



Student Affairs

As an educational community whose primary mission is to “prepare students for success in their personal and professional lives,” Thomas College is committed to providing a climate which supports both academic and personal growth. The College aims to promote in its community a sense of wellness and responsibility and is consistent with federal and state laws.

With society’s increased awareness of the potential risks of substance use, responsible conduct should be demonstrated by each individual in the best interest of their personal health and the community’s general welfare. The following policies and guidelines are intended to serve as a standard of behavior for all members of the Thomas College community and their guests.

Overall

- Persons are expected and required to assume responsibility for their behavior and understand that being under the influence of alcohol or drugs does not lessen their accountability.
- All members of the Thomas community are responsible for the actions of their guests. This includes informing all visitors of Thomas’ substance policy and making sure they are following such policy.
- Any campus approved event where alcoholic beverages are served must be in an area licensed by the Maine State Liquor Commission for the dispensing and consumption of alcoholic beverages.
- Any alcohol, illegal substance, or paraphernalia that is confiscated will not be returned and will be disposed of.
- Voluntarily being present in a room or place where a violation of the substance policy is occurring may result in people being held accountable.

Alcohol Policy

Thomas strives to create a campus climate that promotes social interactions that do not rely on alcohol, but rather seeks to encourage responsible choices made with all members of the Thomas community in mind. The College permits consumption of alcohol for individuals 21 years of age or older who choose to drink. Moderation in the use of alcohol and responsible behavior are essential and expected.

Those persons 21 years of age or older: Persons of legal age may consume alcoholic beverages only at approved registered campus events, in the approved area of the Dog Pound (Spann Commons), or in approved areas within residences (see guidelines for residences).

Those persons under the age of 21: It is against state law, and hence College policy, for anyone under the age of 21 to possess, sell, procure, consume, or transport alcoholic beverages. This

includes exhibiting signs of alcohol consumption (such as alcohol on breath, slurred speech, bloodshot eyes, vomiting, difficulty standing, etc.), regardless of whether it was consumed on or off campus.

General Alcohol Policy

The following are considered a violation of Thomas' Alcohol Policy:

- Consumption or possession of an open container of alcohol or imitation alcohol by someone of legal age in a common area unless the event/area is sanctioned by the College. Common areas include: the Ayotte Center, the Spann Commons (except at the Dog Pound), the Athletic Center, the Alford Academic Center, the Sukeforth Family Sports Center, and/or outdoors; and within residences, common hallways, bathrooms, lounges, computer lab, stairwells, or any other common area(s).
- Intoxication that interferes with or disrupts others or necessitates staff intervention or medical attention (as determined by college staff).
- Public or dangerous intoxication: defined as a state of intoxication accompanied by a perceptible act (e.g., causing a disturbance, being perceived as a danger to self, others, or property, or requires the attention of college staff), a series of behaviors, or the appearance of an individual, which clearly demonstrates a state of intoxication.
- Furnishing alcohol to a minor: Furnishing liquor or imitation liquor to a person under the age of 21 or allowing a person under the age of 21 to possess liquor or imitation liquor on a premise under one's control (including residence room).
- The possession and/or use of false identification; providing or assisting an underage student with false identification.
- Common source containers of alcohol such as kegs (except at the Dog Pound), "beer balls", trash cans, punch bowls/spiked punch, alcohol filled fruit, etc.
- Games, acts, or any paraphernalia intended to influence or coerce individuals to ingest alcohol, or which imply that such ingestion is taking place. Examples include, but are not limited to, games typically associated with drinking whether alcohol is involved or not (e.g. "pong", "Beirut", "Quarters", "Flip Cup"), funnels, shot gunning, Jell-O shots, or any item/device used for mass consumption.
- Operating any type of motor vehicle while under the influence of alcohol.
- Use of student fees (e.g. Student Senate, fundraisers, student activities, residence halls, etc.) to purchase alcohol.

Alcohol Policy Specific to Residences

1. Resident students who are of legal age and their guests, of legal age, may only consume alcohol within their residence room/suite/townhouse or that of another 21-year-old if that student is present (except in Substance Free Housing: Hinman Hall).
2. Consumption of alcoholic beverages or possession of an open/closed container of alcohol for legal-age students is prohibited in Substance Free Housing (Hinman Hall) or within a room where the room owners are under 21.

3. Open alcohol containers, including any alcoholic beverage out of the original container or having a broken seal on the original container, are not permitted in common hallways, lounges, computer labs, bathrooms, stairwells, or any other common area(s). If all Residents living in a Suite/Townhouse and their guests are of legal drinking age, open alcohol containers are permitted in the common area of the Suite/Townhouse.
4. There may be only one open container per person of legal drinking age.
5. The display of advertisements or signs, bottles, cans, lights, etc., that promotes or encourages the consumption of alcohol and is visible from outside of a campus building or a resident room is not permitted.
6. Alcohol containers of a decorative nature, for collection, or for recycling are not permitted in Substance Free Housing or rooms where no resident is of legal age.

