Setting and Improving Policies for Reducing Alcohol and Other Drug Problems on Campus

A Guide for Administrators

The Higher Education Center for Alcohol and Other Drug Prevention
Funded by the U.S. Department of Education

Setting and Improving Policies for Reducing AOD Problems on Campus

Higher Education Center for Alcohol and Other Drug Prevention

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A Guide for Administrators

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Preface

Setting and Improving Policies for Reducing Alcohol and Other Drug Problems on Campus: A Guide for School Administrators has been written for administrators at both two-year and four-year institutions of higher education who are responsible for developing and implementing alcohol and drug policies on campus, including college presidents, vice presidents, deans of students, and deans of residential life. The guide begins with an executive summary.

Copies of the guide should be made available to the policy-setting committee assigned to develop and revise these policies.

Other members of the college community who have a special interest in substance use prevention—faculty, students, program directors, campus security, and other staff—will also find *Setting and Improving Policies for Reducing Alcohol and Other Drug Problems on Campus* a useful introduction to campus policy setting.

The guide's primary purpose is to ***outline a step-by-step process for establishing new or revised policies to deal with student misuse of alcohol and other drugs on campus, thereby creating a safer campus and an environment that nurtures students' academic and social development.*** The guide may also be helpful to administrators seeking to develop policies for faculty and other employees.

The guide describes a new doctrine (*environmental management*) that can be used to direct policy development, reviews the task of policy setting, seeks to reinforce administrators' commitment to effective prevention, and provides additional resources to help them develop or revise school policies.

This publication attempts to provide accurate and authoritative information and is provided with the understanding that The Higher Education Center for Alcohol and Other Drug Prevention is not engaged in the rendering of legal services. If legal advice is required, the services of an attorney should be sought.

Some of the information in the guide comes from available literature, but much of it is based on telephone interviews with administrators, program coordinators, and other staff at colleges and universities across the U.S. Many of the schools were identified by the Network of Colleges and Universities Committed to the Elimination of Alcohol and Drug Abuse, the U.S. Department of Education, professional organizations and associations, and the individuals listed in the acknowledgments.

Use of the Word *Prevention*

This guide uses the terms *prevent* and *prevention* to describe efforts to eliminate the illegal use of alcohol and other drugs and to *minimize to the greatest extent possible* the harmful effects of alcohol and other drugs, on both the user and others affected by the user's actions.

Because of limited time and resources, it was impossible to contact the many other schools that have also made concerted efforts to establish effective school policies. However, an effort was made to include the experiences of a wide range of schools in terms of geographic location, size, funding sources, and student population.

Setting and Improving Policies for Reducing Alcohol and Other Drug Problems on Campus: A Guide for School Administrators is published by The Higher Education Center for Alcohol and Other Drug Prevention, funded by the U.S. Department of Education. (See page 111 for further information about the Center and its other publications.)

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Executive Summary

A Note to Presidents, Vice Presidents, and Deans

Setting and Improving Policies for Reducing Alcohol and Other Drug Problems on Campus: A Guide for School Administrators has been written for administrators at both two-year and four-year institutions of higher education who are responsible for developing and implementing alcohol and drug policies on campus, including college presidents, vice presidents, deans of students, and deans of residential life. The guide begins with an executive summary.

Copies of the guide should be made available to the policy-setting committee assigned to develop and revise these policies.

Other members of the college community who have a special interest in substance use prevention—faculty, students, program directors, campus security, and other staff—will also find *Setting and Improving Policies for Reducing Alcohol and Other Drug Problems on Campus* a useful introduction to campus policy setting.

The guide's primary purpose is to ***outline a step-by-step process for establishing new or revised policies to deal with student misuse of alcohol and other drugs on campus, thereby creating a safer campus and an environment that nurtures students' academic and social development.*** The guide may also be helpful to administrators seeking to develop policies for faculty and other employees.

The guide describes a new doctrine (*environmental management*) that can be used to direct policy development, reviews the task of policy setting, seeks to reinforce administrators' commitment to effective prevention, and provides additional resources to help them develop or revise school policies.

An important foundation for any campus prevention effort is to establish and enforce sound prevention-oriented policies. If a participatory process is used to develop such policies, they can have widespread support from faculty, staff, trustees, alumni, students, and parents. Ultimately, those policies will help create a campus environment that serves to enhance each student's capacity for learning.

The Problem of Student Alcohol and Drug Use

The United States continues to have a major substance use problem on its college campuses. The rampant binge drinking that is found on many campuses makes it difficult for colleges to fulfill their educational mission.

According to a recent national survey, 44 percent of college students engaged in binge drinking during the two weeks prior to the survey. About half the binge drinkers, or about one in five students overall, were frequent binge drinkers—that is, they binge drank three or more times in the prior two weeks.

The misuse of alcohol and other drugs creates problems, not only for the students who engage in this behavior, but also for their peers, who suffer a range of consequences from having their sleep or study interrupted to being physically or sexually assaulted.

For a number of years, alcohol and other drug policies have been a source of controversy on college campuses. This controversy stems from the ambivalence that some college administrators have about their role in establishing and enforcing such policies, especially those related to drinking. Typical sources of ambivalence include the following misperceptions and beliefs:

- student binge drinking is a long-standing tradition that is resistant to change;

- alcohol misuse (and to a lesser extent, other drug use) is an innocent rite of passage from adolescence to adulthood;
- because many college students begin drinking in high school, not college, it is too late for the school to do anything about the problem;
- tougher policies will not work; and
- tough alcohol and drug policies cannot be enforced without invading students' privacy.

In launching a policy development effort, school officials will want to explore and resolve their own sources of ambivalence.

Environmental Management: A New Doctrine to Guide Alcohol and Other Drug Policies

The guide describes the doctrine of *environmental management*, which can be used in directing school policies for preventing alcohol and other drug use. With this doctrine, schools are not expected to control student conduct, but they must take reasonable protective measures to guard against foreseeable hazards and risks in the school environment.

