



www.thepowerofchoice.info

GUIDELINES FOR PARTIES AND THE LAWS

A Practical Guide for Parents

Family Conversation Counts!

Most high school students in District 203 & 204 are making healthy choices regarding tobacco, alcohol and other drug use. Most parents are doing the right things to help their teens. How do we know? Our students are surveyed every April AND Districts 203 & 204 high school parents have been surveyed the last three summers. These surveys are part of a five year research study.

The Power of Choice project presents the survey results and is designed to:

- Change misperceptions
- Support the majority of students
- Reduce underage drinking and tobacco use
- Reinforce positive parenting habits

This brochure is intended as an aid for all of us as parents in establishing guidelines for our teenagers when they host or attend parties. These suggestions may be too restrictive for some families and too permissive for others. Each family will need to consider them in light of their own values and attitudes.

Our teens experience pressure from both their peers and society to use alcohol and other drugs. Teens who are to grow into healthy, functioning adults need to resolve the three major issues of identity, intimacy, and autonomy during this period of their lives. Parties provide a means for adolescents to test their social skills and rate their behavior and acceptance against that of their peers. Here is what 12,097 District 203 & 204 high school students said in 2007 compared to responses in 2006 & 2005:

- 72% ~~70%~~ ~~67%~~ choose not to drink because they don't want to disappoint their parents.
- 73% ~~71%~~ ~~69%~~ choose not to drink because they don't want to get into trouble with their parents.
- 83% ~~81%~~ ~~80%~~ said their parents ask who they will be with when they go out in the evening or on the weekend.
- 90% ~~89%~~ ~~89%~~ think their parents find tobacco use by teenagers NOT acceptable.
- 84% ~~84%~~ ~~78%~~ think their parents find alcohol use by teenagers NOT acceptable.

As parents we are concerned about parties which become out of control. We may feel uncertain about what sorts of guidelines to establish for our children. We often feel isolated because we are unaware that other parents have the same concerns. We want to be responsible parents, yet we recognize that social pressures affect us, as well as our children. For a variety of reasons, we are often reluctant to contact other parents who are supposed to be hosting a party. But here is what 6,481 parents of 12,085 Districts 203 & 204 high school households said in 2006 compared to 2005:

- 78% ~~79%~~ of parents report discussing family rules about underage drinking with their teen in the past 3 months.
- 71% ~~72%~~ of parents report discussing the consequences of breaking the family rules about underage drinking with their teen in the past 3 months.
- 85% ~~85%~~ of parents report setting a time when their teen should be home.
- 74% ~~70%~~ of parents report waiting up until their teen comes home.

We hope these guidelines, current state and city ordinances will encourage further dialogue within families about these very important issues.

**Remember: MOST of our teens are making
healthy choices MOST of the time.**

Guidelines for Attending a Party

- A. Know where your teen will be.
 - 1. Obtain the address and phone number of the party host.
 - 2. Let your teenager know you expect a phone call if the location of the party is changed. (Tip: Given the mobility of cell phones, you may want your teen to check in with you from the party's land line.)
- B. Contact the parents of the teen giving the party.
 - 1. Verify the occasion.
 - 2. Be sure that a parent will be present.
 - 3. Offer assistance.
- C. Communicate concerns.
 - 1. Discuss with your son/daughter the possible situations which might arise.
 - 2. Let them know where you can be reached.
 - 3. Assure your teen that you or a specified friend or neighbor can be called if needed.
 - 4. Agree on an acceptable curfew.
 - 5. Wait up until your teen arrives home.
- D. Verify overnight arrangements whether planned or spontaneous.

Guidelines for Giving a Party

- A. Parents must be at the party. No parents - no party! A home minus adult supervision is asking for trouble. As parents we have a parental as well as legal responsibility to our children to see that parties are conducted in an appropriate manner.
- B. Set ground rules with your teen beforehand. Talk to your teens!
 - 1. Let your teenager know your expectations of him/her; they do want guidelines.
 - 2. Discuss the inappropriateness of any underage use of tobacco, alcohol or other drugs.
 - 3. Give your children options but at the same time establish parameters.
 - 4. Remind your kids that they are accountable for their own behavior.
- C. Set limits. "Limits are love!"
 - 1. Make a guest list in an effort to discourage crashers (uninvited guests).
 - 2. Establish a specific starting and ending time. (Check with your city for specific curfew regulations).
- D. Know your responsibilities.

As parents it is important that we understand our liability both to criminal charges and for monetary damages in case of a civil law suit where drugs and/or alcohol are used on our own private property. Therefore...

