

NUMBER: STAF 3.18
SECTION: Division of Student Affairs and Academic Support
SUBJECT: Drug Policy for University Students
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Policy for: Columbia Campus
Procedure for: Columbia Campus
Authorized by: Vice President for Student Affairs
Issued by: Student Life and Development

I. Policy

The purpose of this policy is to educate the University of South Carolina – Columbia Campus on the expectations and guidelines regarding the use of illegal and controlled drugs. (For the purposes of this policy, the University of South Carolina – Columbia may also be referred to as the “university.”) This policy governs the consumption, possession, distribution, and sale of illegal and controlled drugs on the University of South Carolina – Columbia campus, in or at any university owned or controlled facility, and by members of the university community.

The University of South Carolina – Columbia is concerned with both the welfare of the university community and the academic and personal development of each student. The university strives to create a healthy environment where the illegal and/or improper use of drugs does not interfere with learning, performance or development. Abuse of drugs disrupts this environment and places at risk the lives and well-being of the members of the university community as well as the potential for students to contribute to society. It is important for all members of the university community to take responsibility for preventing the illegal and/or improper use of drugs from negatively affecting the community's learning environment and the academic, physical and emotional well-being of its students. Since there are numerous means by which the use of drugs may adversely affect both students and the university community, it is important that the university issue to all students a clear statement of policy concerning the illegal and/or improper use of drugs. This policy is intended to accomplish the following:

1. To promote a healthy and safe learning environment;
2. To demonstrate the commitment of the university to the provision of:
 - a. Education and prevention services designed to help prevent illegal and/or improper use of drugs;
 - b. Referral services related to the illegal and/or improper use of drugs;

3. To encourage and facilitate the use of treatment and support services by those students who seek or are in need of assistance;
4. To define expectations for student behavior with respect to the illegal and/or improper use of drugs;
5. To identify appropriate disciplinary procedures for those students who engage in illegal and/or improper drug-related behaviors.

A. General Guidelines and Definitions

For the purposes of this policy, the following terms are defined as follows:

1. Student - A student is defined as any person who is admitted, enrolled, or registered for study at the University of South Carolina – Columbia for any academic period, is participating in any university sponsored academic or preparatory programs, and/or resides in a University of South Carolina – Columbia residence facility. Persons who are not officially enrolled for a particular term but who have a continuing student relationship with, or an educational interest in, the University of South Carolina – Columbia are considered "students". A person shall also be considered a student during any period that follows the end of either the Spring or Fall semester that the student has completed until the last day for registration for the next succeeding semester. A person shall also be considered a student during any period while the student is under suspension from the institution or when the person is attending or participating in any activity preparatory to the beginning of school including, but not limited to, fraternity or sorority recruitment, orientation, placement testing, and residence hall check-in.
2. Illegal Drug - any drug or controlled substance which is (1) not legally obtainable or (2) is legally obtainable but was not legally obtained.
3. Controlled Substance - a drug which has been declared by federal or state law to be illegal for sale or use, but may be dispensed under a physician's prescription.
4. Improper Use – the use of a drug for something other than for what it was prescribed and issued by a licensed medical practitioner.
5. Paraphernalia - any instrument, device, article, or contrivance used, designed for use, or intended for use in ingesting, smoking, administering, manufacturing, or preparing a controlled substance

B. State Laws

The University of South Carolina – Columbia supports strict enforcement of laws concerning the possession, consumption, and distribution of illegal drugs and controlled substances as set forth in the [South Carolina Code of Laws, Title 44, Chapter 53](#). Students, as citizens, are responsible for knowing about and complying with South Carolina laws concerning illegal drugs and the use of other controlled substances. Important points covered in Chapter 53 include:

1. SECTION 44-53-370. It shall be unlawful for any person:
 - a. to manufacture, distribute, dispense, deliver, purchase, aid, abet, attempt, or conspire to manufacture, distribute, dispense, deliver, or purchase, or possess with the intent to manufacture, distribute, dispense, deliver, or purchase a controlled substance or a controlled substance analogue.
 - b. to create, distribute, dispense, deliver, or purchase, or aid, abet, attempt, or conspire to create, distribute, dispense, deliver, or purchase, or possess with intent to distribute, dispense, deliver, or purchase a counterfeit substance.
2. SECTION 44-53-391. It shall be unlawful to advertise for sale, manufacture, possess, sell or deliver, or to possess paraphernalia with intent to sell or deliver,

C. Programs and Services

The university's first obligation in addressing drug abuse is to educate the University community on expectations and available resources concerning drug use. This obligation is addressed by a variety of prevention and education programs that are offered. Please visit the [Office of Substance Abuse Prevention & Education](#).

