

Subject: Drug-Free Schools and Communities Act - Annual Notification

Campus Wide Distribution: October 24, 2023

Federal Regulations

Dear faculty, staff and students,

The University of Dayton is committed to creating an academic environment free of drug and alcohol misuse. While the majority of our students and employees do not misuse alcohol or drugs, the University of Dayton is not immune to this serious health issue. As a Catholic, Marianist University, we are concerned about any individual on campus who may have a problem with alcohol and other drugs and are always ready to reach out to arrange counseling and education through a variety of programs.

The attached document provides information on University policy, health risks, and legal sanctions associated with alcohol and other drug abuse. Also included is information about campus programs that offer prevention, intervention, assessments, counseling, and referrals. [You can also access this report online.](#)

You are receiving this notification in accordance with the federal Drug-Free Schools and Communities Act Amendments of 1989 and the Drug-Free Workplace Act, which require universities to provide students and employees information annually about alcohol and other drug issues. This is an effort to educate and achieve a drug free learning and living environment. Please consider saving this email as it contains valuable information that may be of assistance to you or a friend. You can also visit the website for UD's [Center for Alcohol and Other Drugs Resources and Education](#) to find out more about the services and programs available to you and access a link to the report. Please note that direct services and consultation require an appointment, which can be scheduled online.

Sincerely,

Eric F. Spina, Ph.D.
President



University of Dayton
Student Development

Drug and Alcohol Abuse Prevention Program (DAAPP)

2023 – 2024 Issuance

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Prevention of Alcohol Abuse and Illicit Drug Use at the University of Dayton

The University of Dayton (UD) has developed a Drug and Alcohol Abuse Prevention Program (DAAPP) to discourage the illicit use of drugs and the abuse of alcohol by students and employees. Information materials, counseling services, educational programs and administration of disciplinary actions are all elements of these programs and are available through the Division of Student Development (Housing and Residence Life, Counseling Center, Student Health Center, Center for Alcohol and Other Drugs Resources and Education (CADRE), Dean of Students office and Office of Community Standards and Civility, Center for Student Involvement, and Office of Human Resources.

Federal and State of Ohio laws prohibit the illegal manufacture, sale, distribution, use or possession of any controlled substance. State of Ohio law prohibits individuals less than 21 years of age from possessing or consuming alcoholic beverages and prohibits others from distributing or selling alcoholic beverages to individuals less than 21 years of age. Additionally, City of Dayton ordinances and University of Dayton regulations govern consumption of alcohol in public places and on university property.

University policy also prohibits the unlawful use, possession, or distribution of alcohol or illicit drugs by students and employees in or on any property that the University owns or controls or as part of any University sponsored or endorsed activities. These activities include, but are not limited to, institution-sponsored activities such as field trips, student-sponsored social activities, including activities of a university-recognized student organization such as a fraternity or sorority, and professional meetings that University employees attend.

This document discusses alcohol- and drug-related Code of Conduct standards pertaining to students and University policy of procedure standards that pertain to employees. The laws, policies and regulations discussed here are enforced by the Department of Public Safety and University officials. Violators are subject to both criminal prosecution and institutional administrative sanctions or disciplinary action.

Federal law requires the University of Dayton to annually notify all faculty, staff and students of certain information related to the unlawful possession, use or distribution of illicit drugs and alcohol on its property or as part of its activities. The information in this DAAPP report complies with the notification requirements and implementing regulations of the Drug-Free Schools and Communities Act.

The University distributes this document by annual email notification to students and employees. This notification includes a link that students and employees may use to access the document at any time, and an attachment that contains the document. Physical copies are also available to students at CADRE (Adele Center, Room 103) and to employees at the Office of Human Resources (St. Mary's Hall, Room 300). Such copies are printed on request. All new employees of the University are provided with an electronic link to the University's policies and relevant forms, including the DAAPP report, at the time of hire. To meet the requirement that all faculty, staff and students receive a copy of the DAAPP each year, we send an annual fall announcement to the campus community, as well as a spring announcement to students who have joined the University since the annual issuance date.

This document is always available in its most updated form at go.udayton.edu/DAAPP. Every other years, the University conducts a biennial review including a review of the DAAPP to determine its effectiveness and implement changes, if needed. This review also ensures that any disciplinary sanctions are consistently enforced.

Questions about this report should be directed to Vernique Coleman-Stokes, Director of CADRE, 300 College Park, Dayton, Ohio, 45469-2610 and Melinda Warthman, Director of Clery Compliance and Records Administration, UD Department of Public Safety, 300 College Park, Dayton, Ohio, 45469-2914.

HEALTH RISKS ASSOCIATED WITH ILLICIT DRUG USE¹

The Controlled Substances Act of 1970 places all substances that are regulated under federal law into one of five schedules, based on the substance's medical use, potential for abuse and safety or dependence liability.

Schedule I

- The drug or other substance has a high potential for abuse.
- The drug or other substance has no currently accepted medical use in treatment in the United States.
- There is a lack of accepted safety for use of the drug or other substance under medical supervision.
- Examples of Schedule I substances include heroin, gamma hydroxybutyric acid (GHB), lysergic acid diethylamide (LSD), marijuana and methaqualone.

Schedule II

- The drug or other substance has a high potential for abuse.
- The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions.
- Abuse of the drug or other substance may lead to severe psychological or physical dependence.
- Examples of Schedule II substances include morphine, phencyclidine (PCP), cocaine, methadone, hydrocodone, fentanyl and methamphetamine.

Schedule III

- The drug or other substance has less potential for abuse than the drugs or other substances in Schedules I and II.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence.
- Examples of Schedule III substances include anabolic steroids, codeine products with aspirin or acetaminophen, and some barbiturates.

Schedule IV

- The drug or other substance has a low potential for abuse, relative to the drugs or other substances in Schedule III.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence, relative to the drugs or other substances in Schedule III.
- Examples of drugs included in Schedule IV are alprazolam, clonazepam and diazepam.

Schedule V

- The drug or other substance has a low potential for abuse, relative to the drugs or other substances in Schedule IV.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substances may lead to limited physical dependence or psychological dependence, relative to the drugs or other substances in Schedule IV.
- Examples of Schedule V substances include cough medicines with codeine.

¹The information in this section is taken from the U.S. Department of Justice (DOJ) 2020 publication "Drugs of Abuse." Students and employees are strongly encouraged to review this publication for more detailed information regarding the health risks associated with alcohol and illicit drug use and abuse. The full publication is available online at [Drugs of Abuse, A DEA Resource Guide](#).

HEALTH RISKS ASSOCIATED WITH ALCOHOL ABUSE

Far-reaching consequences are associated with alcohol abuse among college students. According to the National Institute on Alcohol Abuse and Alcoholism, “Students who engage in risky drinking may experience blackouts (i.e., memory loss during periods of heavy drinking); fatal and nonfatal injuries, including falls, drowning and automobile crashes; illnesses; missed classes; unprotected sex that could lead to a sexually transmitted disease (STD) or an unwanted pregnancy; falling grades and academic failure; an arrest record; accidental death; and death by suicide. In addition, college students who drink to excess may miss opportunities to participate in the social, athletic, and cultural activities that are part of college life.”

The risks are not limited to students. The U.S. Department of Justice, Drug Enforcement Administration identifies drug classes and the Centers for Disease Control and Prevention identifies multiple short- and long-term health risks related to alcohol use and abuse (See Table 1).

Short-Term Health Risks

Excessive alcohol use has immediate effects that increase the risk of many harmful health conditions. These effects are most often the result of binge drinking and include the following:

- Injuries, such as motor vehicle crashes, falls, drowning and burns
- Alcohol poisoning, a medical emergency that results from high blood alcohol levels
- Violence, including homicide, suicide, sexual assault and intimate partner violence
- Risky sexual behaviors, including unprotected sex or sex with multiple partners, which can result in unintended pregnancy or STDs, including HIV
- Miscarriage and stillbirth or fetal alcohol spectrum disorders among pregnant women

Long-Term Health Risks

Over time, excessive alcohol use can lead to the development of chronic diseases and other serious problems, including the following:

- High blood pressure, heart disease, stroke, liver disease or digestive problems
- Cancer of the breast, mouth, throat, esophagus, liver or colon
- Learning and memory problems, including dementia and poor school performance
- Mental health problems, including depression and anxiety
- Social problems, including lost productivity, family problems and unemployment
- Alcohol dependence or alcoholism

Table 1 Drugs of Abuse: Uses and Effects*

Substance/Other Names	Short-Term Risks and Effects	Long-Term Risks and Effects	Overdose Risks and Effects
Alcohol Beer, distilled liquor, ethanol, wine	Impaired judgment or vision Lowered inhibitions Loss of motor skills Loss of coordination Slurred speech	Cardiovascular disease High blood pressure Liver damage Neurologic damage Toxic psychosis	Coma Possible death
Marijuana/Cannabis/Marijuana Concentrates Hash oil, hashish, grass, marijuana, marijuana concentrates, pot, weed, marijuana concentrates commonly referred to or known on the street as “honey oil” or “budder”	Confusion Euphoria Impaired balance Impaired coordination Memory loss Slowed reaction time Slowed thinking	Cardiovascular damage Frequent respiratory infections Impaired learning Impaired memory Increased heart rate Tolerance and addiction	Insomnia Hyperactivity Panic Attack Paranoia Possible toxic reaction if combined with other chemicals, *No deaths from overdose of marijuana have been reported

