

University Policies

Policy Name: Alcohol and Other Drugs	Effective Date: July 1, 2011
Custodian of Policy: Associate Vice President for Student Affairs and Enrollment Management	Last Review: June, 2005
	Next Review September, 2018

Policy

The possession, consumption, manufacture, sale, and/or distribution of alcohol or illicit drugs are prohibited on the Minnesota State University, Mankato campus. This policy extends to:

- all facilities, grounds, and property owned, leased or controlled by the University.
- all University-sanctioned events.
- all persons whether or not he or she is a member of the University community.
- individuals of all ages, even though they may be of legal age to consume or possess alcohol.

The jurisdiction of the policy shall be consistent with the criteria established in MnSCU Policy 3.6 Student Conduct, Part 2 and shall be applied to the off-campus behaviors of both students and employees for the violation of the "Alcohol and Other Drugs" policy when:

- hazing is involved; or
- the violation is committed while participating in a University-sanctioned event or sponsored activity; or
- the victim of the violation is a member of the University community; or
- the violation constitutes a felony under state or federal law; or
- the violation adversely affects the educational, research, or service functions of the University.

The determination of violations that adversely affect the educational, research, or service functions of the University shall include:

- Significant first time alcohol or drug-related legal violations (including but not limited to providing alcohol to minors, social host violations, distribution of illicit drugs);
- Repeated alcohol or drug-related legal violations;
- Situations where the student's or employee's (while performing job duties) substance use results in a need for medical assistance; or
- Situations where the alcohol or drug use prevent the student or employee from being able to fulfill essential functions designated in their role associated with the University or creates a direct threat to the safety of others in their role associated with the University.
- The jurisdiction of this policy applies to all students as defined by the current MnSCU Procedure 3.6.1: Student Conduct and to any employee (while performing job duties in their role associated

with the University) during the term of any employment contract at Minnesota State Mankato. Jurisdiction applies to any violation of the “Alcohol and Other Drugs” policy that is submitted by formal written report to the University.

Exceptions

The only exceptions to the “Alcohol and Other Drugs” policy are:

- The one-time use of alcoholic beverages at specific University events when authorized by the President. These exceptions shall be consistent with the current MnSCU Procedure 5.18.1: Alcohol Use and Controlled Substances on Campus;
- Authorized laboratory and classroom instruction;
- The possession or use of alcoholic beverages in an alcohol use awareness program that is sponsored and approved by the University and the possession or use is limited to persons 21 years old or older;
- Use of alcohol while attending University-sanctioned events when the use of alcohol has been approved by the sponsoring organization and does not violate any state or federal laws.

Subordinate Policies

The “Alcohol and Other Drugs” policy shall provide guidance and authority for any subordinate policies related to alcohol and drugs at Minnesota State Mankato (i.e. Residential Life, Business Office, Athletics, Vehicle Use, etc.). While subordinate policies may be more specific, they must, at minimum, adhere to the University alcohol and drug policy and maintain its integrity.

Marketing, Advertising, & Promotions

This section pertains to, but is not limited to the following:

- University publications, media, or advertising;
- Distribution of University literature, posters, and/or other printed materials;
- Event registration, sponsorships;
- Raffles and sales; and
- University offices, departments and contracting agents.

The University does not regulate the content or advertisements in autonomous student publications (i.e. student newspaper).

The following specific advertising, promotional, and marketing activities are prohibited:

- On-campus advertising that portrays drinking as a solution to personal, academic, or professional problems or as necessary for social, sexual, or academic success.
- Any advertising promoting the use of alcoholic beverages which places an emphasis on quantity and frequency of use.
- Using alcoholic beverages as awards, prizes, or promotional items in connection with University sponsored events.
- Advertising and other promotional campus activities associating alcoholic beverage consumption with the performance of tasks that are unlawful while under the influence of alcohol such as operating a motor vehicle.

University Sanctions: Recognized Student Organizations

Student groups violating the “Alcohol and Other Drugs” policy are subject to organizational review and sanctioning in accordance with Minnesota State Student Association (MSSA) procedures under Minnesota State University, Mankato “Privileges and Responsibilities of Recognized Student Organizations”.

University Sanctions: Employees

Employees who violate the “Alcohol and Other Drugs” policy may be subject to disciplinary action, up to and including termination of employment. Adjudication and sanctioning for violations of the “Alcohol and Other Drugs” policy will be managed by the Office of Human Resources and must be consistent with the employee’s respective bargaining contract. Employees with alcohol or other drug use problems may be referred to the Employee Assistance Program or elsewhere for assessment and/or counseling. All University employees must adhere to these policies.

Procedures

University Sanctions: Individual Students

Alleged violations of the “Alcohol and Other Drugs” policy will be adjudicated through the Associate Vice President for Student Affairs and Enrollment Management or identified designees. In addition to educational sanctions for violations of this policy, University Warning, University Disciplinary Probation, Suspension, or Expulsion will occur. Residence hall students may have their housing contracts terminated for on or off-campus behavior. Students who fail to complete their sanctions in a timely manner will be subject to progressive disciplinary action including but not limited to an administrative hold on registration and records.