 - 1. Be alert to the signs of alcohol or drug use.
 - 2. Be aware of guests who leave the party and then return. Experience shows that in many instances these people have left the party with the intent of drinking or using drugs.
 - 3. If you feel that despite your precautions things do get out of hand, i.e., loud music or disruptive behavior, please do not hesitate to call your local police or 911 for assistance.
 - 4. If you find any persons under the influence of alcohol or drugs, call their family so that they can be safely transported home.
- E. Other ideas:
 - 1. Plan to have plenty of food and non-alcoholic drinks available.
 - 2. Try to meet your child's friends and their parents.
 - 3. Plan a wide variety of activities (this is especially true for younger children).

Source: 2007 survey of District 203 and 204 High School Students. The Power of Choice is a project of NCO Youth and Family Services, Naperville School District #203, Indian Prairie School District #204, Breaking Free, Inc., the Naperville Police Department, DuPage County Health Department, Linden Oaks at Edward, Lisle Youth & Family Services, Heritage YMCA Group, KidsMatter, Provena Mercy Medical Center, Naperville Park District and District 203 & 204 parents. Survey and data analysis provided by CPRD at the U of Illinois. Funded in part by the Department of Human Services.

STATE AND CITY ORDINANCES

Teenagers and their parents should realize that a 16 year old's drivers license *is not valid* if the driver is in violation of the State curfew hours. (Note: As of January 2008 the graduated license curfew laws change.)

Curfew

Local law enforcement officials enforce the curfew hours established by state law (Illinois Compiled Statutes, Chap. 720, Section 555/1). It is unlawful for anyone under 17 to be present in a public place after 11p.m. Sunday through Thursday, or after midnight Friday and Saturday, unless accompanied by a parent or other adult, 18 or older, approved by the parent. It is also unlawful for parents or other adults to knowingly permit youths in their custody to violate these curfews.

Tobacco, Alcohol, Drugs and the Law

Here is a summary of several Illinois laws and local ordinances that pertain to the possession and the use of alcohol and other drugs by minors, and to adult responsibility for the use of alcohol and other drugs by minors. For more information please contact your attorney or local law enforcement agencies.

Tobacco Sales to Minors

No minor under 18 years of age shall buy any cigar, cigarette, smokeless tobacco or tobacco in any of its forms. No person shall sell, buy for, distribute samples of or furnish any cigar, cigarette, smokeless tobacco or tobacco in any of its forms to any minor under 18 years of age (Illinois Compiled Statutes, Chap. 720, Sections 675/1).

Minor in Possession of Alcohol

Any person under the age of 21 who has alcohol in his/her possession on any street or in any public place may be guilty of a Class A misdemeanor punishable by a fine of up to \$2500 and/or imprisonment of up to 364 days in jail (Illinois Compiled Statutes, Chap. 235, Sections 5/6-16,20).

Illegal Consumption of Alcohol by a Minor

It is unlawful for any person under the age of 21 to consume alcohol unless it is done under the direct supervision and approval of the minor's parents in the privacy of their own home. Consumption of alcohol by a minor under any other circumstances is a Class A misdemeanor punishable by a fine of up to \$500 and/or imprisonment of up to 30 days (Illinois Compiled Statutes, Chap. 235, Section 5/6-20).

Zero Tolerance

Any person under the age of 21 who has consumed alcohol and operated or been in actual physical control of a motor vehicle may be requested to submit to tests to determine alcohol content. If that person refuses the test or has an alcohol concentration greater than .00 their driver's license will be suspended for 3 months to 2 years.

Parental Liability - Alcohol

A parent or adult who furnishes alcohol or other prohibited materials to a minor or allows their residence to be used for the unlawful possession or consumption of alcohol may be guilty of a Class A misdemeanor. Where a violation of the subsection (a-1) directly or indirectly results in great bodily harm or death to any person, the person violating this subsection shall be guilty of a class 4 felony with penalties of 1 to 3 years in prison and up to a \$25,000 fine (Illinois Compiled Statutes, Chap. 235, Section 5/6-16a1).

Parental Liability - Alcohol

Any parent or other adult who furnished alcohol (such as at a home party) may be liable in a civil action for monetary damages totaling up to \$100,000 brought against them by someone who suffers personal injury, loss of support, or property loss through the actions of an intoxicated person whose intoxication is the result of a parent or adult furnishing the alcohol (Illinois Compiled Statutes, Chap. 235, Section 5/6-21).