Recent court rulings have made clear that schools must ensure that their activities, offerings, and programs meet minimum standards of care, and that they must take steps to deal with dangerous situations on campus. In short, *colleges and universities have the same responsibilities as other property owners.*

As concern about alcohol-related injuries has increased, the courts have been increasingly sympathetic to plaintiffs who have sued third parties for damages caused by someone who has been drinking. Colleges or universities that sell alcohol face special risks. A school may be monetarily liable as a social host when administrators, faculty, or others who act as its agents provide alcoholic beverages.

The goal of a college's prevention policies should be to establish and maintain an environment that will discourage student substance use. If effectively implemented and enforced, these measures will contribute to a safer environment, one that not only reduces the college's risk exposure, but also enhances its ability to accomplish its educational mission.

The law will continue to struggle with the question of whether college students are to be treated as adults or minors. This means that school administrators must work with legal counsel to keep a careful watch on case law in their states.

School officials will want to explore the structure of their institution and the basic premises of their educational program to see how they affect alcohol and other drug use. New arrangements might help students become better integrated into the intellectual life of the school, change student norms away from alcohol and other drug use, or make it easier to identify students in trouble with substance use.

School officials might also consider working for policy change at *the state and local level*. New laws and regulations, because they affect the community as a whole and can help generate changes in social norms, can be an important part of society's efforts to stem student substance use.

Policy Options for Substance Use Prevention

Alcohol and other drug policies must be specific and detailed so that students, faculty, and other staff will understand precisely what is expected of them. This guide presents a range of policy options to be considered as school officials struggle to create a safe campus environment.

Fair and consistent enforcement is also a critical aspect of a college's policies. Not taking action when school officials become aware of a situation could be construed as a failure to take reasonable measures for providing a safe campus, thereby opening the school to civil liability.

A school's policy document can begin with a statement of purpose to explain why the school has developed and implemented a set of comprehensive policies on alcohol and other drug use.

The school's policies should include a statement of principles that articulates the college's standards of conduct and delimits its legal responsibilities.

A college might require all campus organizations that want to host events involving alcohol to formulate comprehensive policies of their own as part of their mission statements, by-laws, and procedures. Such policies must be consistent with school policies and all local, state, and federal laws.

School policies must prohibit the unlawful use, possession, sale, or distribution of alcohol or controlled substances by all students and employees. School policies should spell out the specific federal, state, and local laws that apply in the school's jurisdiction and the penalties that will be imposed for violations.

Rules must be considered to ensure that social events where alcohol is served are kept under sufficient control to prevent illegal service to minors or intoxicated persons, restrict drinking to the approved area designated for the event, and provide a level of supervision and security that will create a safe atmosphere.

Requiring that a social event be registered and approved by the school may be a sufficient means of policy enforcement, since the event organizers will need to certify that they are aware of the school's policies and the specific requirements they need to meet in holding the event, including the presence of adequate security.

Given the profits that the industry makes from sales to underage and problem drinkers, and given the problems that alcohol misuse creates on college campuses, it can be viewed as inappropriate for school administrators to collaborate in the industry's marketing activities. If school officials are unprepared to impose a total ban on campus advertising and promotion, they might consider developing strict policies to define what they will allow.

Creating an Effective Process for Policy Setting

The guide also outlines a step-by-step procedure for assembling needed resources, selecting or revising alcohol and other drug policies, and implementing the new policies that are established.

Top administrators will not want to act alone in developing or revising a school's substance use policies but will want instead an organized and participatory process that involves a wide range of other administrators, faculty, students, and leaders of the local community.

The president or another senior school administrator who has the president's ear and confidence, while also having the respect of the college community, must be intimately involved in the policy setting process in order to ensure that:

- all key campus constituencies agree to participate actively and constructively in their development;
- policies are developed that are acceptable to as many people on campus as possible; and
- enforcement of the policies will be supported fully by the school's top officials.

The procedure for developing and revising a school's alcohol and other drug policies involves 15 steps, which can be grouped into three major stages:

Assemble Resources

1. Provide visible, consistent, and strong leadership on this issue. Make clear that the development of effective policies has unwavering administrative support.
2. Appoint an advisory board of leaders who represent all relevant campus constituencies plus representatives of the local community.
3. Recruit a policy-setting committee to draft and revise the school's policies.
4. Have the policy-setting committee evaluate the school's culture around alcohol and other drug use.
5. Provide the committee with background information on current law.
6. Request technical assistance from experts or confer with administrators from other schools.

Select and Revise the Policies

7. Assess all current policies that directly or indirectly impact alcohol and other drug use.

8. Adjust current policies to satisfy legal requirements while also meeting the needs of students who abuse alcohol or other drugs. Draft new policies as necessary.

9. Anticipate and address obstacles to implementation and enforcement.

10. Hold meetings with campus organizations or conduct public hearings on the draft policies. Revise the policies in response to feedback from the faculty, students, and other members of the school community.

11. Submit the draft policies to the advisory board and other reviewers for comment. Revise the policies as needed.

12. Submit the final draft policies to school authorities for approval.

Implement the Policies

13. Disseminate and publicize the policies through multiple channels of communication.

14. Assess the implementation and effectiveness of the policies by conducting a formal evaluation.

15. Maintain the policy-making committee as a standing committee. Conduct biennial reviews so that the policies are responsive to changes in the student body and the campus environment.

