a fine up to \$2,500, either or both.

8. Conviction for Possession of anabolic steroids carries a mandatory minimum jail term of 6 months. Possession of marijuana, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to thirty days and a fine up to \$500, either or both. Upon a second conviction, punishment is confinement in jail for up to 12 months and a fine up to \$2,500, either or both.
9. Possession of less than one-half ounce of marijuana with intent to sell or otherwise distribute, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to 12 months and a fine up to \$2,500, either or both. If the amount of marijuana involved is more than one-half ounce to five pounds, the crime is a felony with a sanction of imprisonment from one to ten years, or in the discretion of the jury or the court trying the case without jury, confinement in jail for up to one year and a fine up to \$2,500, either or both. If the amount of marijuana involved is more than five pounds, the crime is a felony with a sanction of imprisonment from five to thirty years.