Depressants Barbiturates, benzodiazepines (Valium, Xanax, Ativan), GHB (liquid Ecstasy), Special K, flunitrazepam, methaqualone Rohypnol®, butalbital (Fiorina®), phenobarbital, Pentothal®, Seconal®, and Nembutal®	Confusion Fatigue Feeling of well-being or irritability Lowered blood pressure Lowered inhibitions Poor concentration Reduced anxiety Sedation Slowed pulse and breathing Slurred speech	Anxiety Dizziness Hallucinations Insomnia Loss of peripheral vision Nausea Seizures Weak, rapid pulse Toxic psychosis Tremors	Blackouts Cold, clammy skin Coma Life-threatening withdrawal Possible death Respiratory depression or arrest Toxic reaction if combined with alcohol
Hallucinogens/Designer Drugs Acid, crystal, LSD, MDA, mescaline, mushrooms, PCP, peyote, phencyclidine, psilocybin, Ecstasy/MDMA, K2/Spice	Altered state of perception Increased heart rate, body temperature, blood pressure Loss of appetite Nausea Numbness Sleepiness Tremors Weakness	Hallucinogen Persisting Perception Disorder (flashbacks) Intensifying of existing psychosis Violent behavior	Elevated heart rate, increased blood pressure, dilated pupils, nausea and vomiting, Intense, prolonged hallucinations Possible sudden death Psychosis
Inhalants Gases Solvents Household products that produce chemical vapors	Impaired judgment Headache Nausea Vomiting Poor coordination Slurred speech	Cardiovascular and nervous system damage leading to inability to walk, talk, think Cramps Depression Loss of muscle tone Memory impairment Mild withdrawal Muscle wasting and weakness Weight loss	Damage to parts of the brain that control thinking, moving, vision, and hearing Cognitive abnormalities such as mild impairment to severe dementia Coma Possible sudden death Possible toxic reaction Unconsciousness
Narcotics Codeine, heroin, hydromorphone, morphine, opium, oxycodone, OxyContin®, Vicodin®, methadone, fentanyl, synthetic opioids	Confusion Constipation Drowsiness Euphoria Nausea Pain relief Sedation Staggering gait	AIDS and Hepatitis	Clammy skin Coma Convulsions Possible Death Respiratory arrest Shallow perspirations Tolerance, addiction Toxic reaction if combined with alcohol, stupor, changes in pupillary size, cyanosis, slow and shallow breathing, blue lips and fingernails, convulsions
Stimulants Khat, Amphetamines [Adderall® and Dexedrine®], methylphenidate [Concerta® and Ritalin®], diet aids [such as Didrex®, Bontril®, Preludin®, Fastin®, Adipex P®, Ionomin®, and Meridia®] and other illicitly used drugs such as methamphetamine, cocaine, methcathinone, and other synthetic cathinones that are commonly sold under the guise of "bath salts."	Appetite loss Excitement and euphoria Feeling of well-being Increased alertness Changes to blood pressure, pulse Insomnia	Insomnia Nervous system damage Organ or tissue damage Paranoia Psychosis Weight loss	Agitation Convulsions Hallucinations Heart attack, stroke High blood pressure Loss of consciousness Seizures Temperature increase
Tobacco/Vaping Chewing/smokeless tobacco, cigarettes, cigars, nicotine, E-Cigs, e-hookas, mods, vape pens, vapes, tank systems, and Juuls or Juuling	Bad breath Bad taste in mouth Decreased lung capacity Increased blood pressure Increased heart rate	Adverse pregnancy outcomes Cardiovascular disease Cancer	Possible death Cold Sweat Confusion Seizures Diarrhea Dizziness, Drooling Stomach Pain

*This DOJ chart has been amended.

Notes:

- Alcohol and other drug use during pregnancy increases risk of physical harm to the fetus.
- Additional risks of harm may occur from toxic impurities present in street drugs.
- Additional risks of harm may occur from the use of prescription drugs in ways other than prescribed.
- Drugs taken by injection can increase the risk of infection (e.g., HIV, hepatitis) through needle contamination.

For more information, visit [Drugs of Abuse, A DEA Resource Guide](#) and [NIH, Alcohol's Effects on the Body](#).

EDUCATIONAL CONSEQUENCES OF ALCOHOL AND OTHER DRUG ABUSE²

Numerous educational consequences are associated with alcohol and other drug abuse. About 25% of college students report academic consequences of their drinking, including missing class, falling behind, doing poorly on exams or papers and receiving lower grades.³ Student attrition at colleges across the United States poses a significant problem for students and families, institutes of higher education and the

nation's workforce competing in the global economy.⁴ In recent years, prescription drug misuse has become increasingly prevalent among college students and has been related to decreased academic performance and increased high-risk behavior. Students who misused pain medications were more likely to have a lower grade-point average, and those who used prescription stimulants and anxiolytics reported use of other substances and risky driving behaviors.

Student-Specific Policies

The Student Code of Conduct establishes specific behaviors that do not meet the expectations of a student or any student organization at the University of Dayton and are therefore prohibited. The Code of Conduct includes information regarding alcohol and other drugs.

The University encourages students to seek medical attention for themselves and others when needed. The University recognizes that the potential for disciplinary action may be a barrier to seeking medical assistance for issues involving the use of alcohol or drugs. For this reason, the Office of Community Standards and Civility offers medical amnesty through participation in a diversion program (the Blueprint Program). Students who gain access to medical attention because of peer intervention qualify for medical amnesty. Additionally, a caller is not documented for simple alcohol or drug violations that become known to authorities as a result of a call for assistance. When a student calls for themselves, they are documented but remain qualified for the amnesty program.

Provided the student who requires medical attention agrees to participate in the Blueprint Program, medical amnesty shields the incident from disciplinary action. In these circumstances, students who are on, or have been on, University disciplinary probation for alcohol- or drug-related issues are also protected from the consequences of suspension and expulsion, within reason.

Note that a history of alcohol or drug-related medical transports remains of concern to the University. Any student who becomes a danger to themselves with regard to the use or abuse of these substances may require ongoing medical attention and could disqualify them from amnesty for habitual medical transport. Medical amnesty was created with the safety and security of the student community in mind. Any case in which the drug in use or the behaviors surrounding the incident cause heightened safety concerns may be managed through the traditional process, as determined by the Associate Dean of Students and the Director of the Office of Community Standards and Civility.

² The Higher Education Center for Alcohol and Other Drug Abuse and Violence Prevention (2008). *College Academic Performance and Alcohol and Other Drug Use*. Retrieved from <https://files.eric.ed.gov/fulltext/ED537642.pdf>

³ Safe Supportive Learning (n.d.). *Higher Education Update: Academic Performance, Retention, and Alcohol Use*. Retrieved from https://safesupportivelearning.ed.gov/sites/default/files/he_update_academic_final_0.pdf

⁴ Palmer, R.S., McMahon, T.J., Moreggi, D.I., Rounsaville, B.J., & Ball, S.A. (2012). College Student Drug Use: Patterns, Concerns, Consequences, and Interest in Intervention. *Journal of college student development*. Retrieved from www.ncbi.nlm.nih.gov/pmc/articles/PMC3856915/#R9

The Code of Conduct prohibits the following behaviors with regard to alcohol (liquid or powdered):

- a. Use or possession of alcohol under the legal drinking age.
- b. Distribution of alcohol to any person under the legal drinking age.
- c. Drinking in public, public intoxication or possession of an open container outside of a private space.
- d. Sale or manufacturing of alcohol.
- e. Driving under the influence of alcohol.
- f. Possession or distribution of alcohol from a mass container (such as kegs or common source) or from outside its original packaging (party juice, unboxed bagged wine, etc.). Possession of consumption devices (such as funnels), possession of items used to facilitate drinking games and/or any behavior that promotes underage or irresponsible drinking.
- g. Abuse of alcohol. Evidence of abuse may include, but is not limited to, loss of motor skills (staggering, slowed response, etc.), slurred speech, inability to speak coherently, required medical attention, passing out, vomiting, loss of memory, or hospitalization. Participating in high-risk drinking activities also constitutes the abuse of alcohol. Such activities include, but are not limited to, drinking large quantities of alcohol, consuming alcohol at an accelerated pace (through chugging, or participation in a drinking game), or the use of alcohol with medication or other controlled substances.
- h. Use of containers or packaging for decoration, alcohol signage, and advertising that can be seen by the general public is not permitted on university property.

The following behaviors are not permitted with regard to drugs:

- a. Illegal use or possession of marijuana.*
- b. Prescription use or possession of marijuana on campus property.
- c. Use or possession of heroin, cocaine, acid, narcotics, or other controlled substances.
- d. Use of any general product as an intoxicant or as a means to get high.
- e. Manufacturing, growing, distributing, selling, attempting to sell, or transferring any controlled substances.
- f. Driving under the influence or impaired by drugs.
- g. Improper use, misuse, possession or distribution of prescription drugs or over the counter medications.
- h. Possession of paraphernalia commonly used to consume drugs (includes, but is not limited to pipes, bongs, hookahs, home-made smoking devices, vape materials with suspected illegal substances, or items that have markings of use for drug-related behavior, such as burned spoons).
- i. Use of any product or substance as a means to get another person high or alter another person's physical state and/or mental capacity.

Notes on Drugs:

- Medical Amnesty described with the alcohol code also can apply to the drug code.
- *Students who have proper documentation from the state of Ohio for the medical use of marijuana are not permitted to use or possess the substance on campus, including in UD housing. A student with such a prescription who is otherwise required to live in UD housing would need to seek an accommodation from the housing requirement.
- Possession of quantities of lawful medications in excess of reasonable personal use, in combination with other factors that indicate distribution or other misuse, may be a basis for a violation of this provision.

University Discipline Associated with Alcohol and Illicit Drug Use

Student conduct proceedings following violations of the Code of Conduct end with one of four findings:

- **Not Responsible.** There is not enough evidence/information to indicate that the student is/was in violation of the Code.

- **Responsible.** The evidence/information available to the University indicates a violation of the code.
- **Complicit.** While a student was initially suspected of being in direct violation, it is now clear that the student witnessed, was present at, or was determined to be responsible for hosting/encouraging violations.
- **Adjudication Withheld.** The case was diverted to, or the student chose to accept, an educational diversion program, causing the adjudication of the case to be withheld.

Students who are found to be Responsible or Complicit face consequences that are intended to be corrective and educational in nature, but they can be punitive if deemed necessary. The University will impose sanctions on students for violations of the University Code of Conduct related to alcohol and illicit drug use (consistent with local, state and federal law), up to and including expulsion or referral for prosecution.

The disciplinary experience is intended to make the limits of acceptable behavior clear to the student and to give the student an opportunity to more fully understand the expectations of living in community. The outcomes for those found Responsible or Complicit in a violation will likely include a combination of interventions, as explained in greater detail in the Code of Conduct (go.udayton.edu/codeofconduct).

Failure to complete assigned outcomes may result in the student's record being placed on hold (known as a Dean's Hold), which can prevent registration, participation in the housing selection process, release of grades and transcripts, participation in graduation and the granting of a degree. Additionally, students who fail to complete consequences may be offered an extended deadline, if requested in a timely manner.

A second missed deadline may result in the student facing a violation of compliance, which initiates a new student conduct case, or the consequences may be altered to monetary fines. Lastly, the University reserves the right to alter the consequence of suspension/expulsion to that of expulsion in any case where the student violates the terms of a suspension/expulsion.