Chapter 1

Introduction

Chapter Summary

- **The primary purpose of *Setting and Improving Policies for Reducing Alcohol and Other Drug Problems on Campus* is to outline a step-by-step process for establishing new or revised policies to deal with student misuse of alcohol and other drugs on campus, thereby creating a safer campus and an environment that nurtures students' academic and social development.**
- **Copies of the guide should be made available to the policy-setting committee assigned to develop and revise these policies.**
- **An important foundation for any campus prevention effort is to establish and enforce sound prevention-oriented policies. If a participatory process is used to develop such policies, they can have widespread support from faculty, staff, trustees, alumni, students, and parents.**
- **The cornerstone of campus policies should be the *Drug-Free Schools and Campuses Act*, codified as Part 86 of EDGAR (34 CFR Part 86), which requires every institution of higher education to enact policies for preventing the unlawful possession, use, or distribution of alcohol and illicit drugs by students and employees. Failure to meet the Part 86 of EDGAR requirements can put a school's federal funding in jeopardy.**
- **Part 86 of EDGAR is best viewed as establishing a minimum set of requirements for college substance use policies. Equally important are recent judicial rulings in negligence suits against colleges and univer**sities.
- **Administrators should note that what is legally required of colleges is constantly changing. Therefore, to protect the school's legal interests, consultation with an attorney is highly recommended to make sure that all school policies are consistent with state and federal law and reflect current case law.**

Setting and Improving Policies for Reducing Alcohol and Other Drug Problems on Campus has been written to ***lead college administrators through a step-by-step process for establishing new or revised policies to deal with student misuse of alcohol and other drugs on campus, thereby creating a safer campus and an academic environment that nurtures students' academic and social development.*** It is intended for three distinct audiences:

- college presidents, vice presidents, deans of students, and deans of residential life;
- members of the policy-setting committee assigned by top administrators to develop and revise campus policies; and
- other members of the college community who have a special interest in substance use prevention, including faculty, students, program directors, campus security, and other staff.

A single guide cannot teach college administrators everything they need to know about policy options for prevent

ing alcohol and other drug use or the process to follow in selecting and implementing them. Accordingly, the present guide is designed to accomplish the following:

- Review the task of policy setting.
- Reinforce their commitment to effective prevention.
- Describe the doctrine of *environmental management*, which can be used to direct policy development.
- Outline a step-by-step procedure for assembling needed resources, selecting or revising alcohol and other drug policies, and implementing the new policies that are established.

Perhaps most important, the guide is meant to reinforce the belief among college officials that effective policy setting is something their school *can* accomplish. Student alcohol and other drug use continues to occur at unacceptably high levels. This is serious and difficult problem that will not be solved overnight. An important foundation for any campus prevention effort is to establish and enforce sound prevention-oriented policies. If a participatory process is used to develop such policies, they can have widespread support from faculty, staff, trustees, alumni, students, and parents.

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Need for Revised and Expanded Policies

Why might college administrators want to revise and expand their policies on alcohol and other drugs? First, clear and comprehensive policies can be an effective tool for creating a safer campus. Policies need to be revised as administrators gain experience and see what impact their policies have. Second, what is legally required of institutions of higher education in this area is constantly changing as state and federal case law evolves.

The cornerstone of campus policies should be the *Drug-Free Schools and Campuses Act*, codified as Part 86 of EDGAR (34 CFR Part 86). Part 86 of EDGAR requires every institution of higher education to enact policies for preventing the unlawful possession, use, or distribution of alcohol and illicit drugs by students and employees. Failure to meet the Part 86 of EDGAR requirements can put a school's federal funding in jeopardy. (The full text of the act is in Appendix B.)

Part 86 of EDGAR requires that every institution of higher education, as a condition of receiving any federal financial assistance, must provide the following information to each student and employee:

- a description of the health risks associated with the use of alcohol and illicit drugs;
- a description of any drug or alcohol counseling, treatment, or rehabilitation programs available to students and employees;
- standards of conduct that clearly prohibit the unlawful possession, use, or distribution of alcohol and illicit drugs by students and employees on school property or as part of any school activities;
- a description of the applicable legal sanctions under local, state, or federal law for the unlawful possession, use, or distribution of alcohol and illicit drugs;
- a clear statement that the school will impose disciplinary sanctions on students and employees who violate the standards of conduct; and
- a description of the sanctions, up to and including expulsion, termination of employment, and referral to local law enforcement.

The regulations also require schools to prepare a written review of their program every two years to 1) determine its effectiveness and implement any needed changes, and 2) ensure that the school's sanctions are being consistently enforced. The written biennial review must be made available to anyone who asks for a copy.

Part 86 of EDGAR is best viewed as establishing a minimum set of requirements for college substance use policies. Some college administrators mistakenly believe that this federal statute is what defines their legal responsibilities in this area. It does, but only in part. Equally important are recent judicial rulings in negligence suits

against colleges and universities.

A number of court rulings have made clear that, while schools cannot be expected to control student conduct, they must ensure that their activities, offerings, and programs meet minimum standards of care, and they must take steps to deal with dangerous situations on campus. Meeting these requirements means having clear rules and a standard of firm and consistent enforcement.

Overview of the Guide

Even though most top college administrators understand the basics of participatory policy making, the issue of alcohol and drug use on campus raises special concerns. The guide is designed to answer five basic questions that school administrators will have about policy setting:

- Why might revised and expanded substance use policies be needed now?
- What underlying philosophy or doctrine can guide the selection of policies?
- What policy options might colleges consider?
- Who are the people and agencies, both on- and off-campus, who will have a stake in these policies?
- What steps can be followed for assessing policy options and developing a final set of policies?

Chapter 2, The Problem of Student Alcohol and Drug Use, reviews the scope of the substance use problem on college campuses using data from a new national survey. Despite the severity of the problem, some school administrators are skeptical that anything can be done or are ambivalent about implementing and enforcing firm and consistent policies. Reasons for this ambivalence are explored and addressed.

Chapter 3, Environmental Management: A New Doctrine to Guide Policy Making, opens with a review of emerging trends in the law that make it necessary for college administrators to review and update their policies. The chapter then describes the concept of *environmental management*, which can be used to guide policy development and administration.

Chapter 4, Policy Options for Prevention, provides a description of key policy options that policy makers can consider. The chapter's focus is policy, not programs, with the exception of policies that might mandate certain types of programs.

The Higher Education Act Amendments of 1986

These amendments require all colleges and universities receiving federal financial student aid to certify that they have drug abuse prevention programs for administration, employees, and students.

