# University Policy

<table>
<thead>
<tr>
<th>Policy Name: Alcohol and Other Drug</th>
<th>Effective Date: Fall 2013</th>
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<tbody>
<tr>
<td>Custodian of Policy: VP for Enrollment Management and Student Affairs</td>
<td>Last Review: Spring 2013</td>
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<tr>
<td>Relevant MnSCU Policy: Board Policy 5.18</td>
<td>Next Review: 2019</td>
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</tbody>
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## Policy

1. The use, possession, distribution, manufacture, or sale of any alcoholic beverage is prohibited on the campus. The illegal or unauthorized use, possession, distribution, manufacture, or sale of any controlled substance or drugs is prohibited on the campus. The possession or display of drug paraphernalia, alcohol “trophies,” or other form of empty alcohol containers, is prohibited on campus. An exception for instructional purposes in accordance with MNSCU Board Policy 5.18 allows for the use of alcohol in laboratory and classroom instruction or experiments.

2. The use, possession, distribution, manufacture or sale of any alcoholic beverage, illegal drug and the illegal or unauthorized use, possession, distribution, manufacture or sale of a controlled substance is prohibited by individual students, recognized student organizations and athletic teams when in travel status representing the University.
   a. Alcohol may not be transported in vehicles that are utilized to conduct organization or university business. This includes, but is not limited to state fleet vehicles, rental or personal vehicles transporting students to a university or organization sanctioned event and/or rental or personal vehicles that will be reimbursed for mileage by organizations or the university.
   b. Alcohol may not be brought into, stored or consumed in the lodging facilities used by students, regardless of age, when on travel status.

3. For purposes of the National/International Student Exchange, Study Abroad and Eurospring Programs, the unlawful use, possession, distribution, manufacture or sale of any alcoholic beverage, illegal drug, and the illegal or unauthorized use, possession, distribution, manufacture or sale of a controlled substance will be determined by the law of the foreign state or country. Students are expected to comply with the laws of the foreign country. The standard applicable during travel status is to accommodate the educational aspect of exploring customs of culture of foreign countries.

4. The use, possession, distribution, manufacture or sale of any alcoholic beverage or illegal drug and the illegal or unauthorized use, possession, distribution, manufacture or sale of a controlled substance by MSUM students is prohibited at all off-campus university recognized student events.

5. As members of the University community, students who live or visit off-campus are expected to behave responsibly when off-campus. Students violating civil or criminal law
may be subject to University conduct procedures for the same conduct when the conduct occurs off campus but adversely affects the educational, research, or service functions of the University. Students should be aware that unlawful use, possession, distribution, manufacture or sale of any alcoholic beverage, illegal drug, or drug paraphernalia and the illegal or unauthorized use, possession, distribution, manufacture or sale of a controlled substance cited by local law enforcement may be reported to the University. **If reported, the University will take appropriate disciplinary action under this policy.**

6. The following **advertising and promotional** activities are prohibited:
   
a. Using alcoholic beverages as awards or prizes in connection with university sponsored student events;

b. Alcohol promotional activities and advertising associated with university sponsored student events; (this includes, but is not limited to, such items as: cups, t-shirts, beverage can coolers, and any other items carrying alcohol/beer advertising);

c. Advertising of alcohol or illegal drugs appearing in university controlled or affiliated spaces, publications including university affiliated web sites over which it has editorial control.

The University does not regulate content or advertisements in autonomous student-edited publications, such as student newspapers, but encourages the editorship to not include advertising that promotes the high-risk use of alcohol such as happy hour drink specials, two for ones or other advertisements that encourage rapid and excessive consumption of alcohol.

**Exceptions:**

For instructional purposes in authorized laboratory and classroom instruction or experiments (accordance with MNSCU Board Policy 5.18)

For one-time use of alcoholic beverages at specific University events when authorized by the President (in accordance with MNSCU Board Policy 5.18)

A **Good Samaritan exception** for violations of the alcohol/other drug policy will be recognized and honored. A student, who may be in violation of the alcohol/other drug policies but comes to the aid of another student by seeking professional help, will not be cited for an alcohol/other drug university conduct violation. This exception will not be granted to those who flagrantly or repeatedly violate the University’s Alcohol and Other Drug Policy.