Specific sanctions will be determined by adjudicating officers appointed as designees by the Office of the Associate Vice President for Student Affairs and Enrollment Management. Training of adjudicating officers will be the responsibility of the Office of the Associate Vice President for Student Affairs and Enrollment Management or their designee.

In certain situations, a student may be granted medical amnesty from campus disciplinary action as the result of seeking immediate medical assistance for an alcohol or drug related emergency. Both the caller and the student in crisis may receive medical amnesty in accordance with implementation procedures approved by the president. Medical amnesty is intended to encourage students to obtain medical intervention when inaction could cause injury or death.

A Minnesota State Student Association (MSSA) representative will be invited to participate in the annual consultation process used to determine the educational sanctions and fees associated with this policy. The consultation process will be convened by a designee of the Associate Vice President for Student Affairs and Enrollment Management. Educational sanctions and their costs will be communicated to all students each academic year. Direct costs associated with sanctions shall be the responsibility of the student violating the Alcohol and Other Drugs Policy.

Students repeatedly held accountable for a violation of this policy and students involved in behaviors such as providing alcohol to minors, hosting events in their place of residence involving alcohol or drugs, engaging in alcohol or drug use that requires medical assistance and distribution of illicit drugs may be subject to more serious University sanctions. Sanctions are both cumulative and progressive over the course of a student’s entire education at the University.

Medical Amnesty

Medical amnesty from formal campus discipline is intended to reduce the barriers that may inhibit students from seeking help when faced with a life threatening emergency caused by alcohol or drug ingestion.

Students will be eligible for medical amnesty when a student not acting in a staff capacity seeks help for another student believed to be in danger or at risk of significant harm if not evaluated by emergency personnel.

Eligibility for medical amnesty will be limited to the student needing medical assistance and the first student who called 911 or University Security.

Accessing emergency medical assistance will be a mitigating factor in the student disciplinary process as noted below:

- The student placing the call will only be required to complete educational sanctions. The sanction of a written warning or disciplinary probation along with the financial assessment for the cost of educational sanctions will be “deferred” on condition that the student completes sanctions in a timely manner and complies with the Alcohol and Other Drug policy for the following 12 month period.
- The student requiring emergency medical assistance will be required to complete, and pay for, assigned educational sanctions. Disciplinary probation or suspension will be “deferred” on condition the student completes sanctions in a timely manner and complies with the Alcohol and Other Drug policy for the following 12 month period.

Should either of the aforementioned students be found responsible for a second violation of the “Alcohol and Other Drugs” policy within one year of the date of the first violation, disciplinary sanctions for both the first and second violation will be assigned to that student.

These procedures are specific to campus disciplinary action; students are not immune from citation, arrest or criminal prosecution. Similarly, students granted medical amnesty will not be immune from discipline for other concurrently occurring violations of the Statement of Student Responsibilities, such as sexual assault, physical violence, harassment, hazing, vandalism, quiet hour disturbances, and failure to cooperate with staff.

Rationale

The purpose of this policy statement is to maintain a campus environment that promotes healthy, responsible living; affirms civility; supports the well-being of each of its members, and is compliant with state and federal law and institutional regulations governing behavior. Respect for campus/ community standards and regulations is expected.

Alcohol and other drug use potentially affect the safety, health, and quality of life of all students and employees. Additionally, alcohol and drug use frequently affect the image of the University and restricts the ability of Minnesota State Mankato to carry out its mission. Alcohol misuse and illicit drug use minimize an individual’s abilities to develop his/her academic or social relationships and is contrary to the educational process and goals of higher education. Minnesota State Mankato recognizes that students and employees are responsible for their own conduct and for the consequences of their behavior.

The University acknowledges the rights of businesses that produce, sell and/or serve alcoholic beverages to advertise their products and services to the University community. The University reserves the right to protect its educational mission and learning environment from inappropriate product promotions and irresponsible merchandising and advertising. In regard to marketing, University offices, departments and contracting agencies must give careful consideration to the University’s mission to determine the consistency of the message being sent when involved in advertising and/or other promotional activities related to alcoholic beverages and alcohol and other drug paraphernalia. University-affiliated publications should be aware that they are representatives of the institution as a whole. Advertising practices that violate the standards established by the industry itself and which encourage misuse of the alcohol or other drugs as interpreted by University policy will meet with appropriate University action, as deemed appropriate to the situation.

This “Alcohol and Other Drugs” policy shall provide guidance and authority for any subordinate alcohol and drug related policy at Minnesota State University Mankato. The following laws, ordinances, policies, and procedures relating to alcohol and drugs provide guidance and authority for this policy.

- City of Mankato – City Code (<http://www.ci.mankato.mn.us/CityCode/cityCode.aspx>)
- Minnesota State Statutes (<https://www.revisor.leg.state.mn.us/pubs/>)
- Minnesota State Colleges and Universities Procedure 1C.0.1 Employee Code of Conduct (<http://www.mnscu.edu/board/procedure/1c0p1.html>)
- Minnesota State Colleges and Universities Policies 5.18 Alcoholic Beverages or Controlled Substances on Campus (<http://www.mnscu.edu/board/policy/518.html>)
- Minnesota State Colleges and Universities Policies 3.6 Student Conduct (<http://www.mnscu.edu/board/policy/306.html>)