Dog Pound Alcohol Policy

1. To purchase alcohol, at each sale, a person of legal drinking age must present a valid Driver's License or State-issued Identification Card. A secondary form of identification may also be required (i.e., passport, military-issued ID).
2. Each person of lawful age may purchase only one alcoholic beverage at a time.
3. Only alcohol purchased or distributed by licensed persons may be consumed in the approved Dog Pound area. State law prohibits people from bringing their own alcoholic beverages into this area. Alcoholic beverages purchased or obtained at the Dog Pound may not be taken out of doors unless such areas are licensed for consumption.
4. Alcohol will be served at the server's discretion.

Social Gatherings with Alcohol

Recognized clubs/groups hosting programs or events at which alcohol is served or available must adhere to the following:

1. All requests for approval should be submitted at least thirty (30) calendar days in advance with the Assistant Vice President of Residence Life and Student Engagement (or designee).
2. Alcoholic beverages may not be the focus of a registered event.
3. Registered events must provide equally accessible non-alcoholic beverages and food while the alcoholic beverages are being served.
4. The purchasing or serving of alcohol should end no later than 1/2 hour prior to the scheduled ending time of the event.
5. Sponsors of events are responsible for compliance with college policies, for clean-up, and for damages.
6. Sponsors of the event are responsible for the costs to obtain a temporary liquor license, if required.
7. Signs, prizes, etc., advertising products containing alcohol are not permitted.
8. Visibly intoxicated people will not be permitted to enter an event and/or may be removed from an event once identified.

9. Alcohol served at a registered event may not be taken from the premises. Likewise, people shall not bring outside alcohol into an event.
10. Consumption of alcoholic beverages is prohibited during college sponsored activities that require coordination and good judgment for safety, such as hiking trips, water related activities, etc.
11. At events with mixed age groups, all persons interested in consuming alcohol must present proper ID and may be required to wear an identifying wrist band (wrist bands are nontransferable) or other device during the event.

Illegal Substance Policy

The following are considered a violation of Thomas's Illegal Substance Policy:

- To use, possess, make, grow, furnish, sell, or trade any illegal drugs (heroin, cocaine, marijuana, LSD, steroids, etc.), use someone else's prescription drug, or the distribution or sale of prescription drugs.
- The presence of smoke or other types of residues, including but not limited to, seeds, stems, edibles, dab, or odor from illegal drugs.
- To possess, use, sell, manufacture, or advertise drug paraphernalia (including, but not limited to, pipes, bowls, clips, bong, rolling papers, hookahs, etc.)
- Exhibiting signs of being under the influence of any illegal drug or controlled substance anywhere on campus or at a college sponsored event, regardless of where the consumption occurred.

Prescription Drugs

It is illegal for any person who is not professionally licensed to manufacture, compound, dispense, sell, offer for sale, or have in possession any prescription drug, provided that this shall not prevent persons from possessing prescription drugs dispensed to them pursuant to a lawful prescription(s).

Medical/Recreational Marijuana

As a condition for receiving federal funding through Title IV in the form of financial aid, colleges and universities are required to comply with the Drug-Free Schools and Communities Act. The federal government regulates drugs through the Controlled Substance Act (CSA) which does not recognize the difference between medical and recreational use of marijuana. Thomas College complies with the Drug-Free Schools and Communities Act and therefore prohibits all marijuana use including medical and recreational marijuana even though there may be state laws that permit its use.

Alcohol/Illegal Substance Policy Sanctions

When determining sanctions, decision makers will consider the nature and seriousness of the violation, the impact of the violation of the community, the student's past conduct history, as well as the developmental needs, and mitigating or aggravating factors existing at the time of the

offense. Multiple sanctions may be imposed for one violation. The following sanctions are typically utilized based on the category and frequency of the violation.

Category I Violations (Includes but not limited to)

- Under 21 in possession of alcohol (physical or by consumption)
- Over 21 with open container in common space/outdoors
- Over 21 where behavior requires staff response (non-medical)
- Possession of empty containers:
 - Public Displays
 - For recycling or decorative container (under 21)
- Engaging in high-risk drinking (i.e.: drinking games) or possession of paraphernalia that encourages high risk consumption (i.e.: funnel)
- Being present when a violation is occurring
- Possession of alcohol in substance free housing
- Possession or use of marijuana
- Possession of drug paraphernalia
- Odor/smell of marijuana
- Under the influence of drugs or alcohol (if under 21) whether consumed on/off campus

Category I Sanctions (Includes but not limited to)

1st violation:

- Warning
- Educational component
- Restitution

2nd violation:

- BASICS and/or substance screening
- Educational
- Community Service
- Restitution

3rd violation:

- Residence Relocation
- Educational
- Community Service
- Residential or Disciplinary Probation
- Campus Restrictions
- Administrative Conduct Fine \$50.00
- Restitution

Category II Violation (Includes but not limited to)

- Repeat minor offenses, patterns of behavior
- Over or under 21 that results in medical intervention or transport, refusal of medical transport against medical advice
- Providing a place for minors to consume
- Furnishing alcohol to a minor
- Use, furnish, provide Fake ID
- Possession of common source container (i.e.: keg, punch bowls)
- OUI on campus
- Use, possess, distribute drugs (i.e.: heroin, cocaine, LSD) or illegal use, possession, distribution of prescription drugs
- Distribution of marijuana
- Sale of illegal drugs, marijuana, or prescription drugs

Category II Sanctions (Includes but not limited to)

- BASICS and/or Substance Screening/Assessment
- Prime for Life Program
- Educational Component
- Community Service
- Residential Relocation
- Disciplinary or Residential Probation (minimum 1 semester)
- Campus Restriction
- Suspension or Expulsion
- Administrative Conduct Fine \$50.00
- Restitution

Good Samaritan Policy

Abuse of alcohol or other drugs can create life-threatening situations that require an immediate response from emergency services personnel. In all instances, the College's main concern is that those in need receive prompt medical attention. If a student assists an intoxicated individual who is at risk for alcohol poisoning, drug overdose, or has other urgent medical needs and requests the assistance of Thomas College staff, neither the student who is at risk nor the individual who assisted will be subject to formal college judicial action. This policy refers to incidents where alcohol poisoning/overdose is a likely risk and does not excuse those who repeatedly violate Thomas College's substance policy. The student who was likely to be at medical risk will be required to meet with a member of the Student Affairs staff or be referred to the Thomas CARE Team for follow-up. Failure to attend the follow-up meeting may result in disciplinary action.

Guidelines for Distribution, Marketing, and Promotion of Alcohol and Other Substances

1. The consumption of beer, wine, or distilled spirits should not be the sole purpose of any sponsored event.
2. No uncontrolled sampling or other promotional activities, including “drinking contests,” will be permitted as part of any campus marketing programs or events.
3. No advertising should promote high risk drinking or portray drinking as a solution to personal or academic problems or as necessary to social, sexual, or academic success of the individual, or be associated with the performance of tasks that require skilled reactions such as the operation of motor vehicles or machinery.
4. Informational marketing programs should have educational value and subscribe to the philosophy of responsible decision-making and legal use of the products represented.

SUBSTANCE ABUSE PREVENTION, EDUCATION, AND REFERRAL SERVICES

Counseling Services

Thomas College has counseling services available to help students deal with substance related concerns or abuse problems. You may discuss concerns with the Campus Counselor, Health Center staff, Dean of Student Affairs, or the Director of Community Standards. These individuals can also help you to get assistance from trained professionals in the community.

Local Resources

- Maine Office of Substance Abuse (207) 287-2595
- Maine Drug Enforcement Agency (207) 626-3850 (Anonymous & Confidential – you may report illegal drug activity)
- Main General Mental Health & Substance Abuse (207) 626-1000

What are Potential Signs of a Problem?

- Failure to fulfill major work, school, or home responsibilities.
- Specific school problems such as poor attendance, low grades, and/or recent disciplinary action.
- Drinking in situations that are physically dangerous, such as driving a car.
- Having recurring alcohol-related legal problems, such as being arrested for driving under the influence or for physically hurting someone while under the influence.
- Continued drinking despite having ongoing relationship problems that are caused or worsened by alcohol/drugs.
- Mood changes such as temper flare-ups, irritability, and defensiveness.
- Physical or mental problems such as memory lapses, poor concentration, bloodshot eyes, lack of coordination, or slurred speech.

WHAT DOES THE LAW SAY ABOUT ALCOHOL?

UNDER 21

Title 28-A, §2051: Prohibited acts by minors (mainelegislature.org)

Illegal Possession

It is a civil violation for any person under the age of 21 to possess liquor or imitation liquor except if it is within the scope of their employment or in their home in the presence of their parent. Fines for illegal possession are as follows:

- 1st Offense – \$200 to \$400
- 2nd Offense – \$300 to \$600
- 3rd or Subsequent Offense – \$600

Youths 17 years or younger are charged with the juvenile crime of illegal possession.