University consequences and sanctions include, but are not limited to, the following:

- **Written Warning.** An official written notice of the University's disapproval of a student's actions, indicating that any future violation will be dealt with more severely.
- **Restriction.** Temporary or permanent loss of privileges or the use of/participation in a university facility, program or service.
- **Intervention.** Educational or informative workshops, events, reflective or research papers, meetings, counseling sessions or activities related to the violation or incident.
- **Monetary Fine.** A disciplinary fine placed on the student's account.
- **Restitution.** Compensation for loss, damage or injury.
- **University Disciplinary Probation.** Official notice that any further/future violations are likely to result in suspension or expulsion from the University.
 - A student on probation is not permitted to serve in select leadership positions in student organizations, as defined in the Student Organization Resource Guide and are required to notify the president and/or advisor of the organization regarding their ineligibility to serve. ([Student Organization Resource Guide 2022-23](#)).
 - A student on probation is not permitted to participate in the recruitment/pledge/initiation process of any fraternity or sorority. They also may experience additional restrictions and loss of privileges from varying programs and events, as specified in the policies of such activities.
 - A student on probation is not in good non-academic standing with the University.

*Students on probation are permitted to join and be members of clubs and organizations; only the intake process for social fraternities and sororities is prohibited with regard to membership.

- **Interim Action.** Interventions or restrictions issued by the Dean of Students or Vice President for Student Development at their discretion before the adjudication of a conduct case.
- **Interim Actions.** These could include, but are not limited to, interim suspension/expulsion, limitation of access to designated University facilities or residence halls by time and location, limitation of privilege to engage in specified University activities or reassignment to alternate housing.
- **Interim Suspension/Expulsion.** A denial of access to the residence halls, the campus (including classes) and to all other University activities or events that the student might otherwise be eligible to participate in or attend.
 - Note: Interim suspensions/expulsions are issued before adjudication of a student conduct case by the Vice President for Student Development or the Dean of Students.
- **Suspension/Expulsion.** A complete separation from all University classes, activities, events, services, facilities, grounds and campus property (including University-owned houses in the student neighborhood) for a specific period or until specific conditions are met.
 - Any violation of these terms results in additional action, up to and including expulsion.
 - Suspensions/expulsions are immediate, regardless of the timing of the academic year.
- **Expulsion.** Complete and permanent termination of the student’s relationship with the University, as pertains to all classes, activities, services, facilities and grounds and precluding any future enrollment in the University’s undergraduate, graduate and professional schools.

During the period where an investigation or student conduct case is pending against a student or the student has not satisfied the terms of an assigned consequence, the University may deny or delay the issuance of a degree. Furthermore, the University may refuse to issue a degree to a student who is serving a suspension/expulsion, has been expelled from the University or may hold a transcript until the suspension term has lapsed.

Table 2 provides an example of the standards that conduct hearing officers use for the most commonly violated alcohol-related portions of the Code.

Table 2 Conduct Hearing Standards for Alcohol Code Violations

Code	Specific Behavior	Offense	Standard Consequences
Alcohol	Underage alcohol	First	<ul style="list-style-type: none"> ● Written warning ● \$135 fine ● 2-hour educational intervention ● Letter to parents
	Underage alcohol No intoxication behavior demonstrated	Second	<ul style="list-style-type: none"> ● University Disciplinary Probation ● \$150 fine ● 3-hour educational intervention
	Underage alcohol and second-offense cases with drunkenness or large quantities involved and any signs of intoxication behavior	Second/third	<ul style="list-style-type: none"> ● University Disciplinary Probation ● \$150 fine ● 3-8-hour education intervention
	Underage alcohol cases	Fourth	<ul style="list-style-type: none"> ● Suspension
	Distribution to minors	First	<ul style="list-style-type: none"> ● University Disciplinary Probation ● \$200 fine ● 1- to 2-hour education intervention
	Distribution to minors	Second	<ul style="list-style-type: none"> ● Suspension

	Drinking in public, public intoxication or possession of an open container (<i>over the age of 21</i>)	Second	<ul style="list-style-type: none"> • Written warning • \$135 fine • 2-hour educational intervention
	Drinking in public, public intoxication or possession of an open container (<i>over the age of 21</i>)	Third	<ul style="list-style-type: none"> • University disciplinary probation • \$150 fine • 3- to 8-hour education intervention
	Driving under the influence of alcohol (<i>where no one was harmed, the vehicle remained in a driving lane, and the driver followed other driving safety standards</i>)	First	<ul style="list-style-type: none"> • University disciplinary probation • \$150 fine • 8- to 10-hour educational intervention • Permanent loss of driving and parking privileges on campus property • Permanent loss of privileges to drive any University vehicle
	Driving under the influence of alcohol	First/second	<ul style="list-style-type: none"> • Suspension
	Alcohol abuse, regardless of age (<i>including participation in accelerated consumption or drinking games</i>)	First	<ul style="list-style-type: none"> • University disciplinary probation • \$150 fine • 3- to 8-hour educational intervention
	Alcohol abuse	Second	<ul style="list-style-type: none"> • Suspension

Note: There is currently no comparable chart for drug-related offenses at this time.

STUDENT ORGANIZATIONS AND USE OF ALCOHOL

Student organizations at the University of Dayton are expected to follow and uphold all individual and student organization policies and requirements set forth by the Office of Community Standards and Civility (Student Standards of Behavior and Code of Conduct), Center for Student Involvement (Student Organization Resource Guide) and University policies.

Registering an Event with Alcohol

Due to the level of risk, organizations **must** notify the Center for Student Involvement of a requested event with alcohol at least 21 days before the event. Organizations **must** also register the event on 1850 (the student organization management portal) at least 14 days before the event. Events with alcohol can be registered only for Fridays and Saturdays. If all requirements are not met, the event will be denied.

Before registering an event with alcohol, be aware of the following requirements:

- Organization members (a minimum of the president, vice president, treasurer/secretary, event planner and risk management chair, if applicable) must attend Event Management Training (EMT), provided by the Center for Student Involvement. The EMT training schedule can be found at 1850.udayton.edu, on the Center for Student Involvement's Events tab. Each member must RSVP for the training through 1850.
- All designated event monitors for the event (organizations must provide one event monitor for every 15 event participants) must complete Event Monitor Training. This training should also include leadership members and the event coordinator (the organizational member planning the event and completing the event Risk Management Plan). Event Monitor Training can be found on 1850, on the Portal's Surveys tab.
- A Risk Management Plan must be completed to the satisfaction of Center for Student Involvement Student Life staff. If the event will be cohosted with another University-recognized student organization, all organizations must jointly complete the Risk Management Plan to provide a coherent and unified protocol in the event of an emergency or incident. Only one hosting

organization needs to register the event on 1850, but the event registration must list all collaborating organizations as co-hosts (in the Advanced Options section).

- Organizations must add the Event with Alcohol waiver to the event registration (in the Advanced Options section) before submitting the registration. All guests and attendees are required to register and submit the waiver before arriving at the event.
- The fraternity or sorority risk management chair must attend the Risk Management Review offered each month by the Office of Fraternity and Sorority Life. The risk management chair must attend a training 21 days before the event is to take place. No individual meetings will be scheduled. If the chair cannot attend a training, they must immediately contact the Office of Fraternity and Sorority Life.

Additional requirements for events with alcohol include the following:

- All participants (members and guests) must complete and sign a release and agreement that provides emergency contact information via 1850. The emergency contact should be the first person the individual wants to be contacted in the event of an emergency. Individuals/participants cannot list a friend or roommate as their emergency contact. Your organization is responsible for the information submitted on every form. (Participants will be unable to RSVP to the event until the event is approved).
- Alcohol or the use of alcohol should not be used as prizes or gifts for events that involve raffles or fundraisers. Incompleteness, missing, falsifying or not satisfying the requirements for an event with alcohol will result in the event not being approved. In that case, the event will not be allowed to occur and may result in possible organizational and individual consequences.
- Any event (including events with alcohol) that is not registered will be considered in violation of Center for Student Involvement guidelines and the Code of Conduct, resulting in possible sanctions, including loss of recognition status.

Events with Alcohol

The University of Dayton is committed to maintaining a healthy and safe academic community that reflects high standards of personal responsibility and behavior. Only recognized student organizations that have liquor liability insurance will be able to host an event with alcohol both on or off campus. Student organizations are not permitted to host any event with alcohol within the first 2 weeks of each semester in order to complete all trainings and requirements.

Individuals and student organizations planning events should be mindful of the complexities involved with planning an event with alcohol. The University of Dayton also expects that those who wish to include alcohol as part of their activities will do so responsibly and lawfully.

Organizations may not plan events that solely promote or encourage the consumption of alcohol, nor may event planning be based on the assumption of abusive or illegal alcohol consumption. Persons planning events should remember that the vast majority of events at the University of Dayton take place without alcohol and most members of the undergraduate community are not of legal drinking age.

Campus organizations that are approved to plan events with alcoholic beverages are expected to maintain a reasonable balance in their programming between events with and those without the serving of alcoholic

beverages. Organization funds cannot be used for the purchase of alcohol. All organization events with alcohol must follow the requirements in this guide. No student organization is allowed to host or sponsor an event with alcohol off-campus unless the organization has liquor liability insurance.

Student organizations that want to host an event with alcohol on campus (in a designated University space approved by the Center for Student Involvement and University Catering Services) may have their event approved if they provide a valid justification for including alcohol in their event. Please contact the Assistant Director of Student Activities when planning such an event.

Events with alcohol cannot be held at an open venue or space. The venue must be open only to members and members' guests or in the space of a venue that is not open to outside guests or the public. At on or off campus events where alcoholic beverages are sold, the organization and its officers are solely responsible for implementing and monitoring such affairs in accordance with state laws, University guidelines and national and international organizational policies. As such, the hosting organization must also refuse admission and service to individuals who appear intoxicated.

Events with alcohol with parents in attendance must comply with all Center for Student Involvement guidelines for events with alcohol. All parents must be included on the guest list and must sign the release and agreement. If the event requires transportation, all parents must use third-party transportation unless the event is at a hotel and parents are staying at that hotel and can walk to the event. Students under the age of 21 cannot consume alcohol at an event registered by their organization, even if alcohol is purchased by and in the presence of a parent.