Drug-Free Workplace Act of 1988

This act requires institutions receiving federal assistance to publish and distribute a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace.

The act requires employers to establish a policy of maintaining a drug-free workplace by communicating the dangers of workplace drug abuse and providing information about drug counseling, rehabilitation, and employee assistance programs. It also requires schools to make good-faith efforts to establish and maintain a drug-free workplace for employees covered under federal contracts and grants.

As noted, with passage of the Drug-Free Schools and Campuses Act, codified as Part 86 of EDGAR, all institutions of higher education are now required to inform students annually of standards of conduct that clearly prohibit unlawful alcohol and drug-related behavior. Beyond the requirements of this legislation and other applicable federal law (*see box*) the U.S. Department of Education does not necessarily endorse any of the specific policies described in the guide but presents them as options for consideration.

Administrators should note that what is legally required of colleges is constantly changing. Therefore, to protect

the school's legal interests, consultation with an attorney is highly recommended to make sure that all school policies are consistent with state and federal law and reflect current case law.

Key Principles of Effective Policy Setting

- *The development, implementation, and enforcement of strong policies can occur only when there is strong commitment from the school's top leadership.*
- *Campus policies should be based on a comprehensive approach to student substance use that takes into account the interplay of individual, school, and community factors that affect the scope and consequences of the problem.*
- *Creating comprehensive and integrated policies requires an organized and participatory process.*

Protecting the institution from legal liability is an important consideration. That said, the advice of legal counsel should not be the sole determinant of a school's prevention policies. These policies should also reflect the school's educational mission, the values it holds dear, and a sense of what kind of place administrators, faculty, and students want their school to be.

Chapter 5, Creating an Effective Process for Policy Setting, outlines a step-by-step procedure for reviewing, selecting, and implementing campus policies. Questions addressed include whom to involve, what data to collect, how to build consensus, and how to address controversies that might arise. The focus here is defining and establishing new or revised policies for eliminating student misuse of alcohol and other drugs, but these guidelines will also be helpful to administrators seeking to develop policies for faculty and other employees.

The emphasis throughout chapter 5 is on ways of maximizing the participation of significant stakeholders, barriers that may be encountered and how to overcome them, and the need to make sure that the policies are fully integrated with each other. Actual experiences of selected colleges are used to illustrate the recommendations.

Setting Policy: An Essential First Step

It is vital that every college set in writing a single, institution-wide policy on the misuse of alcohol and other drugs. Policy alone will not solve the problem, but establishing a code of conduct for students, faculty, and staff is an essential first step.[1]

Developing workable and effective policies is hard work. It raises fundamental issues regarding the relationship between a college and its students and underscores the difficulty of finding the right balance between protecting students from harm and giving them the freedom they need to develop into responsible adults. This guide is a resource that will help college administrators tackle and succeed in that job.

> ***"The most significant means of minimizing the [legal] risks that colleges and universities face is to develop an enforceable and consistently applied policy governing the use of alcohol on campus."***
>
> **—Donald D. Gehring and Christy P. Geraci. *Alcohol on Campus: A Compendium of the Law and a Guide to Campus Policy*. Asheville, North Carolina: College Administration Publications, 1989.**

Endnote

1. Roberts, D.C. How to design campus alcohol, other drug and traffic safety criteria. In Anderson, D. (ed.) *A Winning Combination: An Alcohol, Other Drug, and Traffic Safety Handbook for College Campuses.* Washington, D.C.: U.S. Department of Transportation, National Highway Transportation Safety Administration, undated.

Chapter 2

The Problem of Student Alcohol and Drug Use

Chapter Summary

- **The United States continues to have a major substance use problem on its college campuses. The rampant binge drinking that is found on many campuses makes it difficult for colleges to fulfill their educational mission.**
- **According to a recent national survey, 44 percent of college students engaged in binge drinking during the two weeks prior to the survey. About half the binge drinkers, or about one in five students overall, were frequent binge drinkers -- that is, they binge drank three or more times in the prior two weeks.**
- **The misuse of alcohol and other drugs creates problems, not only for the students who engage in this behavior, but also for their peers, who suffer a range of consequences from having their sleep or study interrupted to being physically or sexually assaulted. Tolerating this state of affairs because of a hesitance to act is untenable.**
- **In launching a policy development effort, school officials will want to explore and resolve their own sources of ambivalence about establishing and enforcing alcohol and other drug policies, especially those related to drinking.**

Setting policies for preventing substance use problems on campus is an extremely important undertaking, not only because of the harm that might befall students who misuse alcohol or other drugs but also because of the impact of widespread substance use on college life, even for students who are nonusers. Student substance use—in particular, the rampant binge drinking that is found on many campuses—makes it difficult for colleges to fulfill their educational mission.

The magnitude of the problem is daunting, and, unfortunately, this has led some college officials to give up. As the guide makes clear, however, it is possible to establish and enforce prevention policies that are effective and have widespread support among faculty, staff, trustees, alumni, students, and parents. Administrators who have decided to tackle the problem of student alcohol and other drug use can feel encouraged that there are many like-minded administrators at other schools who are making headway.

Scope of the Problem

A new survey of four-year college student alcohol and other drug use conducted by the Harvard School of Public Health confirmed that the United States continues to have a major substance use problem on its college campuses.[1]

According to this national survey, 44 percent of college students engaged in binge drinking during the two weeks prior to the survey. For men, binge drinking is defined as having *five* or more drinks in a row, and for women as having *four* or more drinks in a row.[2] Among men, 50 percent were classified as binge drinkers. Among women the figure was 39 percent.

About half the binge drinkers, or about one in five students overall, were *frequent* binge drinkers—that is, they binge drank three or more times in the prior two weeks. Among these frequent binge drinkers, 70 percent

of the men and 55 percent of the women reported being intoxicated three or more times in the past month.

