

University of Massachusetts Dartmouth  
Student Affairs/Office of Community Standards  
Drug Policy

Policy Number	STU-004A
Effective Date	August 25, 2021
Responsible Office/Person	Student Affairs/Office of Community Standards
Related Policies	Alcohol Policy
Additional History	Supersedes the Drug Policy, effective 2018

I. Policy Statement

The University of Massachusetts Dartmouth is committed to the academic and personal success of its students. It is also committed to the health and well-being of all members of the University community. With this in mind, the University Drug Policy has been established to ensure that drugs do not adversely affect the effective functioning of the University nor inhibit the freedom of students to pursue their goals while attending the institution. This policy has also been established to inform students, faculty, staff, alumni, contractors, vendors, and visitors of the laws, policies, practices, and sanctions that govern the presence of drugs on campus. The University must and will uphold local, state and federal laws governing drug possession, use, and distribution. Consistent with its mission, the University of Massachusetts Dartmouth is also committed to providing education about drugs as well as intervention and support services to address drug abuse and its effects.

Jurisdiction: The jurisdiction of the University of Massachusetts Dartmouth Drug Policy encompasses all University owned property and buildings as well as any grounds and facilities that are rented or leased by the institution. This policy also extends to the off-campus behavior of students that adversely impacts the University.

II. Purpose

The Drug Policy represents the University's commitment to the health and well-being of all members of the University community. It also represents the University's adherence to federal, state, and local regulations regarding drugs.

III. Definitions

**Practices Allowed by the UMass Dartmouth Drug Policy:**

All members of the University may use over the counter (OTC) drugs as prescribed by instructions on the label of the container in which the drug is packaged and may use prescription drugs that have prescribed to them by a licensed prescriber and only as prescribed. Members of the University community may possess the above drugs only in containers in which the drugs were originally issued and are expected to secure their medications in such a way to prevent access by others.

**Statement about Medical Marijuana**

While Massachusetts state law permits the use of medical marijuana for proscribed individuals, federal law prohibits marijuana use, possession, distribution, and/or cultivation at educational institutions.

Therefore, the use, possession, distribution or cultivation of marijuana for medical or recreational purposes is not allowed on UMass Dartmouth premises including UMass Dartmouth residence buildings; nor is it allowed at any University-sponsored event or activity off campus or any Student Organization event or activity. Anyone who possesses or uses marijuana on University premises may be subject to civil citation, state or federal prosecution, and University discipline.

In addition, no accommodations will be made for any student in possession of a medical marijuana registration card except that UMass Dartmouth may release students from their Residence Hall Contract if approved as a reasonable accommodation for a documented disability requiring use or possession of marijuana for medical purposes.

### **Statement about Marijuana for Recreational Purposes**

While Massachusetts state law permits the possession and use of marijuana for recreational purposes, in limited quantities, for individuals who are 21 years of age or older, federal law prohibits marijuana use, possession, distribution, and/or cultivation at educational institutions. Therefore, the use, possession, distribution or cultivation of marijuana for recreational purposes is not allowed on UMass Dartmouth premises including UMass Dartmouth residence buildings; nor is it allowed at any University-sponsored event or activity off campus or any Student Organization event or activity. Anyone who possesses or uses marijuana on University premises may be subject to civil citation, state or federal prosecution, and University discipline.

### **Statement about Opioid Use, Abuse, and Dependency**

UMass Dartmouth recognizes the seriousness of the current national opioid crisis and that members of our community are directly affected. UMass Dartmouth provides education and support for those affected who are encouraged to seek assistance at the Office of Student Affairs and the Counseling Center. University Police carry Naloxone (Narcan) at all times.

The clinical staff at University Health Services also have access to Naloxone (Narcan). University Police provide a kiosk for any member of our community to safely dispose of unwanted prescription drugs, over the counter medications, vitamins, and even medications intended for pets.

UMass Dartmouth prohibits the possession and/or use of opiates without a prescription from a licensed medical provider. Those with a legitimate prescription must use the medication only as prescribed and are encouraged to secure their medication to prevent access by others.

### **Statement about Medical Amnesty**

Whenever a student assists an intoxicated/impaired person in procuring the assistance of University Police, local or state police, Housing & Residential Education staff, or medical professionals, neither the intoxicated/impaired individual nor the individual who assists will be subject to formal university disciplinary actions for (1) being intoxicated/impaired or (2) possession of alcohol or other drug. For more information, see UMass Dartmouth Medical Amnesty Policy.

