

**Minnesota State University, Mankato  
University Policy**

<b>Policy Name:</b> Alcohol and Other Drugs	<b>Effective Date of Last Review</b> August 1, 2016
<b>Custodian of Policy:</b> Vice President for Student Affairs and Enrollment Management	<b>Date of Last Review</b> September 2015
<b>Date of Adoption</b> September 5, 1995	<b>Date of Next Review</b> September 2022

## Policy

The possession, consumption, manufacture, sale, and/or distribution of alcohol, medical marijuana, illicit drugs and/or illicit drug paraphernalia are prohibited. This policy applies to:

- all university facilities, grounds, property, and 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.
- medical marijuana cardholders.

The jurisdiction of the policy shall be consistent with the criteria established in Minnesota State Colleges and Universities 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. Violations that fall under this category include but are not limited to:
  - Significant first time alcohol or drug-related legal violations (i.e. providing alcohol to minors, social host violations, distribution of illicit drugs, etc.).
  - Repeated alcohol or drug-related legal violations.
  - Situations where the student or employee's substance use results in a need for medical assistance.
  - 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.

## Exceptions

The only exceptions to the Alcohol and Other Drugs Policy are:

- Use of alcohol by legal-aged individuals while attending university sanctioned events when alcohol consumption has been approved by the sponsoring organization and does not violate any state or federal laws, and is consistent with Minnesota State Colleges and Universities Procedure 5.18.1 Alcohol Use and Controlled Substances on Campus for events approved by the University President.

- Students who seek help under medical amnesty (see definition below).
- Authorized laboratory and classroom instruction.

## **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
- Events and/or sponsorships
- Raffles and sales
- 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 promotion and/or advertising of alcoholic beverages placing 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.
- Sponsorship of events or activities that emphasizes alcohol or illicit drug use.

## **Procedures**

### **Recognized Student Organizations**

Under Minnesota State Mankato Recognized Student Organizations, Privileges and Responsibilities policy, the Minnesota State Student Association (MSSA) may assign disciplinary sanctions and other consequences when organizations are found responsible for a policy violation.

### **Employees**

Employees who violate the Minnesota State Mankato Alcohol and Other Drugs policy are subject to disciplinary action, up to and including termination of employment. Disciplinary action 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.

### **Individual Students**

Alleged violations of the Minnesota State Mankato Alcohol and Other Drugs policy will be managed and sanctions will be determined through the Office of the Vice-President for Student Affairs and Enrollment Management, Residential Life, or identified designees. In addition to educational sanctions for violations of this policy, one or more of the following disciplinary sanctions may apply for on or off-campus behavior: University Warning, University Disciplinary Probation, Residential Housing Contract Termination, Suspension and/or Expulsion. Students living in the residence communities may have their housing contracts terminated for on or off-campus behavior.

In accordance with Minnesota State College and Universities consultation guidelines for student fees, students will be consulted annually on the development of these educational sanctions and appropriate costs. Educational sanctions and their costs will be determined annually prior to the start of the academic year. Direct costs associated with sanctions shall be the responsibility of the student violating the Alcohol and Other Drugs policy.

Sanctions are cumulative over the course of a student's entire education at the University. Students who fail to complete their sanctions may be subject to an administrative hold on registration and records.

### **Medical Amnesty**

Medical amnesty from formal campus discipline is intended to reduce the barriers that may inhibit students, who are themselves under the influence of alcohol and/or other drugs, from seeking help when faced with a life threatening emergency caused by substance use. Such students will be eligible for conditional medical amnesty when a student not acting in a staff capacity seeks help for anyone believed to need medical care due to the ingestion of alcohol or drugs.

Eligibility for medical amnesty on-campus will be limited to the student needing medical assistance and the first student who called 911 or campus officials. This call must have been placed prior to an awareness that University staff, law enforcement personnel, or medical personnel are responding.

The student under the influence who placed the initial emergency call will be immune from disciplinary sanctions, but must complete an educational sanction at no cost. Failure to complete the educational sanction by the deadline, or violating the Alcohol and Other Drugs policy within 12 months, will result in progressive discipline. The student will also be billed retroactively for the first educational sanction along with the cost of any other educational sanctions resulting from the second violation.

A student under the influence requiring emergency medical assistance will be immune from disciplinary sanctions, but must complete an educational sanction at no cost. Failure to complete the educational sanction by the deadline, or violating the Alcohol and Other Drugs policy within 12 months, will result in progressive discipline. The student will also be billed retroactively for the first educational sanction along with the cost of any other educational sanctions resulting from the second violation.

Students granted medical amnesty will not be immune from disciplinary action for other types of violating behaviors stemming from the incident, such as vandalism, non-compliance with staff, quiet hours disruption, guest/host policy violations, or committing a suspected physical or sexual assault.

### **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 respectful of state and federal law and institutional regulations governing behavior. Respect for campus/community standards and regulations is expected.

Alcohol, marijuana 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 restrict the ability of Minnesota State Mankato to carry out its mission. Alcohol misuse, marijuana, and illicit drug use minimizes an individual's abilities to develop his/her academic or social relationships and 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 public. 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 alcohol or other drugs as interpreted by University policy will be met with appropriate University action.

The University 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's Alcohol and Other Drug policy and maintain its integrity.