For legal and responsible* use of alcoholic beverages by students in travel status while attending events, such as banquets, when the use of alcohol has been approved by the sponsoring organization and where properly licensed Third Party Vendors provide sales of alcohol, which are staffed only by the employees of the host site or the Third Party Vendor. Students who legally consume are prohibited from operating vehicles following consumption.
Further restrictions or allowances of legal and responsible* use of alcohol may be applied to students or student groups on travel status based on the specific program’s needs and direction of the faculty or staff supervisors/advisors.

*Non-responsible use is defined as behavior that disrupts the University community, endangers the health or safety of self or others, results in damage to University or personal property, or requires the intervention of University or community resources. Examples of non-responsible use includes but is not limited to disorderly conduct, excessive noise, violence, threats, vandalism, or intoxication that leads to intervention by University personnel, law enforcement personnel, or medical personnel.

**Sanctions for individuals in violation of the policies on alcohol & other drugs:**

The University reserves the right, based on the severity of the incident, to automatically refer a student to a higher sanction level (i.e. a student’s first violation may result in Level Two or Level Three sanctions). Parental notification, in accordance with the University’s FERPA Policy § IV (A)(S), may occur. At the discretion of the hearing officer, a student may be assigned a combination of disciplinary sanctions as defined in this policy and the Student Conduct Code. Students who fail to follow the policy procedures will be subject to a registration and grade hold and may face separation from the university. The following sanctions accumulate during a student’s college career. (These sanctions do not have to be implemented in numerical order. If a violation is severe enough a student may automatically be placed at a level three sanction).

**Level One:** Students will receive a written warning and will complete an online education program. Student will also complete an assessment and educational session with the Chemical Health Educator. There will be a mandatory fee of $75.00, which will appear on the MSUM billing statement.

**Level Two:** Students will be placed on university disciplinary probation and will meet with the Chemical Health Educator to determine the appropriate level of intervention. Intervention could be individual or group setting. The mandatory fee is $150.00, which will appear on the MSUM billing statement.

**Level Three:** A student with a severe violation or a third violation of the Alcohol and Drug Policy during his or her college career is subject to a minimum of one semester suspension from the university unless extraordinary circumstances exist. Upon re-admission following a suspension, any further alcohol or drug violation may result in expulsion from the University.

The University reserves the right to waive suspension in the event that the student agrees to a referral to a licensed treatment facility for assessment and follows all recommendations. Any costs will be the responsibility of the student. The Chemical Health Educator may assist the student in facilitating the process.

**Sanctions for organizations in violation of the policies on alcohol & other drugs:**
Organizations found in violation of the alcohol and other drug policy may be prohibited from conducting social functions and solicitation and acceptance of new members, and university recognition may be withheld. Sanctions will be educational in nature and last for a duration of time determined by the sanctioning body or University official. The University reserves the right to suspend or revoke university recognition of the organization.

Based on the severity of the incident or in the case of multiple violations for the alcohol and other drug policy, university recognition will be suspended for a period of no less than three years. The University reserves the right to revoke university recognition of the organization. In addition to the university’s Student Alcohol and Other Drug Policy, departments and student organizations may have established rules that are more restrictive and indicate additional sanctions for violations. Sanctions may include action such as suspension from an activity, a team, or organization.

Definitions

1. **Recognized Student Organization** - any student organization that has successfully completed the recognition process as outlined in the Student Organization Handbook and registers each academic year with the Office of Student Activities.

2. **Travel Status** - the time period from departure until return to campus by students who have obtained travel authorization through the appropriate university representative for a university sponsored student event.

3. **University recognized Student Event** - activities that include, but are not limited to: official meetings, practices, competitions or trips involving students (who represent divisions, departments or majors), recognized student organizations or intercollegiate athletic teams of the University.

4. **Good Samaritan** – A student who seeks emergency services for a fellow student suffering from an alcohol or other drug (AOD) overdose.

Rationale

Minnesota State University Moorhead recognizes that the misuse of alcohol and other drugs is a serious problem in our society and our community. This University seeks to create a campus environment which promotes healthy and responsible living that is conducive to the intellectual and personal development of students. The University is committed to establishing and enforcing clear campus policies regarding the use of alcohol and other drugs.

Minnesota State University Moorhead complies with and supports the Minnesota State Colleges and University Board of Trustees policy governing alcohol and other drugs on campus, the Drug Free Schools and Community Act, the Drug Free Workplace Act, the Campus Security Act and Minnesota State law.