Driving Under the Influence (DUI)

It is unlawful for a person under the influence of intoxicating liquor to drive. Driving while under the influence of alcohol is a Class A misdemeanor punishable by a fine of up to \$1,000 and/or imprisonment for up to one year. Any person who drives a motor vehicle anywhere in the state of Illinois thereby consents to a test to determine the alcoholic/drug content of his/her blood. If a person refuses to submit to the test his/her license will automatically be suspended for at least six months (Illinois Compiled Statutes, Chap. 625, Section 11-501).

Illegal Transportation of Open Liquor

It is unlawful for any person to transport, carry, possess, or have any alcoholic liquor within the passenger area of any motor vehicle except in the original container and with the seal unbroken (Illinois Compiled Statutes, Chap. 625, Section 11-502).

Possession of Cannabis (Marijuana)

It is unlawful for any person to knowingly possess marijuana. The possession of a small quantity of marijuana (an amount normally possessed by one person for one person's use) is a misdemeanor which may result in a fine of up to \$1,000 and/or imprisonment of up to one year. Should a person bring a larger amount to a party with the intention of supplying several people, the penalties are much higher. It is also unlawful to possess controlled substances (narcotics, prescription drugs, hallucinogenic chemicals, etc.) and such possession carries even greater penalties than the possession of marijuana (Illinois Compiled Statutes, Chap. 720, Section 550/4,5).

Parental Liability - Marijuana

It is unlawful for any parent or adult to furnish marijuana or other illicit drugs to a minor. Such an adult could be guilty of a felony for such behavior (Illinois Revised Statutes, Chap. 720, Section 550/5).

Drug Paraphernalia - Possession, Delivery and Sale

It is unlawful for any person or business establishment to keep for sale, offers for sale, sells, or delivers for any commercial consideration any item which is known to be drug paraphernalia. This is a Class 4 felony. Such an act will constitute a business offense for which a fine of a minimum of \$1,000 shall be imposed for each item. Any person 18 years of age or older who sells or delivers for any commercial consideration any item of drug paraphernalia to a person under 18 years of age is guilty of a Class 3 felony. Any store place or premise engaging in this activity will be declared to be a public nuisance and the court can restrain all persons from maintaining and using the premises for a period of one year thereafter (Illinois Compiled Statutes, Chap. 720, Section 600/3).

Drug Paraphernalia-Possession

It is unlawful for any person to knowingly possess any item of drug paraphernalia with the intent to use it in ingesting, inhaling, or otherwise introducing cannabis or a controlled substance into the human body, or in preparing cannabis or a controlled substance for that use. This is a Class A misdemeanor. Minimum fine is \$750 in addition to any other penalty prescribed for a Class A misdemeanor (Illinois Compiled Statutes, Chap. 720, Section 600/3.5).

CITY of NAPERVILLE ORDINANCES

Local Ordinance, Possession or Use of Tobacco #97-168

It shall be unlawful for any person under the age of eighteen years of age to possess or use any tobacco products. The only exception will be when such use takes place under the direct supervision and approval of the parent(s) or legal guardian *and* it takes place in the privacy of a home or established place of worship or tribal meeting place. It can also be used in the performance of a religious or tribal ceremony of a legally established and recognized religious group or tribe.

Local Ordinance, Purchase or Possession of Alcoholic Liquor by Persons of Nonage 3-3-22-2.

It shall be unlawful for any person under the age of 19, to be or remain in any room, apartment, house, place or vehicle which is not licensed for the sale of alcoholic liquor under this chapter, when such person knows alcoholic liquor is being consumed by persons under the age of 19 therein, except as otherwise provided in this chapter: provided however, a person shall not be in violation of this subsection where the room, apartment or house is that person's actual place of domicile, unless that person permits the use of the room, apartment or house when such person knows or in the exercise of ordinary care should know of a substantial probability that such a place is or will be used by persons of nonage for the consumption or possession of alcoholic liquor.

Local Ordinance, Cannabis 10-2-3-1-2.

It is unlawful for any person knowingly to possess cannabis. The provisions of this article mandate that any individual having a quantity of cannabis less than 30 grams shall, upon conviction, be fined not less than \$75 and or more than \$1000 for each violation.

Local Ordinance, Parental Responsibility / Alcohol 3-3-22-3.

Parents are prohibited from giving or providing alcoholic beverages to their minor children or any individual under the age of 21 (unless such consumption is in the performance of a religious service or ceremony and is accompanied by close parental supervision). Further, parents who believe with some probability that their minor children have consumed or will consume alcoholic liquor shall restrain said minor from operating a motor vehicle and/or engaging in any acts of vandalism, theft, or disorderly conduct. Violations of these provisions will result in fines of not less than \$200 nor more than \$1,000 for each offense.

September 2007