Events with alcohol with alumni in attendance must comply with all Center for Student Involvement guidelines for events with alcohol. All alumni must be included on the guest list and sign the release and agreement. If the event is hosted by the Alumni/Dayton Chapter of the organization, the student organization must register the event not as the host, but as an event that they are attending. If that event includes alcohol, the student organization must follow all Center for Student Involvement guidelines. If the event is hosted by non-students and does not permit students to follow all the Center for Student Involvement guidelines, the organization must register their attendance as an event without alcohol and not consume any alcohol at the event. **Organizations that host events with alcohol are allowed to have cash bars only. No open bars are allowed.** Student organizations are not permitted to host any event with alcohol within the first two weeks of each semester, so that all trainings and requirements can be completed before the event. Student organizations should practice safe and healthy behaviors and decision-making when hosting events.

FAQS

Q. Can my organization host an event with alcohol?

A. Only student organizations with liquor liability insurance can host an event with alcohol. Student organizations that wish to host an event with alcohol, on or off campus, need to register the event and complete all requirements for an event with alcohol.

Q. Are there restrictions around what people can engage in before, during and after our event?

A. Yes; student organizations are responsible for managing organization activities before, during and after the event. Pregaming (the consumption of alcohol before the registered event), abuse of alcohol at events registered with alcohol, and hosting or participating in after-parties with alcohol are all prohibited. Pregaming is prohibited before all registered and unregistered student organization events. This behavior is restricted to ensure the health and safety of all participating organization members and guests. Prohibited pre-gaming includes gatherings of organization members or guests before an event for the purpose of consuming alcohol. After-parties are prohibited after all registered and unregistered student organization

events. This behavior is restricted to ensure the health and safety of all participating organization members and guests. An after-party includes any gathering of organization members or guests that includes alcohol and occurs after a registered or unregistered event.

Q. Our house has members in our organization. What if we have people over to drink? Is that considered an unregistered event with alcohol?

A. Probably; as a house, it is common to invite of-age individuals over to hang out for a variety of reasons. However, if your housemates are also organization members (regardless of housing type and status) and an invitation is sent to a number of people (especially other organizational members), the gathering can be construed as an unregistered event with alcohol and in possible violation of the Code of Conduct. If a reasonable person would associate the gathering with your organization, it is likely considered an event. Please be cognizant of who you invite, how many people are present, and whether you know most of the individuals present. The University does not tolerate gatherings where high-risk, illegal or prohibited behavior occurs. By paying attention and being responsible to yourself, your organization and your community, you can limit possible violations.

Q. What is a community disturbance and what happens to our organization if we are involved?

A. The Code of Conduct states: "A community disturbance encompasses a wide range of behaviors. Such incidents can include harmful or destructive conduct, including violence, damage to or destruction of property, blocking sidewalks/streets, setting fires, throwing glass bottles or other objects, refusing to vacate an area where such activity is occurring or any other highly egregious or reckless behavior that compromises the safety and security of the University community or the ability of the police and other authorities to maintain order." Organizations are held accountable through the conduct process if they are found to have participated in or contributed to a community disturbance.

Attendee/Guest List

Create a guest list by using the Register/RSVPs from the registered event on 1850. The attendee/guest list must be shared with the Office of Fraternity and Sorority Life staff following the event with alcohol, within the Post Event High Risk Review section.

Event Monitors

Event Monitors are required for all events with alcohol regardless of location. Designated event monitors should consist primarily of members over the age of 21. Event Monitors must complete the Event Management Training with their student organization. Trainings can be scheduled through Fraternity and Sorority Life.

On-Campus Events with Alcohol

No student organization is allowed to host or sponsor an event with alcohol on campus unless the organization has liquor liability insurance. Student organizations that wish to host or co-sponsor an event with alcohol on campus must review and comply with the following additional requirements:

1. The event must be registered in 1850, following all requirements listed in the "Registering an Event with Alcohol" section of this document.
2. Catering Services is the sole third-party vendor for organizations that want to host an event on campus with alcohol.
3. On-campus events with alcohol may take place only in Kennedy Union.
4. Additional requirements may be set forth by the Center for Student Involvement.

Off-Campus Events with Alcohol

Student organizations that wish to host or co-sponsor an event with alcohol off campus must review and comply with the following additional requirements:

1. The organization must rent a room, area or venue that is closed to the public during the event.
 - a. A Student Organization Master Facility Rental Agreement or a “Third-Party Vendor Agreement” must be submitted at least one week before the event. This form signifies that the business or venue management and staff will abide by all local, state and federal regulations when hosting a student organization event with alcohol. This form can be submitted either electronically (through 1850) or on paper.
 - b. Security must be present during the event to ensure that the event is private (closed to the public) and that all participants abide by proper state and federal alcohol-related regulations. Contact the venue for their preferred or required security needs. If the venue does not require or have a preferred vendor for security, contact the Center for Student Involvement for assistance.
2. Confirmation (e.g., an uploaded email confirmation or electronic receipt) of third-party transportation is required.
3. A rental agreement is considered a contract, and students cannot sign contracts on behalf of the University of Dayton or a Recognized Student Organization. ***Submit all contracts to the Center for Student Involvement for review and signature at LEAST THREE WEEKS before the event.***

REHABILITATION AND REENTRY PROGRAMS FOR STUDENTS

The University does not offer a rehabilitation program for students. Community Standards and Civility requires a re-entry program for all students who have been separated from the university for disciplinary reasons regardless of the violation at hand. Additionally, students who medically withdraw must provide documentation prior to re-entry into the University, which is managed by the Office of Learning Resources.

The Flyer Legacy program is specifically for students who are returning from suspension. The program is a three to four-part series of meetings with a member of the Office of Community Standards and Civility staff and other campus partners based on the student's needs. It is required for any student who plans to return from suspension. The program focuses on goal setting, moving forward and acclimating back into the campus community. The student is also required to complete a workbook. This program is not specific to students who have violated alcohol- or drug-related codes.

Students are notified at the time of suspension that the program, referred to as a Return from Suspension Meeting, is a stipulation for return. The meeting takes place only if the student decides to return to the University, and is scheduled as close to their return date as possible so that the student feels prepared. The meeting is not listed in the Code of Conduct, just in the Notice of Action letter. The other stipulations for return from suspension include notifying the Office of Community Standards and Civility 30 days before the intended return date and completing substance abuse or anger management counseling, if applicable.

FEDERAL AND STATE PENALTIES⁵

Federal law prohibits the illegal possession and trafficking of controlled substances. Depending on the number of previous offenses, a person federally convicted of illegal possession of a controlled substance is subject to imprisonment, fine, forfeiture of property or all the above. In addition to these sanctions, punishments may include forfeiture of any conveyance used to transport or conceal a controlled substance, denial of federal benefits for at least one year, ineligibility to receive or purchase a firearm, and a civil penalty up to \$10,000.00. (See Table 3.)

⁵ Adapted from John Carroll University's Drug-Free Schools and Communities Act and Drug-Free Workplace Act Notification (<http://webmedia.jcu.edu/hr/files/2016/10/Annual-Notice-Draft.pdf>)

Table 3 Federal Trafficking Penalties for Scheduled I, II, III, IV, V, and Federal Trafficking Penalties for Marijuana, Hashish, and Hashish Oil and Schedule I Substances

FEDERAL TRAFFICKING PENALTIES				
DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	<p><u>First Offense:</u> Not less than 5 years and not more than 40 years. If death or serious injury, not less than 20 years or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.</p> <p><u>Second Offense:</u> Not less than 10 years and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.</p>	5 kgs or more mixture	<p><u>First Offense:</u> Not less than 10 years and not more than life. If death or serious injury, not less than 20 years or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.</p> <p><u>Second Offense:</u> Not less than 20 years and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p> <p><u>2 or More Prior Offenses:</u> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture	100 gm or more pure or 1 kg or more mixture		
PENALTIES				
Other Schedule I and II drugs or any drug product containing GHB, or	Any amount	<p><u>First Offense:</u> Not more than 20 years. If death or serious injury, not less than 20 years, or more than life. Fine \$1 million if an individual, \$5 million if not an individual.</p> <p><u>Second Offense:</u> Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.</p>		
Flunitrazepam (Schedule IV)	1 gram or more			
Other Schedule III drugs	Any amount	<p><u>First Offense:</u> Not more than 10 years. If death or serious injury, not more than 15 years. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.</p> <p><u>Second Offense:</u> Not more than 20 years. If death or serious injury, not more than 30 years. Fine not more than \$1 million if an individual, \$5 million if not an individual.</p>		
Other Schedule IV drugs (other than Flunitrazepam)	Any amount	<p><u>First Offense:</u> Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p><u>Second Offense:</u> Not more than 10 years. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.</p>		
Flunitrazepam (Schedule IV)	Less than 1 gram			
All Schedule V drugs	Any amount	<p><u>First Offense:</u> Not more than 1 year. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p><u>Second Offense:</u> Not more than 4 years. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>		

FEDERAL TRAFFICKING PENALTIES—MARIJUANA			
DRUG	QUANTITY	FIRST OFFENSE	SECOND OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture or 1,000 or more marijuana plants	Not less than 10 years or more than life. If death or serious bodily injury, not less than 20 years or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 20 years or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture or 100 to 999 marijuana plants	Not less than 5 years or more than 40 years. If death or serious bodily injury, not less than 20 years or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 years or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50 million if other than an individual.
Marijuana (Schedule I)	50 to 99 kg marijuana mixture or 50 to 99 marijuana plants	<p>Not more than 20 years. If death or serious bodily injury, not less than 20 years or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.</p>	<p>Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</p>
Hashish (Schedule I)	More than 10 kgs		
Hashish oil (Schedule I)	More than 1 kg		
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight); 1 to 49 marijuana plants	Not more than 5 years. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 years. Fine \$500,000 if an individual, \$2 million if other than individual.
Hashish (Schedule I)	10 kg or less		
Hashish oil (Schedule I)	1 kg or less		

*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$20 million (if an individual) and \$75 million (if other than an individual).

Federal law also forbids the illegal trafficking or manufacturing of a controlled substance. Penalties differ based on circumstance and number of previous offenses, but may be enhanced by as much as three times if such offenses are committed at or near a public or private school or a college or university, or if the drugs were sold to persons under the age of 21. A trafficking offense committed after two previous drug trafficking offenses results in mandatory life imprisonment. In addition, the violator's federal benefits may be terminated for a period of up to 5 years for a first offense, up to 10 years for a second offense, and for life for a third or subsequent offense.

