

Alcohol Policy

Mount Mercy is committed to maintaining a safe and healthy environment for members of the University community by promoting a drug-free environment. Mount Mercy does not encourage consumption of alcoholic beverages, nor does Mount Mercy promote the use or abuse of them. In keeping with the federal Drug Free Schools and Communities Act of 1989, and with other federal legislation, Mount Mercy has established policies and programs which address the use and abuse of alcohol. Such policies are a requirement for the receipt of federal financial assistance, including financial aid to students. Mount Mercy University conducts a bi-annual drug and alcohol prevention report to assess the effectiveness of programs the university utilizes. This report was last published in 2016, if you have any questions regarding this report, please contact Dean of Students Malinda Jensen, mjensen@mtmercy.edu.

Mount Mercy students are considered to be responsible individuals who are expected to behave in accordance with state and local law and the Mount Mercy alcohol policy. Mount Mercy respects students' privacy and autonomy, assumes they will behave legally and responsibly, and will not use unjustified means to verify compliance. When violations of law or policy come to the attention of school officials or agents, however, justified sanctions will be imposed and repeat violations will be dealt with more severely.

Legal Sanctions

Under state law, the legal age for possession or drinking of alcohol is 21. State law prohibits public intoxication; consuming alcohol in public places not covered by a liquor control license; driving or being a passenger in a motor vehicle with an unsealed receptacle containing an alcoholic beverage in the passenger area of the vehicle; giving or selling an alcoholic beverage to anyone intoxicated; and possession of an alcoholic beverage under legal age.

According to the Iowa Code, persons who are 21 years of age may use and possess alcohol, but may not give alcoholic beverages or resell them to persons who are under age (21). Mount Mercy allows students who are 21 years of age to drink alcohol in their Andreas or Lower Campus housing assignments. Providing alcohol to students under the age of 18 is considered contributing to the delinquency of a minor and providing alcohol to students between the ages of 18 – 21 will be considered as providing to students under the legal age, and will be charged as such.

On-Campus

Underage students at Mount Mercy who possess or use alcohol are subject to disciplinary action by the institution and/or local law enforcement. Underage possession and use may result in civil or criminal penalties. Mount Mercy may report violations of these regulations to civil authorities. Parents or legal guardians may be notified concerning violations of underage possession, use, or provision to others of alcohol or any illegal substances, as provided for under the Campus Disclosure Act of 1998.

Excessive alcohol consumption and/or the resulting irresponsible behavior are inconsistent with the goals and mission of Mount Mercy. Any/all individuals present during the following alcohol policy violations may be found guilty of a behavioral violation and subject to disciplinary action by Mount Mercy.

- 1) Students who are not of legal age are not allowed to consume or possess alcohol.
- 2) Students of legal drinking age need to know the following facts.
- 3) Alcohol may not be consumed or possessed in Regina or McAuley halls regardless of age.
- 4) The consumption or possession of alcohol beverages is prohibited in all public areas. This includes hallways, public lounges or patios, recreational areas, campus grounds, and parking lots.
- 5) Kegs, pony kegs, party balls or other containers of alcohol larger than one (1) quart, are not permitted by Mount Mercy.

- 6) If policies regarding the consumption or possession of alcohol are violated, unopened containers of alcohol will be emptied.

In the Andreas House suites and Lower Campus Apartments the following policies apply:

- 1) To prevent large group drinking, there may be no more than ten (10) of-age people in an Andreas House suite and no more than nine (9) of-age people in a Lower Campus apartment while alcohol is being consumed.
- 2) Students who are of legal age may possess/consume alcohol as follows (as long as no other policies are being broken):
 - a) Alcohol may be consumed and/or possessed anywhere in the suite or apartment if everyone living in the suite or apartment is verifiably of legal age. Everyone present when alcohol is present must also be verifiably of legal age.
 - b) If there are both of-age and underage people living in the same suite/apartment, roommate pairs who are both of legal drinking age, may consume, possess, and store alcohol in their private bedroom only. The number of open alcohol containers present (whether empty or not) may not exceed one container per individual of legal drinking age in the bedroom where alcohol is being consumed. Empty containers must be properly disposed of prior to opening another container.
 - c) Guests who are of legal drinking age may be present as long as the number of individuals allowed in the suite or apartment is not exceeded (see paragraph 1 above).
 - d) Guests who are of legal drinking age may be present as long as the number of individuals allowed in the suite or apartment is not exceeded (see paragraph 6a above).
 - i) At Andreas of Lower Campus, alcohol may NOT be consumed or possessed under the following circumstances.
 - (1) No underage guests are allowed in the suite or apartment when alcohol is present.
 - (2) If there are underage residents living in the suite or apartment, alcohol may not be consumed, possessed, or stored in the public living areas (this includes the kitchen, kitchen refrigerator, living room, bathrooms, and hallways)
 - (3) Of only one individual in the roommate pair is of legal drinking age, no alcohol may be consumed, possessed or stored in the bedroom
 - (4) Suite/apartment-mates not of legal drinking age may not enter the bedroom where alcohol is being consumed.
 - (5) No open alcohol containers are permitted outside resident buildings (patios, entry ways, campus grounds, or parking lots).
 - (a) Open containers include cans, bottles, cups, glasses, squeeze bottles, or other containers on which the original seal has been broken.

Alcohol Usage at Off-Campus Events Sponsored by Student Clubs or Organizations

Mount Mercy discourages university clubs and organizations from hosting or sponsoring off campus events where alcohol is sold or served. If an organization chooses to host or sponsor an event where alcohol is sold or served, the following rules are to be observed:

- Alcohol can only be sold and served in a private room or designated area separate from the primary party, dance, or event. Those under the age of 21 are not permitted to enter this area.
- Alcohol may not be brought out of the designated alcohol sales/consumption area. No Mount Mercy money may be used to purchase alcohol.
- No club, student, or employee of Mount Mercy may receive any portion of the money made from the sale of alcohol at the event.

- Alcohol may not be provided or distributed by student organizations or members of student organizations.
- Nonalcoholic beverages must be available.
- Alcohol may not be carried into the facility; nor may students come and go from the party frequently.
- Only single servings may be purchased; no pitchers are permitted.
- Students may not purchase more than one alcoholic beverage at a time.
- No Mount Mercy employee or student may certify age; only licensed agent may authorize age appropriate sale or provision.

*Club officers and advisors are responsible for these stipulations related to the use of alcohol.

Drug Policy

The use or possession of illegal drugs as well as the abuse of alcohol and other intoxicants creates a serious threat to the health and wellbeing of the user, and, in some instances, to other individuals as well. Mount Mercy University has a responsibility to provide a work environment free of drugs and alcohol, and employees have the right to perform their duties with unimpaired colleagues.

In compliance with the Drug Free Workplace Act of 1988, all Mount Mercy University faculty and staff are notified that, as a condition of employment, the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is strictly prohibited.

To assist employees in broadening their knowledge of the harmful effects of controlled substances, and in the treatment of alcoholism or addiction to controlled substances, Mount Mercy University will do the following:

- Periodically sponsor programs and provide information regarding the dangers of drug abuse.
- Notify all employees of the University's policy of maintaining a drug-free environment
- Provide referrals and work cooperatively with area agencies regarding drug abuse concerns.
- Notify employees of the penalties which may be imposed for drug abuse violations.

Mount Mercy University will impose sanctions on any employee who is found to be in violation of this policy.

Anyone who violates this policy will be subject to disciplinary action. Following an appropriate investigation and subject to existing procedures governing the relevant type of appointment to the University, the faculty or staff member can be subject to any one or a combination of the following disciplinary and/or educational sanctions in consultation with the Director of Human Resources: A. Reprimand, suspension or termination; B. Required substance abuse counseling; C. Required substance abuse rehabilitation; and D. Required attendance at designated substance abuse program.

Any employee who receives a criminal drug statute conviction for a violation occurring in the workplace must notify the respective supervisor of their department within five days of the conviction. The supervisor must in turn notify the Office of the President within five days of learning of the conviction. If any of the employee's compensation is from a federal contract or grant program, the University must then notify the respective federal agency within ten days after receiving notice from the employee or of learning about an employee's criminal drug statute conviction for conduct in the workplace.