With approximately 6.8 million undergraduate students enrolled in four-year colleges in the United States,[3] this means *there are an estimated three million undergraduate binge drinkers, including 1.3 million frequent binge drinkers*.[4]

The Harvard survey also revealed a clear relationship between drinking and other substance use: abstainers were the least likely to have used other drugs during the past year, while binge drinkers were the most likely to have used other drugs. Marijuana, for example, was the most commonly used illicit drug. Among alcohol abstainers, two percent used marijuana during the past year; among non-binge drinkers, 13 percent; among binge drinkers, 31 percent; and among frequent binge drinkers, 55 percent.[5]

Similar findings about student substance use have been reported by the Core Institute at Southern Illinois University. The Core Alcohol and Drug Survey has been the primary evaluation instrument used by FIPSE grantees to assess alcohol and other drug use on their campuses. According to the Institute's most recent report, 30 percent of women college students and 48 percent of men reported binge drinking in the previous two weeks.[6]

> ***"...[W]e must stop pretending that the problem does not exist, or that drinking is just a simple matter of people choosing some option in their own lives that can just as easily not be chosen, or that because the 'problem' is everywhere it has become intractable and cannot be solved."***
>
> **—William David Burns and Margaret Klawunn. *The Web of Caring: An Approach to Accountability in Alcohol Policy*. New Brunswick, New Jersey: Rutgers University, Office of Student Life Policy and Services, 1990.**

In sum, although many schools have made their alcohol policies stricter in recent years, many students are still drinking a great deal. This is true even among students under the minimum drinking age.[7] Especially worrisome is the percentage of college students who are heavy or problem drinkers. Other drug use is less frequent but remains a significant concern, particularly among binge drinkers.

These findings argue for college administrators to develop a concerted and sustained strategy aimed at preventing heavy drinking and other drug use among students. Alcohol and other drug policies, broadly conceived to change the environment in which students make decisions about their own behavior, are the keystone of that effort.

Sources of Ambivalence about Alcohol and Other Drug Policies

For a number of years, alcohol and other drug policies have been a source of controversy on college campuses. This controversy stems from the ambivalence that some college administrators have about their role in establishing and enforcing such policies, especially those related to drinking. In launching a policy development effort, school officials will want to explore and resolve their own sources of ambivalence.

As described below, reasons for these mixed feelings are many, but this central fact remains: The misuse of alcohol and other drugs creates problems, not only for the students who engage in this behavior, but also for their peers, who suffer a range of consequences from having their sleep or study interrupted to being physically or sexually assaulted.[8] Tolerating this state of affairs because of a hesitance to act is untenable.

"Drinking Is a Long-Standing Tradition"

One source of ambivalence is that some school officials see student binge drinking as a long-standing tradition that is resistant to change.

Dartmouth College is a good example of a school where binge drinking has long been a part of student life. Dartmouth was founded as a school for Native Americans by Eleazar Wheelock in 1769. Until recently, Dartmouth's freshman orientation book included the lyrics to a song, "Eleazar Wheelock," which glorified the mythical role of alcohol in the school's early years.[9] The song concludes:

"Eleazar was the faculty, and the whole curriculum was five hundred gallons of New England rum."

Dartmouth students learned this "curriculum" well. The college counts among its graduates both founders of Alcoholics Anonymous and the screenwriter for *Animal House*, a Hollywood film remembered for its glorification of binge drinking. Dartmouth graduate Judson Hale, now the editor of *Yankee Magazine*, recounted in his autobiography how he was thrown out of school in his senior year after getting drunk and vomiting on the dean of students and the dean's wife.[10]

Student binge drinking continues to be a problem at this Ivy League college, as elsewhere.[11] It might be tempting for college officials to shrug this off, saying that this is the way it has always been. Instead, because of growing concern for students health and well-being, school officials have undertaken an ambitious program to change student drinking norms. This effort includes a "Presidential Scholars" program to attract more students who are strongly committed to academics or have other passionate interests that make them less inclined to binge drink or use other drugs.

"Drinking Is an Innocent Rite of Passage"

A second source of ambivalence is the common belief among school officials that alcohol misuse (and to a lesser extent, other drug use) is an innocent rite of passage from adolescence to adulthood.

Alcohol use is considered an adult activity in the U.S. For many young people, experimenting with alcohol, overindulging, and eventually learning how to drink responsibly is an important part of growing up. Binge drinking and other drug use is a pervasive part of student social life, even among students who are campus leaders and are destined for positions of importance after graduation.[12]

Far from an innocent rite of passage, however, college binge drinking and other drug use has been found to be a significant risk factor for a host of problems, including lower academic achievement, poor health outcomes, and violence. The recent Harvard survey of student drinking found that frequent binge drinkers were *seven to ten times* more likely than non-binge drinkers to have:

- engaged in unplanned sexual activity;
- not used protection when having sex;
- gotten in trouble with campus police;
- damaged property; or
- been hurt or injured.[13]

Of particular concern is violence. Among non-binge drinking women, 26 percent had experienced an unwanted sexual advance due to another student's drinking, and two percent said they had been victims of sexual assault or date rape.[14] According to Core Institute data, 64 percent of college students who were physically assaulted reported that they drank alcohol or took drugs shortly before the attacks.[15]

"Drinking Patterns Are Already Set"

Aware that many college students begin drinking in high school, not college, some school officials believe it is too late for the school to do anything about the problem.

The Harvard survey asked college students about their drinking behavior during their last year of high school. Men were classified as high school binge drinkers if they usually had five or more drinks in a row when they drank in their last year of high school, and women if they usually had four or more drinks in a row.

Almost half of the students were not binge drinkers in high school or college. About one in five began binge drinking in high school and continued in college, while ten percent were binge drinkers in high school but not in college. Only about one in five began binge drinking in college.[16]

Thus, more students begin binge drinking in high school than in college. What ought to be kept in mind, however, is that many high school students who binge drink are attracted to certain colleges in part because of their reputation as party schools with lots of drinking. An important reason for school officials to revamp and toughen their prevention policies is to change the school's reputation and thereby attract a different type of student.