Additional penalties and sanctions may apply for international students who are in the U.S. on a visa. Pursuant to the Foreign Affairs Manual of the U.S. Department of State (9 FAM 403.11-3(A)), a visa can be revoked when the international student "...is subject to a Watchlist Promote Hit for an arrest or conviction of driving under the influence, driving while intoxicated or similar arrests/convictions (DUI) that occurred within the previous five years, pursuant to 9 FAM 403.11-5(B)(c)." Deferred Action for Childhood Arrivals (DACA) program and undocumented students may experience dire consequences, such as revocation of DACA status or removal, for a violation of the law.

FINANCIAL AID ELIGIBILITY FOR DRUG LAW VIOLATIONS

Drug Convictions no longer affect student's financial aid eligibility. Student's eligibility won't be suspended even if the offense occurred while the student was receiving federal student aid (grants, loans, or work-study funds).

STATE LAW

Ohio law includes criminal provisions regarding the unlawful possession, use, and distribution of drugs and intoxicating alcohols. Ohio law also prohibits the illegal sale, possession, cultivation, manufacture or trafficking of controlled substances; furnishing to, administering to, inducing or causing use of these substances by a juvenile at least two years younger than the offender; causing juveniles to commit a drug abuse offense when the offender knows the juvenile's age or is reckless in that regard; administering these substances to any person by force, threat or deception; administering or furnishing these substances by any means with the intent to cause serious harm or if serious harm results, or to cause the other person to become drug dependent; selling or trafficking controlled substances; or illegally assembling or possessing chemicals with the intent to manufacture a controlled substance. Additionally, Ohio law prohibits a person from knowingly providing money or other items of value to another person who then uses such monies to obtain a controlled substance for the purpose of selling, manufacturing or cultivating the controlled substance.

Further, the law prohibits the use of one's premises or vehicle to be used in commission of a felony drug abuse offense and prohibits the knowing use, possession with purpose to use, advertisement or sale of drug paraphernalia. Under Ohio law, a drug-related conviction may lead to imprisonment, fine or both. The maximum prison term for a conviction is 10 years, and the fines can range from \$1,000 to \$5,000. Some convictions mandate additional penalties, including suspension of driver's or commercial driver's license for a period ranging from six months to five years.

For intoxicating alcohols, Ohio law provides that a person under 21 years of age who orders, pays for, attempts to purchase, possesses, consumes or furnishes false information to affect a purchase commits a misdemeanor. A person who uses a false or altered identification card to purchase beer or intoxicating liquors commit a misdemeanor and is potentially subject to imprisonment, fine or both. A person manufacturing, selling or distributing false or altered identification cards commits a felony. See Appendix A for more information.

CITY OF DAYTON AND STATE OF OHIO: ALCOHOL- AND OTHER DRUG-RELATED OFFENSES

In addition to the behaviors prohibited by policy, the State of Ohio and the City of Dayton prohibit behaviors associated with alcohol and other drugs through various Ohio Revised Code sections and City Ordinances. For more detailed information, please click on the links listed below.

- [Section 4301.22 – Rules for sales of beer and intoxicating liquor under all classes of permits and from state liquor stores.](#)
- [Section 4301.69 – Underage persons offenses.](#)
- [Section 4301.63 – Purchase of beer or intoxicating liquor by persons under twenty-one prohibited.](#)
- [Section 2917.11 – Disorderly conduct.](#)
- [Section 4301.62 – Opened container of beer or intoxicating liquor prohibited at certain premises.](#)
- [Section 4301.633 – Furnishing false information to obtain beer or intoxicating liquor by person under twenty-one.](#)
- [Section 4511.19 – Operating vehicle under the influence of alcohol or drugs – OVI.](#)
- [Section 2925.11 – Possession of controlled substances.](#)
- [Section 2925.01 – Drug Offense Definitions.](#)
- [Section 2925.02 – Corrupting another with drugs.](#)
- [Section 2925.03 – Trafficking, aggravated trafficking in drugs.](#)
- [Section 2925.05 – Finding, aggravated funding of drug or marihuana trafficking.](#)
- [Section 2925.12 – Possessing drug abuse instruments.](#)
- [Section 2925.141 – Illegal use or possession of marihuana drug paraphernalia.](#)
- [Section 2925.23 – Illegal processing of drug documents.](#)
- [Section 2925.31 – Abusing harmful intoxicants.](#)
- [Section 2925.37 – Counterfeit controlled substances.](#)
- [Section 2925.51 – Evidence in drug offense cases.](#)
- [Section 2925.511 – Reimbursement for costs of positive drug tests.](#)
- [Section 2925.55 – Unlawful purchase of pseudoephedrine or ephedrine product.](#)

In Ohio, misdemeanor criminal offense classifications are minor misdemeanor (MM) through first degree (M1). Although other factors may influence imposed penalties, the potential consequences for misdemeanors are listed in Table 4.

Table 4 Misdemeanor Criminal Offense Classifications

Classification	Confinement	Maximum Fine
First degree misdemeanor (M1)	Maximum sentence of 180 days	\$1,000
Second degree misdemeanor (M2)	Maximum sentence of 90 days	\$750
Third degree misdemeanor (M3)	Maximum sentence of 60 days	\$500
Fourth degree misdemeanor (M4)	Maximum sentence of 30 days	\$250
Minor Misdemeanor (MM)	None	\$150

MONTGOMERY COUNTY AND DAYTON, OHIO, CODE OF ORDINANCES & FRANKLIN COUNTY AND COLUMBUS, OHIO, CODE OF ORDINANCES⁶

Local laws of the City of Dayton, Ohio, and the City of Columbus enforce all state and federal criminal penalties. In addition, local law provides for specific sanctions for alcohol and other drug use, including prohibitions against underage possession and consumption, using false representation while purchasing alcohol or drugs, and permitting consumption by underage persons. Penalties for violation of these local laws can include fines, imprisonment, or both.

STUDENT-SPECIFIC RESOURCES

The University's Center for Alcohol and Other Drugs Resources and Education (CADRE) includes licensed and certified staff who provide prevention and intervention services to the campus community, with the goal of reducing substance abuse. CADRE uses science-based health-promotion strategies to support the Marianist principles of community living. CADRE offers resources to students to assist in education and prevention of substance misuse as well as consultation to faculty, staff, students, and parents.

PREVENTION AND INTERVENTION SERVICES FOR STUDENTS

AlcoholEdu

AlcoholEdu is an online course that all incoming University of Dayton students are required to complete. Whether or not students drink alcohol, the course educates them on the topic of drinking and its effect on themselves and others. Students must complete two parts to this course. Part I takes about 60 to 75 minutes to complete. Approximately 45 days after completing Part I, students receive an automated email asking them to log in to complete Part II, which takes about 15 minutes to complete. Only after a student finish both Part I (with a passing grade of 80% or better) and Part II is the AlcoholEdu requirement considered complete.

ScreenU

ScreenU is a brief web-based assessment that incorporates Screening Brief Intervention and Referral to Treatment (SBIRT) principles. ScreenU identifies high-risk substance use and connects students with appropriate resources on campus.

Flyer Host

Flyer Host is a one-hour training program. The sessions are facilitated by students who live in the Flyer Host Special Interest House. Flyer Host addresses social host responsibility, which includes discussions about what risks are involved when hosting a party and what strategies can be implemented to reduce these risks. Flyer Host also includes a review of policies, responsible drinking behavior and bystander intervention.

PREVENTION EDUCATION PROGRAMS AND PRESENTATIONS FOR STUDENTS

Alcohol Skills Training Program

Alcohol Skills Training Program (ASTP) helps University students who choose to drink make informed and healthy decisions about how they drink. The program provides practical, realistic strategies for drinking in a way that reduces risk and potential harm.

Alcohol Use and Athletic Performance

Athletes who choose to drink do not necessarily experience more legal or behavioral consequences than other students who drink, but athletes are often more visible, and their problems often lead to highly

⁶ University of Dayton students attending classes for the Clinical Mental Health (MSE), Human Services (MSE), and School Counseling (MSE) programs at the St. Francis DeSales Campus in Columbus, Ohio should follow the Codes and Ordinances unique to the Columbus metro area. A link is provided to the [Code of Ordinances](#) for your reference.

publicized consequences. This program looks at the effect that alcohol can have on an athletes' performance and health.

Know Your Pour

Students who attend this training will learn about the standard size for alcohol, identify signs of alcohol poisoning, and learn risk reduction strategies including abstinence.

Generation Rx

Advances in drug discovery and development help us all live longer and healthier lives, but any medication can also cause harm, and the misuse of prescription drugs has become a serious public health epidemic. The mission of Generation Rx is to educate audiences about the potential dangers of misusing prescription medications.

Recovery Is Spoken Here - Recovery Ally Training

CADRE staff and Recovery Advisory Council members offer this training to foster an environment in which students who are in or seeking recovery from alcohol and other drugs feel accepted and affirmed in their journey to wellness, are encouraged to share about their recovery, feel comfortable asking for help, and are celebrated by the University of Dayton community. This training is available to faculty, staff and students of the University. Training participants learn the following:

- The impact of society's stigma of substance use disorders
- Inclusive language and the most up-to-date definitions and descriptions of substance use disorders
- How to serve as an ally for those who are affected by substance use

Creative Coping and Clarity (CCC)

Creative Coping and Clarity focuses on the definition of stress, consequences of prolonged stress, coping mechanisms, and reasons why alcohol and other drugs are unhealthy coping mechanisms.

Up in Smoke

In this presentation, students learn the true effects of tobacco, vaping, and the reasons individuals choose to engage in these behaviors. Students will also learn more about prevention efforts surrounding tobacco, both in the community and here at UD.

Let's Be Blunt – A Conversation on Cannabis

Students attending this event will be able to articulate the risks associated with cannabis use including the association with mental health and mental wellbeing. Students will learn about changing laws, and ordinances, and the impact on one's perception of harm. Lastly, students will develop risk reduction skills.

Transforming How Recovery is Viewed Everywhere (THRIVE)

Key topics include reasons why someone may be in recovery, learning recovery friendly language, and how to support someone in recovery.