Purchase and Attempt to Purchase Alcohol by Persons Under 21

In Maine, the purchase of alcohol by persons under 21 years of age is prohibited. A violation of this law is punishable by:

- 1st Offense – a fine of \$200 to \$400
- 2nd Offense – a fine of \$300 to \$600 and/or community service
- 3rd or Subsequent Offense – a fine of \$600 and/or community service

Use of False Identification

The use of false identification by a person under the age of 21 is illegal. In Maine, a violation of this law is punishable by:

- 1st Offense – a fine of \$200 to \$400 and a 30-day driver's license suspension
- 2nd Offense – a fine of \$300 to \$600 and/or community service and a 90-day driver's license suspension
- 3rd or Subsequent Offense – a fine of \$600 and/or community service and a 1-year driver's license suspension

The Teen OUI Law (Zero Tolerance)

Any motor vehicle operator under 21 years of age who operates or attempts to operate a motor vehicle with any alcohol in their blood* shall have their license suspended by the Secretary of State for one year. If they have a passenger under 21, an additional 180-day suspension will be imposed. Refusal to be tested will result in suspension of their operator's license for at least 18 months.

****Minors who test .08 or more will be prosecuted for the criminal offense of OUI. Anyone, including a minor, who drives with a Blood Alcohol Content (BAC) of .08 or higher can be charged with Operating Under the Influence (OUI).***

Individuals with a BAC lower than .08 can still be charged with an OUI if a law enforcement officer feels they are unable to safely operate a vehicle.

OVER 21

Furnishing Liquor to a Minor

Any person who furnishes liquor to a minor, or allows a minor under that person's control, or in any place under that person's control, to possess or consume liquor, may be fined up to \$2,000 and/or sentenced to up to one year in jail. If the minor is less than 14 years old, or the violation is a second offense within six years, the minimum penalty is a \$1,000 fine and up to six months in jail.

Furnishing Imitation Liquor to a Minor

Any person who furnishes imitation liquor to a minor or allows a minor under that person's control to possess or consume imitation liquor may be fined up to \$500 and/or sentenced to six months in jail.

Maine Liquor Liability Act

Title 28-A, Chapter 100: MAINE LIQUOR LIABILITY ACT (mainelegislature.org)

The Maine Liquor Liability Act was established to form a legal basis for obtaining compensation for damages as a result of intoxication and related incidents. **A non- licensed, social host (a person who does not hold a Maine Liquor License) can be sued for negligent or reckless conduct.** By definition, negligent conduct is the serving of liquor to a minor or intoxicated person, if the defendant knows or a reasonable and prudent person should have known the person being served is a minor or is visibly intoxicated.

Reckless conduct is the intentional serving of liquor to a person when the server knows the person being served is a minor or is visibly intoxicated, and the defendant consciously disregards the obvious and substantial risk that serving liquor to that person will cause physical harm to the drinker or to others.

Financial Implications

Damages may be awarded for property damage, bodily injury, or death caused by the consumption of liquor served by the defendant. The limit on awards is \$250,000 plus medical expenses.

WHAT DOES THE LAW SAY ABOUT ILLEGAL SUBSTANCES?

Maine State Laws Governing the Use of Controlled Substances

1. 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.” Note: The sale of illicit drugs within one thousand (1,000) feet of a school is a federal offense.
2. Possession of a usable amount of marijuana by a person under 21 years of age is considered a civil infraction with a fine of up to six hundred dollars (\$600) or up to one thousand dollars (\$1,000) depending on the amount (up to 2 ½ ounces). Possession of greater quantities may result in a legal presumption of trafficking in scheduled drugs. Trafficking carries severe penalties.
3. It is unlawful for any person to use, or to possess with intent to use, to grow, harvest, manufacture, produce, test, store, conceal, inject, ingest, inhale, or otherwise introduce into the human body an unlicensed controlled substance or counterfeit controlled substance. Penalties include prison terms and substantial fines. This does not apply in Maine to a person who is authorized to possess marijuana for medical use pursuant to Title 22, chapter 558-C or to a person who is authorized to possess marijuana pursuant to Title 28-B; however, it is still against federal law.
4. It is unlawful in the State of Maine to possess, use, sell, manufacture, or advertise drug paraphernalia. Paraphernalia includes any equipment, product, or material which is used for or intended for use in growing, harvesting, manufacturing, producing, testing, storing, concealing, injecting, ingesting, inhaling, or otherwise used to introduce an illicit drug into the human body. Bongs, hash pipes, water pipes, roach clips, etc. are considered drug paraphernalia. Fines of up to two thousand dollars (\$2000), in addition to a maximum jail term of one (1) year, are provided for under Maine law. This does not apply to a person who is authorized in Maine to possess marijuana for medical use pursuant to Title 22, chapter 558-C, to the extent the drug paraphernalia is used for that person's medical use of marijuana or to a person who is authorized to possess marijuana pursuant to Title 28-B or to the extent the drug paraphernalia is used for that person's adult use of marijuana; however, it is still against federal law.