Some administrators may fear that taking this step would put their college at a competitive disadvantage in attracting students. In fact, the opposite may be true. Prevention experts have identified college student drinking to be

among the most important substance use problems our nation faces.[17] As public concern continues to grow, *all* colleges will be under increasing pressure in coming years to reduce alcohol-related violence and other problems resulting from the misuse of alcohol by their students. As a result, administrators can also expect that parents will demand more information from schools about the extent of binge drinking and alcohol-related violence on campus, and that parents will more frequently choose to enroll their children in schools that are dealing with the problem aggressively.[18]

"Tougher Policies Will Not Work"

Another source of ambivalence is that some administrators have concluded that tougher policies will not work.

> ***"Decisive actions by the university in dealing with alcohol abuse are now a positive force in attracting students. In the past, college admissions and development staff had been concerned that clamping down on alcohol use would detract from the 'party atmosphere' and deter students from attending their institution. Now the reverse may actually be true."***
>
> **—Commission on Substance Abuse at Colleges and Universities. *Rethinking Rites of Passage: Substance Abuse on America's Campuses*. New York, New York: Center on Addiction and Substance Abuse at Columbia University, 1994.**

A recent study of 304 college administrators and 225 campus security officials found little enthusiasm for stricter alcohol and other drug policies, with only 12 percent of administrators and 37 percent of security officials indicating support.[19] When asked what difference it would make if their school strengthened its enforcement of the minimum drinking age law, most administrators and security chiefs said they would expect little change, except that parents would be pleased. Only 20 percent of the administrators thought that stricter enforcement would reduce student drinking.

Doubts about tougher alcohol policies are due in part to a widespread belief that the recent strengthening of these policies at some schools has not made any difference in reducing the student drinking problem. In the view of many of the surveyed officials, a stricter approach has been tried and failed. For proof, officials point to the minimum age drinking laws that make 21 the legal drinking age. Nationally, age does not predict binge drinking among college students: those who are below the legal drinking age are just as likely to be binge drinkers as those above it.[20]

In response, it can be noted that policies can be effective only if they are well-publicized and strictly and fairly enforced. There is no question that enforcement of the age 21 law presents college officials with a significant challenge, since their student bodies are composed both of older students who can legally buy or be served alcohol and underage students who cannot. What is also clear, however, is that this law is half-heartedly enforced on many campuses. According to one study of college administrators, when underage students are found with fake IDs, about two-thirds take some type of disciplinary action, but only about half require that students surrender the ID. Similarly, when a student is arrested for driving under the influence of alcohol, only 42 percent of the administrators take disciplinary action.[21] This lack of diligent enforcement sends students a mixed message about the consequences of breaking the law, thus undermining any possible deterrent effect it might otherwise have.

"Being Strict Means Invading Students' Privacy"

School officials are also concerned that tough alcohol and drug policies cannot be enforced without invading students' privacy.

Until the 1960s, college policies were guided by the doctrine of *in loco parentis*, by which school officials were considered to be surrogate parents to their students. Discipline was maintained through an intensive (and intrusive) regimen of curfews, bed checks, dorm searches, hall monitors, and other enforcement measures.

During the Vietnam War era, students demanded and won greater privacy rights. The idea took hold among educators that, for students to learn individual responsibility

and develop self-discipline, they needed the freedom to make mistakes and grow.

As the doctrine of *in loco parentis* receded, the courts endorsed this shift and began to reject the view that schools have a duty to police the private behavior of college students.[22]

According to a recent report issued by the Center on Addiction and Substance Abuse at Columbia University, colleges and universities have failed to replace *in loco parentis* with a new doctrine that "both defines their relationship with the students and poses clear guidelines for student and campus policy."[23] In fact, many college administrators are presently unsure what their responsibilities are in monitoring and shaping student conduct. As described in chapter 3, however, a new doctrine that can give shape to campus alcohol and other drug policies may be just beginning to emerge from recent court decisions, which assert that colleges and universities have the same responsibilities as other property owners.

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Chapter 3

Environmental Management: A New Doctrine to Guide Alcohol and Other Drug Policies

Chapter Summary

- **This chapter describes the doctrine of *environmental management*, which can be used to direct school policies for preventing alcohol and other drug use. By this doctrine, schools are not expected to control student conduct, but they must take reasonable protective measures to guard against foreseeable hazards and risks in the school environment.**
- **Recent court rulings have made clear that schools must ensure that their activities, offerings, and programs meet minimum standards of care, and that they must take steps to deal with dangerous situations on campus. In short, colleges and universities have the same responsibilities as other property owners.**
- **As concern about alcohol-related injuries has increased, the courts have been increasingly sympathetic to plaintiffs who have sued third parties for damages caused by someone who has been drinking. Colleges or universities that sell alcohol face special risks. Furthermore, a school may be monetarily liable as a social host when administrators, faculty, or others who act as its agents provide alcoholic beverages.**
- **The goal of a college's prevention policies should be to establish and maintain an environment that will discourage student substance use. If effectively implemented and enforced, these measures will contribute to a safer environment, one that not only reduces the college's risk exposure, but also enhances its ability to accomplish its educational mission.**
- **The law will continue to struggle with the question of whether college students are to be treated as adults or minors. This means that school administrators must work with legal counsel to keep a careful watch on case law in their states.**
- **School officials will want to explore the structure of their institution and the basic premises of their educational program to see how they affect alcohol and other drug use. New arrangements might help students become better integrated into the intellectual life of the school, change student norms away from alcohol and other drug use, or make it easier to identify students in trouble with substance use.**
- **School officials might also consider working for policy change at *the state and local level*. New laws and regulations, because they will affect the community as a whole and can help generate changes in social norms, can be an important part of society's efforts to stem student substance use.**

Many college officials once hesitated to articulate clear alcohol and other drug policies on the assumption that these policies, because they could not be perfectly enforced, would contribute to the institution's liability in a court of law.[1] As a result, policies at these schools, if they existed at all, were limited to recitations of relevant state and local laws.[2]

School officials can no longer justify this stance. First, the *Drug-Free Schools and Campuses Act*, codified as Part 86 of EDGAR (34 CFR Part 86), now requires schools to develop, announce, and enforce an unequivocal set of policies for preventing the misuse of alcohol and other drugs on campus.