PREVENTION EDUCATION EVENTS

Throughout the year, awareness campaigns and events are held to encourage the campus community to remain updated on topics related to substance use and increase awareness on resources available. Some of the events include:

- September – National Recovery Month
- October – National Collegiate Alcohol Awareness Week
- October – Drug Take Back Day
- November – Great American Smokeout
- March – Take Down Tobacco Day of Action
- April – Drug Take Back Day

SUBSTANCE-FREE OPTIONS

Substance-Free Housing

Substance-Free Housing is available for rising sophomores. Substance-Free is a community that provides emotional, spiritual and academic support for those living substance-free. Members volunteer to live as a community, keeping each other accountable in living a substance-free lifestyle and supporting one another in their daily lives. The Substance-Free Community is not a Recovery Community or Recovery Program. It is simply an available housing option for those who wish to live with others who choose to live substance-free.

Student Programming

The Center for Student Involvement provides students with fun, free programming. Campus Activities Board is a student run programming board that works with the Center for Student Involvement to provide fun events for university students. These on- and off-campus events are usually free or low cost. #UDLateNight provides an exciting calendar of free events open to all University students every weekend.

INTERVENTION AND EDUCATION

CADRE Consultation

CADRE Consultations are designed for students who are referred through the Office of Community Standards and Civility and are 30 minutes in length. Students will meet one-on-one with a staff member in CADRE.

Confidential Consultation Services

CADRE offers consultation to faculty, staff, students and parents regarding alcohol and other drug related questions or concerns.

Check-Ups (Basics – Brief Alcohol Screening and Intervention for College Students)

Check-ups are designed to provide University students with the opportunity to meet one-on-one with a professional in a nonjudgmental, confidential setting regarding their alcohol or drug use. Typically, University students meet with a professional staff member for an hour, twice over two or three weeks.

e-CHUG/e-TOKE (eCHECKUP TO GO)

This interactive web-based survey and alcohol/marijuana education tool enables University students to enter information about their drinking/marijuana use and receive feedback. Interested students can take this online assessment in about 10 minutes. The assessment is self-guided and does not require face-to-face contact with a counselor or administrator. To access e-CHUG, go to interwork.sdsu.edu/echeckup/usa/alc/coll/UD.

Substance Education Program

The Substance Education Program (SEP) is an intensive drug- and alcohol-intervention class. The cost of this class is \$100, and satisfies University sanctions. The fee is waived for students who take the course voluntarily.

Alcohol and Other Drug Screening (SASSI)

The alcohol and other drug screening is an opportunity for a student to meet with a licensed chemical dependency counselor, discuss their substance use history, and evaluate their choices and decisions moving forward. This screening supports early identification and intervention.

Referral to Treatment Services

CADRE does not provide any type of treatment services for students. Any student who requires a higher level of care (treatment) than CADRE provides is referred to an off-campus provider or the central

processing unit for mental health and alcohol and other drug issues, Samaritan Behavioral Health - Crisis Care Program in Dayton, Ohio, at 937-224-4646.

The following University offices are also resources for students who are concerned with their alcohol and other drug use or that of their peers:

- Counseling Center: 937-229-3141
- Student Health Center: 937-229-3131
- Dean of Students Office: 937-229-1212
- Public Safety: 937-229-2121

Students and employees are also encouraged to access the Substance Abuse and Mental Health Services Administration (SAMHSA) Treatment Locator, a confidential and anonymous source of information for persons seeking treatment facilities in the United States or U.S. territories for substance abuse or addiction or mental health problems. To access this resource, visit findtreatment.gov.

Students and employees seeking information regarding self-help, peer support, and consumer groups related to addiction (such as Alcoholics Anonymous, Narcotics Anonymous, Marijuana Anonymous and others) are encouraged to visit findtreatment.gov.

PARTNERS IN PREVENTION: FACULTY, STAFF AND PARENTS

Faculty and Staff

Faculty and staff members play a pivotal role in prevention and education efforts. They have ongoing interactions and relationships with students and are the University's greatest ally in a true institutional response. Suggested actions include the following:

- Detect and address or refer students who may exhibit behavioral changes or early warning signs of alcohol or drug problems.
- Provide an alcohol and other drugs prevention education presentation through the Don't Cancel Your Class program.
- Reinforce healthy behaviors within the community.

Parents

By talking with their students, parents have the greatest impact on student behavior at school; the University is here to help.

- The more parents talk to their child about drinking and drug use, the more likely the student is to make safer and healthier decisions.
- Parents should tell their student that alcohol can be fatal when used in excess; drinking games, taking shots, and alcoholic energy drinks all increase this deadly possibility.
- Parents can discuss the reasons why their student may choose to drink or experiment with drugs. Understanding can lead to answers.
- The first six weeks of college are critical to success. Parents can ask about their student's academic experience, professors and classes. They can remind their student that education is the purpose of college and that to succeed, they must attend class.
- Parents should make sure that their student knows the penalties for violating laws like underage drinking, public drunkenness, using a fake ID, driving under the influence, assault and other alcohol- and drug-related offenses.
- As the student fills their social calendar, parents can talk about the importance of activities that support the student's life and career goals. With dozens of intramural and club sports, immersion trips, service opportunities and more than 200 clubs on campus, there are activities for every interest.

Concerned? Do not ignore it.

- Parents should express their concerns, letting students know exactly what worries them and why.
- Parents can call the University. While we must protect each student's confidentiality, we can set up free consultations by phone or in person.

EMPLOYEE-SPECIFIC POLICIES

The Office of Human Resources offers resources to employees to assist in the prevention of substance abuse. For faculty and staff, the Office of Human Resources offers a 24/7 Employee Assistance Program that provides referrals and counseling services. The University's [Drug-Free Workplace and Substance Abuse Policy](#) applies to all University of Dayton employees. Under the policy, all employees are expected to assist in the University's commitment by adhering to university policies, federal, state and local laws concerning alcohol and controlled substances.

Examples of policy violations that will lead to disciplinary action up to and including termination of employment include, but are not limited to, the following:

- Being under the influence of alcohol or controlled substances while on university premises, while conducting University business, while representing the University, or at any time during the employee's work hours.
- Using possessing, selling, transferring, manufacturing, distributing, or dispensing alcohol, controlled substances, or drug paraphernalia while on university premises, while conducting University business, or at any time during work hours.
- Using alcohol or controlled substances off university premises and during non-working hours, where such conduct adversely affects the employee's attendance, work performance, the employee's or others' health or safety at work, or the University's reputation in the community.
- Testing positive for alcohol or controlled substances, or more than one inconclusive test.
- Refusing to submit to an alcohol/drug test when requested to do so.
- Being convicted of a criminal drug or alcohol related offense.

An employee whose work performance or on-the-job behavior gives rise to a reasonable suspicion of alcohol or drug use or who is involved in a work-related accident may be required to submit to alcohol and/or drug testing. The University also reserves the right to conduct post-offer, pre-employment testing, and to conduct unannounced testing under certain circumstances (e.g., after an employee has taken a leave of absence to undergo treatment and has returned to work).

As a condition of employment, an employee of the University of Dayton will notify the employee's supervisor if the employee is convicted of a criminal drug offense within five (5) days of the conviction. In the event any such conviction involves an employee's working on a federal contract or grant, the University will notify the granting or contracting federal agency within ten (10) days of receiving such notice. Employees whose work is supported by a contract with the U.S. Department of Defense or other organizations are additionally subject to those organizations' requirements as published from time to time.

Employees who feel they may have an alcohol/substance abuse concern are urged to contact the employee assistance program. For further information or assistance, or for anonymous inquiry, employees are directed to the Office of Human Resources.

Employee Programs and Information

In an effort to educate employees regarding the University's policy to actively ensure a drug-free workplace, the University conducts a formal orientation program for all new faculty and staff, providing detailed information regarding institutional policies, procedures, resources and benefits available to employees.

Employee-Specific Resources

The University provides employees and their immediate families with access to the free, easy-to-use and completely confidential LifeWorks Employee Assistance Program. This program offers support, advice and information on a wide range of personal issues, including recovering from the use of alcohol and other drugs. The Office of Community Standards and Civility hosts Community Story Circles, where students, faculty and staff discuss both alcohol and other drugs and how they affect the community.

To reach the Office of Human Resources for more information about LifeWorks, please dial 937-229-2541.

Students and employees are encouraged to access the SAMHSA Treatment Locator, a confidential and anonymous source of information for persons seeking treatment facilities in the United States or U.S. territories for substance abuse or addiction or mental health problems. To access this resource, visit findtreatment.gov.

Students and employees who seek information regarding self-help, peer support, and consumer groups related to addiction (such as Alcoholics Anonymous, Narcotics Anonymous, Marijuana Anonymous and others) are encouraged to visit findtreatment.gov.

Rehabilitation and Reentry Programs for Employees

While the University of Dayton does not have formal rehabilitation or reentry programs for employees, conditional reentry criteria to return to work may include, but are not limited to, entering and providing documentation of the successful completion of a substance abuse treatment program.

Sanctions for Employee Violations

The University will impose sanctions on employees for violations of the University's standards of conduct related to alcohol and illicit drug use (consistent with local, state and federal law), up to and including termination and/or referral for prosecution. In all situations that involve a violation of the University's standards of conduct, situations are handled on a case-by-case basis. Specific University sanctions that employees may face include the following:

- Administrative leave (paid or unpaid)
- Mandatory Employee Assistance Program referral, requiring compliance as a term of continued employment
- Signing of a Reentry from Leave agreement, which includes a required random drug or alcohol test provision, during which the employee agrees to resign in the event of another positive test

For staff employees and nontenured track faculty, termination without the offer of participating in an Employee Assistance Program is an option in egregious situations (e.g., gross misconduct, safety violation). For tenured faculty, any dismissal must be taken to a hearing committee for review and determination.

Employee violations of the University's standards of conduct related to alcohol and other drugs are handled on a case-by-case basis. When the Office of Human Resources considers the factors and circumstances of a case involving staff or faculty, several options are available, including the following:

- Administrative Leave (paid or unpaid)
- Mandatory Employee Assistance Program referral, requiring compliance as a term of continued employment
- Signing of a Reentry Agreement, which includes required a random drug or alcohol test provision, with a positive test mandating termination of employment.

The University supports additional counseling resources and treatment programs through its medical insurance program to eligible employees. These services are provided with an offset in cost to fulltime

benefits-eligible employees when undergoing treatment, therapy or prescription medications related to substance or alcohol abuse.