### **Violations of Policy:**

- Possession, use, cultivation, and/or distribution of marijuana

- Possession and/or use of prescription medication for which you do not have a prescription
- Sharing or selling medication prescribed to you with another person
- Purchasing or attempting to purchase a controlled substance
- Misuse of over the counter medication
- Possession or use of controlled substances as specified in Chapter 94C of Massachusetts state law
- Sharing, attempting to sell, or selling controlled substances
- Manufacture of a controlled substance
- Possession or use of drug paraphernalia

*Student Groups* (includes student organizations, Greek organizations, athletic teams, etc.):

- Student Groups must make every effort to ensure the safety and well-being of participants in their activities and events. They must refuse entry to anyone who appears to be under the influence of drugs and must alert University officials if a participant appears to be under the influence of drugs to the point of being of harm to themselves or others. In the case of off- campus events, the group hosting the event must notify staff at the venue that a participant appears to be under the influence of drugs to the point of harming themselves or others.

- Student Groups must ensure that participants do not bring drugs into their events or use drugs during

their events including on buses or other vehicles used for transportation to and from off-campus locations. They must also report instances drug possession or use to the proper authority if it is observed.

### **Related Violations**

**Complicity**: The act of assisting another person in the commission or attempted commission, of a violation of the Code of Student Conduct. For the purpose of this document, this also includes hosting a guest who commits a violation or being in the presence of a violation and failing to report.

**Failure to Act**: When a student witnesses or has clear knowledge of an act that has the reasonable potential to cause harm or endanger, a student has the responsibility to report the behavior to UMassD Police, a University staff or faculty member.

**IV. Procedures**

**Consequences for Violations of Policy:**

Students who choose to violate the drug policy as specified above, will likely be charged with a violation of policy through the Community Standards Process. (See Code of Student Conduct on the UMass Dartmouth website.) The Office of Community Standards receives and acts on reports written by Housing and Residential Education staff, University Police, and other University community members about incidents involving drugs. It is also important to note that the Office of Community Standards routinely receives reports from local Police Departments and from other colleges and universities at which students visit. When students are accused of a violation of this drug policy, they will receive a Conduct Conference Notification via their UMass Dartmouth email account and will meet with a Conduct Conference Facilitator to review the student conduct process, the report(s) related to the alleged violation(s), and the specific alleged violations resulting from the incident. The Conduct Conference Facilitator and student will then decide how to best proceed through the process and resolve the matter.

UMass Dartmouth has established mandatory minimum sanctions for violation of the Drug Policy. UMass Dartmouth may increase these minimum sanctions, but may not decrease them. It is important to note that sanctions for violations of the drug policy are cumulative during the time that a student is enrolled at the University. In accordance provisions allowed by FERPA (Federal Education Rights and Privacy Act), UMass Dartmouth routinely informs parents/guardians of students of violations of the drug policy regardless of the age of the student. UMass Dartmouth believes that parents/guardians play an important role in addressing concerning behaviors with their student.

**Mandatory Minimum Sanctions in Community Standards Process for Drug Violations:**

<b>Violation</b>	<b>Disciplinary Sanction</b>	<b>Educational Sanctions</b>	<b>Fee</b>	<b>Parent/Guardian Notification**</b>
1st Minor	University Warning	Marijuana 101 - Online Course	\$35 paid to 3rd Millennium Classroom	Letter
2nd Minor	University Probation 1-2 Years	Drug Assessment with AdCare/Gosnold/Other	Health Insurance Co-Pay	Letter/Phone Call Requested
3rd Minor	University Suspension 1-2 years; Banned from Campus during University Suspension	Drug Treatment with Licensed Provider	Health Insurance Co-Pay	Letter/Phone Call Requested.
Hospitalization/Arrest/Prot.Custody	University Probation 1-2 Years	Drug Assessment with AdCare/Gosnold/Other	Health Insurance Co-Pay	Phone Call from CARE/Letter
Distribution of Drugs	Permanent Removal from Housing/No visitation/University Probation/University Dismissal/Banned from Campus.	Based on Specifics of Incident		Letter/Phone Call Requested

\*\*Parent/Guardians are notified after the Community Standards Process is complete. For those hospitalized or taken into protective custody, the Office of CARE and Advocacy/Dean on Call will call the student's Emergency Contact.

NOTE: The above sanctions may prevent students from holding leadership positions, being hired for particular student positions, and participation in athletics, study abroad programs; and internships.

**Legal/Criminal Action:**

In addition to the Community Standards Process and in accordance with local laws, students may be taken into Protective Custody, Arrested, or receive a Summons to Court for drug-related incidents.

**Massachusetts Law Regarding Drugs:**

Chapter 94C, The Controlled Substances Laws lists specific controlled substances in classes A, B, C, D, E including "marijuana, cocaine, morphine, opium, heroin etc." and also lists criminal penalties for any prohibited use of these substances. These include forfeiture of property as well as imprisonment and other criminal penalties. The law also prohibits misuse of drug paraphernalia.

**IV. Responsibility**

Questions regarding the UMass Dartmouth Drug Policy may be directed to the Office of Student Affairs, the Office of Community Standards, and the Office of Housing and Residential Education.

**V. Attachments <http://www.umassd.edu/housing/termsandconditions/>**

Approved:  Date: 8/25/2021  
Mark A. Fuller, Chancellor