Second, a number of court rulings have made clear that, while schools cannot be expected to control student conduct, they must ensure that their activities, offerings, and programs meet minimum standards of care, and they must take steps to deal with dangerous situations on campus. Meeting these requirements means having clear rules and a standard of firm and consistent enforcement.

> ***"... colleges and universities have an educational and ethical responsibility, as well as a legal responsibility, to act forcefully to promote a campus environment free from alcohol and other drug problems."***
>
> **—M. Lee Upcraft and John D. Welty. *A Guide for College Presidents and Governing Boards: Strategies for Eliminating Alcohol and Other Drug Abuse on Campuses.* Washington, D.C.: U.S. Department of Education, Office of Educational Research and Improvement, 1990.**

This chapter describes a new doctrine, *environmental management*, that can be used to guide school policies for preventing alcohol and other drug use. The old legal doctrine of *in loco parentis* asserted that colleges have a duty to control the conduct of their students. The environmental management doctrine states that schools must take reasonable protective measures to guard against foreseeable hazards and risks in the school environment.

This new doctrine is consistent with the public health perspective, which emphasizes the primary role of the social, legal, and economic environment in shaping health-related behavior.[3] Fully embracing the public health perspective means going beyond what is legally required to include a broad range of policies whose primary rationale is to *change the school environment*, which, in turn, will reduce alcohol-related problems on campus.[4]

The Drug-Free Schools and Campuses Act

While college administrators have long been concerned about student alcohol and other drug use, the driving force behind recent prevention activity has been the passage of the *Drug-Free Schools and Campuses Act*, codified as Part 86 of EDGAR (34 CFR Part 86).

As outlined in Chapter 1, Part 86 of EDGAR requires that every institution of higher education, as a condition of receiving any federal financial assistance, must communicate the following information to each student and employee:

1. "Standards of conduct that clearly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities.
2. "A clear statement that the institution will impose sanctions on students and employees (consistent with local, state, and federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct."

In addition, schools are required to review their prevention program every two years to assess its effectiveness and ensure that disciplinary sanctions are being enforced consistently. Any school that fails to take reasonable steps to enforce these required policies places itself at risk of losing federal funds. (The full text of Part 86 of EDGAR appears in Appendix B.)

Part 86 of EDGAR establishes a minimum set of requirements for college substance use policies. Some college administrators mistakenly believe that this federal statute is what defines their legal responsibilities in this regard. It does so, but only in part. As explained below, another

Network of Colleges and Universities Committed to the Elimination of Alcohol and Drug Abuse

Impetus for change in college policies and their enforcement also comes from the Network of Colleges and Universities Committed to the Elimination of Alcohol and Drug Abuse, which was established in 1987 by the U.S. Department of Education.

The Network's purpose is to provide support to institutions of higher education as they establish and enforce policies to prevent the misuse of alcohol and other drugs.

The Network has issued a set of standards that operate as criteria for institutional membership in the Network. Currently, over 1,500 institutions of higher education are members. The standards cover policy, education, enforcement, and assessment.

A copy of the Network's standards may be found in Appendix C.

For more information about the Network, contact the Network of Colleges and Universities Committed to the Elimination of Alcohol and Drug Abuse, Office of Educational Research and Improvement, U.S. Department of Education, Washington, DC 20202.

catalyst for improved alcohol and other drug policies has been recent judicial rulings in negligence suits against colleges and universities.

Toward a Doctrine of Environmental Management: Recent Case Law

The courts have made clear in recent years that it is both unrealistic and inappropriate to expect college administrators to control their students' private behavior, thus bringing the era of *in loco parentis* to a close. In effect, the courts have said that attendance at a college does not make a student any less an independent and free-acting adult.[5]

Bradshaw v. Rawlings, adjudicated in 1979, is a leading case. In overturning a lower court decision, a federal Court of Appeals ruled that colleges lack the practical ability and the legal authority necessary to control student conduct. In addition, the court noted that the opportunity for college students to assume and exercise responsibility for their own behavior is an important aspect of college education.[6]

At the same time, as concern about alcohol-related injuries has increased, the courts have been increasingly sympathetic to plaintiffs who have sued third parties for damages caused by someone who has been drinking. As noted in a recent report by the American Council on Education:

> This trend toward broadening tort liability should concern any institution whose members consume or serve alcohol, including colleges and universities.[7]

Most analysts agree that colleges and universities are increasingly in danger of being sued for property damage or injuries that result from student drinking.[8]

Legal analysts who have examined these trends have found it helpful to differentiate between three types of potential liability: 1) dramshop liability, 2) social host responsibility, and 3) proprietor liability.

Dramshop Liability

Colleges or universities that sell alcohol—for example, through a campus pub—face special risks. In all states, either by state statute or by case law, it is illegal for licensed vendors (i.e., dramshops) to sell alcohol to a minor or to an intoxicated person.[9]

Failure to abide by these laws or any local ordinances that govern alcohol sales would put a school at risk of civil liability on grounds of negligence. In most states, a college would not be responsible for beverage sales by organizations that are recognized by the college but are not an official part of it, including fraternities, sororities, and other student organizations.[10] School officials should consult an attorney to see if applicable local laws or case law precedents are different.

Social Host Liability

In most states, either by state statute or by case law, social hosts who serve alcoholic beverages face potential liability. Those who face liability are not only servers who physically furnish the alcohol but anyone who organizes, hosts, or supports the event at which the alcohol is made available.[11] A school may be monetarily liable as a social host when administrators, faculty, or others who act as its agents provide alcoholic beverages.[12]

Social host liability is a controversial concept. The laws vary a great deal from state to state and are in flux. Again, school officials should consult an attorney about the local statutes and case law.