APPENDIX A
Ohio Drug Offense Quick Reference Guide



DRUG OFFENSE QUICK REFERENCE GUIDE

In Collaboration with the Staff of the Ohio Supreme Court Law Library • February 2023

DRUG TRAFFICKING – O.R.C. §2925.03							
DRUG	AMOUNT	LEVEL	+	DIVISION: S or J		GUIDANCE: S or J	
Schedule I or II*	< bulk	F-4	F-3	C(1)(a)	C(1)(b)	Div. C	Div. C
	≥ bulk → < 5 x bulk	F-3	F-2	C(1)(e)	C(1)(e)	In Favor*	Mand.
	≥ 5 → < 50 x bulk	F-2	F-1	C(1)(d)	C(1)(d)	Mand.	Mand.
	≥ 50 → < 100 x bulk	F-1	F-1	C(1)(e)	C(1)(e)	Mand.	Mand.
	≥ 100 x bulk	F-1	F-1	C(1)(f)	C(1)(f)	MDO	MDO
Schedule III, IV, V*	< bulk	F-5	F-4	C(2)(a)	C(2)(b)	Div. B	Div. C
	≥ bulk → < 5 x bulk	F-4	F-3	C(2)(c)	C(2)(c)	Div. B	In Favor
	≥ 5 → < 50 x bulk	F-3	F-2	C(2)(d)	C(2)(d)	In Favor	In Favor
	≥ 50 x bulk	F-2	F-1	C(2)(e)	C(2)(e)	Mand.	Mand.
Marijuana	Gift ≤ 20 g	MM [^]	M-3	C(3)(h)	C(3)(h)	None	None
	< 200 g	F-5	F-4	C(3)(a)	C(3)(b)	Div. B	Div. B
	≥ 200 g → < 1 kg	F-4	F-3	C(3)(c)	C(3)(c)	Div. B	Div. C
	≥ 1 kg → < 5 kg	F-3	F-2	C(3)(d)	C(3)(d)	Div. C	In Favor
	≥ 5 kg → < 20 kg	F-3	F-2	C(3)(e)	C(3)(e)	In Favor	In Favor
	≥ 20 kg → < 40 kg	F-2	F-1	C(3)(f)	C(3)(f)	Mand. 5, 6, 7, 8 yrs	Mand. F-1 max.
	≥ 40 kg	F-2	F-1	C(3)(g)	C(3)(g)	Mand. F-2 max	Mand. F-1 max
	< 5g	F-5	F-4	C(4)(a)	C(4)(b)	Div. B	Div. C
Cocaine: Powder or Crack	≥ 5 g → < 10 g	F-4	F-3	C(4)(c)	C(4)(c)	Div. B	In Favor
	≥ 10 g → < 20 g	F-3	F-2	C(4)(d)	C(4)(d)	In Favor*	Mand.
	≥ 20 g → < 27 g	F-2	F-1	C(4)(e)	C(4)(e)	Mand.	Mand.
	≥ 27 g → < 100 g	F-1	F-1	C(4)(f)	C(4)(f)	Mand.	Mand.
	≥ 100 g	F-1	F-1	C(4)(g)	C(4)(g)	MDO	MDO
	< 10 UD	F-5	F-4	C(5)(a)	C(5)(b)	Div. B	Div. C
LSD: Solid	≥ 10 UD → < 50 UD	F-4	F-3	C(5)(c)	C(5)(c)	Div. B	In Favor
	≥ 50 UD → < 250 UD	F-3	F-2	C(5)(d)	C(5)(d)	In Favor*	Mand.
	≥ 250 UD → < 1,000 UD	F-2	F-1	C(5)(e)	C(5)(e)	Mand.	Mand.
	≥ 1,000 UD → < 5,000 UD	F-1	F-1	C(5)(f)	C(5)(f)	Mand.	Mand.
	≥ 5,000 UD	F-1	F-1	C(5)(g)	C(5)(g)	MDO	MDO

* The schedule of controlled substances is in [\[§3719.41\]](#).

[^] Minor misdemeanor (MM) on first offense, M-3 on a subsequent offense.

+ Enhancement: The offense occurred in the vicinity of a school or juvenile.
See note on page 2 regarding the Relapse Reduction Act.

MDO (Major Drug Offender): See [\[§2929.14\(A\)\(1\)\]](#) and [\[§2941.140\]](#).

Mand., or Mandatory: Judge must impose a prison term from range available for that offense level.

In Favor: A rebuttable presumption in favor of imposing a prison term.

Div. B: Sentencing is guided by [\[§2929.13\(B\)\]](#), the rules for F-4s and F-5s.

Div. C: Sentencing is guided by [\[§2929.13\(C\)\]](#).

In Favor*: Presumption in favor, but mandatory if 2 or more prior felony drug-abuse offenses.

Note: As used in this section, “drug” includes any substance that is represented to be a drug.

DRUG TRAFFICKING – CONT.; O.R.C. §2925.03

DRUG	AMOUNT	LEVEL	S or J	DIVISION: S or J		GUIDANCE: S or J	
LSD: Liquid	< 1 g	F-5	F-4	C(5)(a)	C(5)(b)	Div. B	Div. C
	≥ 1 g → < 5 g	F-4	F-3	C(5)(c)	C(5)(c)	Div. B	In Favor
	≥ 5 g → < 25 g	F-3	F-2	C(5)(d)	C(5)(d)	In Favor ^o	Mand.
	≥ 25 g → < 100 g	F-2	F-1	C(5)(e)	C(5)(e)	Mand.	Mand.
	≥ 100 g → < 500 g	F-1	F-1	C(5)(f)	C(5)(f)	Mand.	Mand.
≥ 500 g	F-1	F-1	C(5)(g)	C(5)(g)	MDO	MDO	
Heroin	< 1 g; < 10 UD	F-5	F-4	C(6)(a)	C(6)(b)	Div. B	Div. C
	≥ 1 g → < 5 g; ≥ 10 UD → < 50 UD	F-4	F-3	C(6)(c)	C(6)(c)	Div. B	In Favor
	≥ 5 g → < 10 g; ≥ 50 UD → < 100 UD	F-3	F-2	C(6)(d)	C(6)(d)	In Favor	In Favor
	≥ 10 g → < 50 g; ≥ 100 UD → < 500 UD	F-2	F-1	C(6)(e)	C(6)(e)	Mand.	Mand.
	≥ 50 g → < 100 g; ≥ 500 UD → < 1,000 UD	F-1	F-1	C(6)(f)	C(6)(f)	Mand.	Mand.
	≥ 100 g; ≥ 1,000 UD	F-1	F-1	C(6)(g)	C(6)(g)	MDO	MDO
Hashish: Solid	< 10 g	F-5	F-4	C(7)(a)	C(7)(b)	Div. B	Div. B
	≥ 10 g → < 50 g	F-4	F-3	C(7)(c)	C(7)(c)	Div. B	Div. C
	≥ 50 g → < 250 g	F-3	F-2	C(7)(d)	C(7)(d)	Div. C	In Favor
	≥ 250 g → < 1 kg	F-3	F-2	C(7)(e)	C(7)(e)	In Favor	In Favor
	≥ 1 kg → < 2 kg	F-2	F-1	C(7)(f)	C(7)(f)	Mand. 5, 6, 7, or 8	Mand. F-1 max.
	≥ 2 kg	F-2	F-1	C(7)(g)	C(7)(g)	Mand. F-2 max.	Mand. F-1 max.
Hashish: Liquid	< 2 g	F-5	F-4	C(7)(a)	C(7)(b)	Div. B	Div. B
	≥ 2 g → < 10 g	F-4	F-3	C(7)(c)	C(7)(c)	Div. B	Div. C
	≥ 10 g → < 50 g	F-3	F-2	C(7)(d)	C(7)(d)	Div. C	In Favor
	≥ 50 g → < 200 g	F-3	F-2	C(7)(e)	C(7)(e)	In Favor	In Favor
	≥ 200 g → < 400 g	F-2	F-1	C(7)(f)	C(7)(f)	Mand. 5, 6, 7, or 8	Mand. F-1 max.
	≥ 400 g	F-2	F-1	C(7)(g)	C(7)(g)	Mand. F-2 max.	Mand. F-1 max.
Controlled Substance Analog	< 10 g	F-5	F-4	C(8)(a)	C(8)(b)	Div. C	Div. C
	≥ 10 g → < 20 g	F-4	F-3	C(8)(c)	C(8)(c)	Div. B	In Favor
	≥ 20 g → < 30 g	F-3	F-2	C(8)(d)	C(8)(d)	In Favor	In Favor
	≥ 30 g → < 40 g	F-2	F-1	C(8)(e)	C(8)(e)	Mand.	Mand.
	≥ 40 g → < 50 g	F-1	F-1	C(8)(f)	C(8)(f)	Mand.	Mand.
	≥ 50 g	F-1	F-1	C(8)(g)	C(8)(g)	MDO	MDO

THE RELAPSE REDUCTION ACT

134 GA Senate Bill 25, known as “The Relapse Reduction Act” enhances the penalty for violations of RC 2925.03 which are “committed in the vicinity of a substance addiction services provider or a recovering addict” as defined in 2925.01(QQ). Trafficking on the premises of such a facility, or with knowledge that the offender is within 500 feet of such facility, enhances the penalty of the offense as though it was committed in the vicinity of a school or juvenile. Trafficking to a person receiving substance abuse treatment, or who has received substance abuse treatment within the past 30 days, with knowledge of such status also enhances the penalty of the trafficking offense.

DRUG TRAFFICKING – CONT.; O.R.C. §2925.03							
DRUG	AMOUNT	LEVEL	S or J	DIVISION: S or J		GUIDANCE: S or J	
Fentanyl-Related Compound [▲] (Effective 10/31/18)	< 1 g; < 10 UD	F-5	F-4	C(9)(a)	C(9)(b)	Div. B	Div. C
	≥ 1 g → < 5 g; ≥ 10 UD → < 50 UD	F-4	F-3	C(9)(c)	C(9)(c)	Div. B	In Favor
	≥ 5 g → < 10 g; ≥ 50 UD → < 100 UD	F-3	F-2	C(9)(d)	C(9)(d)	In Favor	In Favor
	≥ 10 g → < 20 g; ≥ 100 UD → < 200 UD	F-2	F-1	C(9)(e)	C(9)(e)	Mandatory	Mandatory
	≥ 20 g → < 50 g; ≥ 200 UD → < 500 UD	F-1	F-1	C(9)(f)	C(9)(f)	Mandatory	Mandatory
	≥ 50 g → < 100 g; ≥ 500 UD → < 1,000 UD	F-1	F-1	C(9)(g)	C(9)(g)	Mandatory max F-1	Mandatory max F-1
	≥ 100 g; ≥ 1,000 UD	F-1	F-1	C(9)(h)	C(9)(h)	MDO•	MDO•

ADDITIONAL FOOTNOTE FOR TRAFFICKING IN A FENTANYL-RELATED COMPOUND

- ▲ If the drug involved in the violation is a **combination of a fentanyl-related compound and marijuana**, the offender is guilty of trafficking in marijuana and shall be punished under [\[§2925.03\(C\)\(3\)\]](#) unless the state proves offender knows has reason to know the marijuana involved contains a fentanyl-related compound. See [\[§2925.03\(C\)\(10\)\]](#).
- [\[§2941.1410\]](#) provides an additional MDO specification with an additional 3-, 4-, 5-, 6-, 7-, or 8-year mandatory prison term for trafficking in a fentanyl-related compound.