Health Risks:

As an educational institution, Mount Mercy endeavors to protect and assist students by providing reliable information about the hazards of illegal drugs and alcohol. Health risks include, but are not limited to, adverse modification of one or more body systems, such as the nervous, cardiovascular, respiratory, muscular, endocrine, and central nervous systems; toxic, allergic, or other serious reaction; unfavorable mood alteration; and addiction. Physiological and psychological dependency, which manifests itself in a preoccupation with acquiring and using one or more drugs/alcohol, may cause severe emotional and physical injury.

Alcohol and Drug Abuse Education Services Available to Students:

To assist students in broadening their knowledge of the harmful effects of controlled substances, and in the treatment of alcoholism or reliance on drugs, Mount Mercy will do the following:

- Periodically sponsor programs and provide information regarding the dangers of drug abuse;
- Notify all students of the Mount Mercy's policy of maintaining a drug-free environment;
- Provide referrals and work cooperatively with area agencies regarding drug abuse concerns;
- Notify students of penalties which may be imposed for drug abuse violations.

Mount Mercy has put into action an expanded substance abuse education program. Information is important, but in some cases, there is a need for direct action including assessment, and if warranted treatment. Therefore, Mount Mercy may refer individuals for professional assessment and/or treatment as necessary. RAs or other designated officers of Mount Mercy have the authority to enter resident's rooms or apartments if there are reasonable grounds to suspect the use of illicit substances. The use of drugs such as stimulants, depressants and hallucinogens without medical direction is dangerous. Students may obtain information regarding the use of controlled substances through the Health Services or Counseling Services on campus, from academic courses which contain such content as described in the Catalog, or from local substance abuse agencies.

Students should be aware that:

- 1) The use of controlled substances except under a doctor's prescription is illegal.
- 2) The illegal use, possession or delivery of controlled substances is unacceptable behavior, and the student may be subject to both legal and disciplinary actions.
- 3) Both state and federal laws prohibit delivery of, manufacture of, or possession with intent to deliver a controlled substance, a counterfeit substance, or a simulated controlled substance. State penalties range from 5 to 50 years confinement and a fine of \$1,000 to \$1,000,000, depending upon the type and quantity of drug involved. Specific drugs, amounts, and penalties are described in Iowa Code 124.401(1). Federal penalties range from one (1) year confinement to life imprisonment and a fine of \$100,000 to \$8,000,000 depending upon the type and quantity of drug involved. Specific drugs, amounts, and penalties are described in 21 USC 841(b). State and federal legal sanctions are subject to change by the General Assembly and Congress, respectively.

Enforcement Procedures

The use or possession of illegal drugs as well as the abuse of alcohol and other drugs creates a serious threat to the health and wellness of the user, and, in some instances, to other individuals as well. Mount Mercy will take all reasonable actions to provide an environment free of improper use of drugs and alcohol. In compliance with the Drug Free Schools and Communities Act of 1989 and the Drug Free Workplace Act of 1988, all Mount Mercy students are herein notified that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is strictly prohibited.

Students found in violation of the policy may be referred to the Disciplinary Board. Violators of this policy may be subject to a variety of sanctions, up to and including expulsion from Mount Mercy. Parents or legal guardians may be notified concerning violations of underage possession, use, or provision to others of alcohol or any illegal substances, as provided for under the Higher Education Amendments Act of 1998.

Resources for Students and Staff

Abbe Center for Community Mental Health, 520 11th Street NW Cedar Rapids, IA 52405 – (319) 398-3562

Area Substance Abuse Council, 3601 16th Avenue SW Cedar Rapids, IA 52404– (319) 390-4611
Foundation 2 Crisis Line – (319) 362-2174

Hillcrest Family Services, 205 - 12th Street SE Cedar Rapids, IA 52403– (319) 362-3149

Mercy Behavioral Services/Sedlacek, 701 Tenth Street SE Cedar Rapids, IA 52403— (319) 398-6226

Riverview Center, (319) 540-0080

St. Luke’s Chemical Dependency Unit, Kirkwood Resource, Center 1030 Fifth Avenue SE, Lower Level
– Cedar Rapids, IA 52403 (319) 363-4429