A second responsibility of the university is to promote an atmosphere where students seeking assistance will be offered information on, or referral to appropriate services which address the improper use of drugs, including the misuse of prescription or over the counter drugs. For more information, please refer to the [Office of Substance Abuse Prevention and Education](#). Available services may include structured groups, counseling, inpatient treatment, and self-help groups. Please visit [Counseling and Psychiatry](#) for more information.

This policy is not intended to create obligations or restrictions that may interfere with the confidential nature of counseling, clinical or therapeutic relationships. Confidentiality will be maintained in accordance with state and federal laws.

D. Enforcement, Student Conduct Process and Consequences

1. Students are responsible for abiding by the [Student Code of Conduct](#) and state/federal laws whether on or off campus. Failure to do so can result in criminal, civil, and university proceedings and sanctions. Students and student

organizations that are in violation of the law are also violating the [Student Code of Conduct](#) and can be held accountable under both separate systems. Violations of this campus Drug Policy as well as other published regulations will be referred to appropriate university offices. In addition, students should be aware of the following:

a. Off-Campus Accountability

Students arrested off campus may be subject to university disciplinary action when their conduct violates university standards. Failure to report this information to the Office of Student Judicial Programs can result in a “Failure to Comply” charge and may result in further disciplinary action.

b. FERPA/Parental Notification

The university may disclose the result of a disciplinary proceeding to a parent or guardian so long as the student is under the age of 21 at the time of the incident and the proceeding has resulted in a violation of university drug or alcohol policies, or any federal, state, or local law or under any of the following conditions:

- i. following a sanction that places the student on housing or conduct probation (official notice that any additional offense may affect the student's ability to live on campus or attend the university), or that results in removal from University Housing or the institution (e.g. housing removal/relocation, suspension, or expulsion).
- ii. following the second violation of university policy regarding drug use.
- iii. following any incident in which the use of illegal drugs and/or the improper use of controlled substances has resulted in hospitalization. Notification will come from the [Behavioral Intervention Team](#) Chair or designee.

For more information or for a Consent to Release Information waiver, refer to the [Office of Student Conduct](#).

2. The university considers any violation of the drug policy to be a serious offense. The university will respond to all reported violations of this policy in accordance with the Student Code of Conduct. The sanctions imposed by the university include, but are not limited to drug screens (at student's expense), psychoeducational group counseling, fines, probation, community service, removal from University Housing, suspension, and expulsion.

F. Guidelines for Types of Drug Violations

All drug policy cases will have outcomes determined on case by case basis. However, in certain types of cases, additional guidelines may apply:

1. Possession or Use of Illegal Drugs: In the adjudication of all cases involving the possession or use of illegal drugs, the university's presumptive response will be suspension (as defined within this section). Residents of University Housing suspected to be in violation of any drug related policy will also be subject to immediate removal in keeping with [Student Code of Conduct](#) .
2. Trafficking in Illegal Drugs
 - a. Prior to hearing: Because the distribution of illegal drugs is a threat and danger to the health and safety of the community, when available facts indicate that the student represents an immediate threat to the safety, health, or welfare of herself/himself, other persons, or property, the university will immediately suspend alleged offenders prior to a hearing. Students who are immediately suspended may have restricted access to campus including University Housing while suspended. The continued enrollment of students not immediately suspended may be subject to conditions and restrictions.
 - b. Following the hearing: Students found responsible for the illegal distribution of drugs or controlled substances will likely be suspended or expelled.
 - c. For information on the hearing process, please contact the Office of Student Conduct at 777-4333 or www.sc.edu/osjp.

G. Financial Aid Eligibility

Students found in violation of the drug policy jeopardize their ability to receive federal financial aid for which they might otherwise be eligible.

H. Drug-Free Workplace

Faculty, staff, and administrators must adhere to the [Drug-Free Workplace Policy](#).

I. Resources

Members of the university community who are concerned about the use or abuse of alcohol or other drugs (by themselves, colleagues or their friends) may receive assistance from the following contacts:

1. Lexington/Richland Alcohol & Drug Abuse Council (LRADAC): (803) 726-9300

2. USC Counseling and Psychiatry: (803) 777-5223
3. USC Department of Student Life: (803) 777-6688
4. USC Division of Law Enforcement and Safety: (803) 777-4215
5. USC Office of Student Conduct (803) 777-4333
6. USC Office of Substance Abuse Prevention and Education: (803) 777-7716
7. USC Thomson Student Health Center: (803) 777-3175

II. Related Policies

University Policy STAF 6.26 Student Code of Conduct <http://www.sc.edu/policies/staf626.pdf>

III. Reason for Revision

Policy organization, content, and accuracy reviewed. Non-substantive changes include updating office names.