DRUG POSSESSION – O.R.C. §2925.11				
DRUG	AMOUNT	LEVEL	DIVISION: S or J	GUIDANCE
Schedule I or II*	< bulk	F-5	C(1)(a)	Div. B
	≥ bulk → < 5 x bulk	F-3	C(1)(b)	In Favor
	≥ 5 → < 50 x bulk	F-2	C(1)(c)	Mandatory
	≥ 50 → < 100 x bulk	F-1	C(1)(d)	Mandatory
	≥ 100 x bulk	F-1	C(1)(e)	MDO
Schedule III, IV, V*	< bulk	M-1†	C(2)(a)	None
	≥ bulk → < 5 x bulk	F-4	C(2)(b)	Div. C
	≥ 5 → < 50 x bulk	F-3	C(2)(c)	In Favor
	≥ 50 x bulk	F-2	C(2)(d)	Mandatory
Marijuana	< 100 g	MM	C(3)(a)	None
	≥ 100 g → < 200 g	M-4	C(3)(b)	None
	≥ 200 g → < 1 kg	F-5	C(3)(c)	Div. B
	≥ 1 kg → < 5 kg	F-3	C(3)(d)	Div. C
	≥ 5 kg → < 20 kg	F-3	C(3)(e)	In Favor
	≥ 20 kg → < 40 kg	F-2	C(3)(f)	Mand. 5, 6, 7, or 8 years
	≥ 40 kg	F-2	C(3)(g)	Mandatory F-2 max.

DRUG POSSESSION – CONT.; O.R.C. §2925.11

DRUG	AMOUNT	LEVEL	DIVISION: S or J	GUIDANCE
Cocaine	< 5 g	F-5	C(4)(a)	Div. B
	≥ 5 g → < 10 g	F-4	C(4)(b)	Div. B
	≥ 10 g → < 20 g	F-3	C(4)(c)	In Favor ^o
	≥ 20 g → < 27 g	F-2	C(4)(d)	Mandatory
	≥ 27 g → < 100 g	F-1	C(4)(e)	Mandatory
	≥ 100 g	F-1	C(4)(f)	MDO
LSD: Solid	< 10 UD	F-5	C(5)(a)	Div. B
	≥ 10 UD → < 50 UD	F-4	C(5)(b)	Div. C
	≥ 50 UD → < 250 UD	F-3	C(5)(c)	In Favor
	≥ 250 UD → < 1,000 UD	F-2	C(5)(d)	Mandatory
	≥ 1,000 UD → < 5,000 UD	F-1	C(5)(e)	Mandatory
	≥ 5,000 UD	F-1	C(5)(f)	MDO
LSD: Liquid	< 1 g	F-5	C(5)(a)	Div. B
	≥ 1 g → < 5 g	F-4	C(5)(b)	Div. C
	≥ 5 g → < 25 g	F-3	C(5)(c)	In Favor
	≥ 25 g → < 100 g	F-2	C(5)(d)	Mandatory
	≥ 100 g → < 500 g	F-1	C(5)(e)	Mandatory
	≥ 500 g	F-1	C(5)(f)	MDO
Heroin	< 1 g; < 10 UD	F-5	C(6)(a)	Div. B
	≥ 1 g → < 5 g; ≥ 10 UD → < 50 UD	F-4	C(6)(b)	Div. C
	≥ 5 g → < 10 g; ≥ 50 UD → < 100 UD	F-3	C(6)(c)	In Favor
	≥ 10 g → < 50 g; ≥ 100 UD → < 500 UD	F-2	C(6)(d)	Mandatory
	≥ 50 g → < 100 g; ≥ 500 UD → < 1,000 UD	F-1	C(6)(e)	Mandatory
	≥ 100 g; ≥ 1,000 UD	F-1	C(6)(f)	MDO
Hashish: Solid	< 5 g	MM	C(7)(a)	None
	≥ 5 g → < 10 g	M-4	C(7)(b)	None
	≥ 10 g → < 50 g	F-5	C(7)(c)	Div. B
	≥ 50 g → < 250 g	F-3	C(7)(d)	Div. C
	≥ 250 g → < 1 kg	F-3	C(7)(e)	In Favor
	≥ 1 kg → < 2 kg	F-2	C(7)(f)	Mand. 5, 6, 7, or 8
	≥ 2 kg	F-2	C(7)(g)	Mandatory F-2 max.
Hashish: Liquid	< 1 g	MM	C(7)(a)	None
	≥ 1 g → < 2 g	M-4	C(7)(b)	None
	≥ 2 g → < 10 g	F-5	C(7)(c)	Div. B
	≥ 10 g → < 50 g	F-3	C(7)(d)	Div. C
	≥ 50 g → < 200 g	F-3	C(7)(e)	In Favor
	≥ 200 g → < 400 g	F-2	C(7)(f)	Mand. 5, 6, 7, or 8
	≥ 400 g	F-2	C(7)(g)	Mandatory F-2 max.
Controlled Substance Analog	< 10 g	F-5	C(8)(a)	Div. B
	≥ 10 g → < 20 g	F-4	C(8)(b)	In Favor
	≥ 20 g → < 30 g	F-3	C(8)(c)	In Favor
	≥ 30 g → < 40 g	F-2	C(8)(d)	Mandatory
	≥ 40 g → < 50 g	F-1	C(8)(e)	Mandatory
	≥ 50 g	F-1	C(8)(f)	MDO

DRUG POSSESSION – CONT.; O.R.C. §2925.11					
DRUG	AMOUNT	LEVEL	DIVISION: S or J		GUIDANCE
Fentanyl-Related Compound ▲ <i>(Effective 10/31/18)</i>	< 1 g; < 10 UD	F-5	C(11)(a)		Div. B
	≥ 1 g → < 5 g; ≥ 10 UD → < 50 UD	F-4	C(11)(b)		Div. C
	≥ 5 g → < 10 g; ≥ 50 UD → < 100 UD	F-3	C(11)(c)		In Favor
	≥ 10 g → < 20 g; ≥ 100 UD → < 200 UD	F-2	C(11)(d)		Mandatory
	≥ 20 g → < 50 g; ≥ 200 UD → < 500 UD	F-1	C(11)(e)		Mandatory
	≥ 50 g → < 100 g; ≥ 500 UD → < 1,000 UD	F-1	C(11)(f)		Mandatory F-1 Max
	≥ 100 g; ≥ 1,000 UD	F-1	C(11)(g)		MDO•

ADDITIONAL FOOTNOTES FOR POSSESSION OF A FENTANYL-RELATED COMPOUND

- ▲ If the drug involved in the violation is a combination of a fentanyl-related compound and marijuana, the offender is guilty of possession of marijuana and shall be punished under [§2925.11(C)(3)], unless the state proves the offender knows or has reason to know the marijuana involved contains a fentanyl-related compound. See [§2925.11(C)(9)].

If the drug involved in the violation is a combination of a fentanyl-related compound and any schedule III, IV, or V drug, the offender is guilty of possession of drugs and shall be punished under [§2925.11(C)(2)], unless the state proves offender knows or has reason to know the drug involved contains a fentanyl-related compound. See [§2925.11(C)(10)].

- [§2941.1410] provides an additional MDO specification of an additional 3-, 4-, 5-, 6-, 7-, or 8-year mandatory prison term when the substance involved is a fentanyl-related compound.

ASSEMBLY OR POSSESSION OF CHEMICALS - §2925.041							
TO MAKE:	AMOUNT	LEVEL	S or J	DIVISION: S or J		GUIDANCE: S or J	
Schedule I or II*	Any	F-3	F-2	(C)	(C)	Div. C	Div. C
Methamphetamine	Any	F-3	F-2	(C)(1)	(C)(2)	In Favor ^{oo}	Mand. 3♦

DRUG MANUFACTURING AND CULTIVATION – O.R.C. §2925.04							
DRUG	AMOUNT	LEVEL	S or J	DIVISION: S or J		GUIDANCE: S or J	
Schedule I or II*	Any	F-2	F-1	C(2)/E	C(2)/E	Mand.	MDO♣
Methamphetamine	Any	F-2♦		C(3)/E		Mand. 3♦	MDO♣
			F-1∞		C(3)/E	Mand. 4∞	MDO♣
Schedule III, IV, or V*	Any	F-3	F-2	C(4)	C(4)	In Favor	
Marijuana	< 100 g	MM	M-4	C(5)(a)	C(5)(a)	None	None
	≥ 100 g → < 200 g	M-4	M-3	C(5)(b)	C(5)(b)	None	None
	≥ 200 g → < 1 kg	F-5	F-4	C(5)(c)	C(5)(c)	Div. B	Div. B
	≥ 1 kg → < 5 kg	F-3	F-2	C(5)(d)	C(5)(d)	Div. C	Div. C
	≥ 5 kg → < 20 kg	F-3	F-2	C(5)(e)	C(5)(e)	In Favor	In Favor
≥ 20 kg	F-2	F-1	C(5)(f)	C(5)(f)	Mand. 8 years	Mand. F-1 max	

ADDITIONAL FOOTNOTES FOR DRUG MANUFACTURING & CULTIVATION

† F-5 if the offender previously has been convicted of a drug-abuse offense.

In Favor*: Presumption in favor, but mandatory 2- or 5-year minimum if 2 or more priors.

♦ Minimum prison term of 3 years for first offense, 5 years for second offense.

♣ If violation involves the sale or possession of such and court finds MDO, then mandatory max from range.

∞ Minimum prison term of 4 years for first offense, 5 years for second offense. Includes “public premises.”

