

## **ALCOHOL AND DRUGS**

Sinte Gleska University is concerned about the academic success of students, the safety of all members of the campus community and is committed to maintaining an academic and social environment conducive to the intellectual and personal development of students.

### **Alcohol/Drug Free Campus Policy**

#### **Sinte Gleska University Policy on Alcohol and Illegal Drugs**

**All persons entering SGU grounds must comply with the Alcohol/Drug Free Campus Policy. No student or employee may bring, possess, sell or drink alcoholic beverages on college premises or at college functions, which includes student field trips or other off campus events. Sinte Gleska University also strictly prohibits the unlawful or unauthorized manufacture, distribution, dispensation, possession, sale, or use of illegal controlled substances on campus, in classes, and at off campus college-sponsored events including field trips.** Illegal controlled substances include stimulants, depressants, narcotics or hallucinogenic drugs, including marijuana in any form, LSD, speed, methamphetamine, cocaine, heroin, opiates, and other mind- altering drugs that have not been lawfully prescribed by a medical doctor. Drugs prescribed by a physician must be in the original container in which they were received from the pharmacist.

#### **Consequences for violating the SGU Alcohol and Drug free Policy**

**Any person found to be in possession, using, selling or distributing such drugs or alcohol will be subject to disciplinary action, which could include prosecution for violation of tribal or federal law.** A student or employee found to be under the influence of or in possession of any alcoholic beverage or any illegal drug while on SGU's campus is subject to immediate appropriate discipline up to dismissal. The matter shall be investigated by SGU personnel and may be referred to law enforcement. SGU encourages employees and students to voluntarily seek help with alcohol and/or drug problems. Separate publications regarding drug or alcohol use/abuse are available through the Office of Student Services.

#### **Referral to Law Enforcement for Alcohol and Controlled Substance Violations**

In South Dakota and on the Rosebud Indian Reservation, it is illegal for anyone under the age of 21 to consume or be in possession of alcohol and also for anyone to sell, furnish or provide alcohol to a person under the age of 21. Anyone in violation of these laws is subject to criminal prosecution. Any student found to be under the influence of an alcoholic beverage or any other intoxicating substance, which is a threat to him or herself or others, shall be reported to the Rosebud Sioux Tribal Police Department for appropriate intervention and legal action. Any guest of a student using an intoxicating substance, or is under the influence of any illegal drug, or in possession of any alcoholic beverage or any illegal drug while on campus, may be immediately escorted off campus, and may be reported to the appropriate legal authority.

**Members of U.S. federally recognized Indian Tribes who commit misdemeanor alcohol offenses within the exterior boundaries of the Rosebud Sioux Tribe, including the SGU campus, will be prosecuted in the Rosebud Sioux Tribal Court.**

**Federal Offenses committed by members of U.S. federally recognized Indian Tribes will be prosecuted in the U.S. District Court.**

**Non-natives who commit misdemeanor alcohol offenses within the exterior boundaries of the Rosebud Sioux Tribe, including the SGU campus, will be prosecuted in South Dakota State Court. Any Federal offenses committed by Non-natives within the exterior boundaries of the Rosebud Sioux Tribe, will be prosecuted in the U.S. District Court.**

### **Federal Drug Laws**

21 U.S.C. §841(a) makes it “unlawful for any person knowingly or intentionally-(1) to manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance; or (2) to create, distribute, or dispense, or possess with intent to distribute or dispense, a counterfeit substance. The penalties are listed in 21 U.S.C. §841(b) with the type and quantity of the substance determining the appropriate sentence. **The Federal statutes provide for greatly enhanced penalties if distribution, possession or manufacturing of controlled substances occurs on or within close proximity of schools or colleges (21 U.S.C. §860) and/or if distribution is made to a person under 21 years of age (21 U.S.C. §859).**

21 U.S.C. §844 makes it “unlawful for any person knowingly or intentionally to possess a controlled substance unless such substance was obtained directly, or pursuant to a valid prescription or order...knowingly or intentionally to possess any list I chemical...knowingly or intentionally purchase at retail during a 30 day period more than 9 grams of ephedrine base, pseudoephedrine base, or phenylpropanolamine base...” The first offense has a maximum sentence of 1 year imprisonment and a minimum \$1,000 fine. Also, persons convicted of possession or distribution of controlled substances can be barred from receiving benefits from any and all Federal programs including student grants and loans, except some long-term drug treatment programs. (21 U.S.C Section 862). There are enhanced penalties for subsequent violations. Such penalties may include confiscation of property.