Proprietor Liability

As property owners, colleges have a legal duty to maintain a safe campus. Accordingly, a school may be liable "if it fails to remedy a foreseeably dangerous state of affairs of which it is, or should be, aware."[13]

This duty does not mean that a school is expected to ensure the safety of everyone who comes onto campus, and it does not mean a return of the *in loco parentis* doctrine and intrusive enforcement measures with students.

What this duty does mean is that a school must take *reasonable protective measures* to guard against foreseeable hazards and risks in the school environment.[14] Specifically, administrators must ensure that the school's activities, offerings, and programs meet minimum standards of care for its students, and they must take steps to deal with dangerous situations on campus. In so doing, school officials must find the right balance so that the college does not infringe on students' rights to privacy and due process.

Stated simply, colleges and universities have the same responsibilities as other property owners. This is the essence of an emerging legal doctrine of *environmental management.* The courts do not expect schools to take extreme or intrusive measures to control student substance use, especially when it occurs in private residences, but once school officials become aware of a violation of law, they are legally bound to take action. In practical terms, the legal duties implied by this doctrine include the following:

- If the school knows that alcohol is being served or consumed on its premises, the school has a duty to properly police the place or the event where alcohol is consumed.[15]
- The school must identify and respond to disorderly or dangerous conduct. Liability may result if the school has failed to deal effectively with repeat student offenders whose conduct eventually results in injury or property damage.[16]
- If alcohol-related violence or other problems occur at predictable times and places, the school must make reasonable efforts to prevent a recurrence.[17]

If the school takes these reasonable steps, according to the American Council on Education, it will "have good arguments that it has exercised all the due care that can reasonably be required of a property owner."[18]

That said, it can be noted that judges and juries may occasionally decide cases from the point of view that risky conduct by college students, because of their immaturity, is itself foreseeable and that schools therefore have a duty to protect them against it.[19] If such rulings were to become predominant, they would in effect restore the doctrine of *in loco parentis*.

> ***"The risks of institutional liability are most clear-cut in two areas: the obligation of colleges or universities to maintain safe premises, and the growing exposure of those who serve alcoholic beverages to minors or intoxicated persons."***
>
> **—The American Council on Education. *Institutional Liability for Alcohol Consumption: A White Paper on Institutional Liability for Consumption of Alcohol and Drugs on Campus*. Washington, D.C.: American Council on Education, 1992.**

A 1991 case, *Furek v. University of Delaware*, is interesting on this score. Although the Delaware Supreme Court did not base its ruling on the idea that colleges have a custodial power and duty to supervise and control stu-

dents' conduct, it did question the view that colleges owe no duty of supervision because college students are "adults." The reason was simple: concerning the possession, use, or distribution of alcohol, the law considers students under age 21 to be minors, not adults.[20]

Because college students are in transition between adolescence and adulthood, the law will continue to struggle with the question of whether they are to be treated as adults or minors. This means that school administrators will want to work with legal counsel to keep a careful watch on case law in their states and assess periodically its implications for their alcohol and other drug policies.

Extending the Doctrine of Environmental Management: A Public Health Perspective

Viewing colleges as owners and managers of property not only makes sense from a legal standpoint but also from the point of view of public health practice, which emphasizes the importance of environmental management in controlling disease and lifestyle-related health risks.[21]

A public health approach to the problem of student substance use argues for taking the doctrine of environmental management one step further. Thinking more broadly, the goal of a college's prevention policies should be to *establish and maintain an environment that will discourage student substance use*. Such policies will not create a legal expectation that colleges can control students' conduct. However, if effectively implemented and enforced, these measures will contribute to a safer environment, one that not only reduces the college's risk exposure, but also enhances its ability to accomplish its educational mission. Several policy options consistent with this broader environmental perspective are reviewed in chapter 4.

"While student personnel administrators have little or no control over students' drinking, they do have significant control over the campus environment where drinking occurs."

—Facilitating moderate drinking on campus. *NASPA Journal* 18: 23-28, 1981.

Accordingly, school officials will want to explore the structure of their institution and the basic premises of their educational program to see how they affect alcohol and other drug use. New arrangements might help students become better integrated into the intellectual life of the school, change student norms away from alcohol and other drug use, or make it easier to identify students in trouble with substance use.

Thursday nights were a traditional party night at California State University—Chico, until the president suggested that faculty schedule quizzes, examinations, and important classes on Friday mornings.

—Robin Wilson. Better times at Chico State. In Grow, L.M. (ed.). *FIPSE Training Institute: Drug Prevention Programs in Higher Education*. Washington, D.C.: U.S. Department of Education, Fund for the Improvement of Postsecondary Education, 1995.

As part of this exploration, school officials need to ask themselves several fundamental questions:

- Should the school's admissions criteria be altered so that newly matriculated students are at less risk of binge drinking and other drug use?
- Should the college invest in new recreational facilities to create alternatives to fraternities and sororities?
- Should fraternities and sororities be banned or otherwise restricted? Are there other ways to encourage reform?
- Should school officials support the establishment of student "wellness" groups or other student organizations that will help move student norms away from binge drinking?[22]
- Should students be required to do a certain number of hours of volunteer work to reduce their free time and to give their educational experience additional meaning?
- Should class sizes, faculty advisor duties, and other aspects of the teaching role be changed to increase student contact with faculty?[23]

Laws and Regulations to Stem Student Alcohol Problems

Problem: Underage and Binge Drinking

- *Use distinctive and tamper-proof licenses for drivers under age 21.*
- *Pass "use and lose" laws that impose driver's license penalties on minors who purchase or are found in possession of alcohol.*
- *Increase penalties for illegal service to minors.*
- *Require responsible beverage service training and certification for commercial alcohol servers.*
- *Pass dramshop laws that make serving an intoxicated drinker or a minor a cause of legal action.*
- *Prohibit "happy hours" and other reduced-price alcohol promotions.*
- *Require registration of purchasers of kegs and other large common sources of alcohol.*
- *Strengthen laws concerning hours of sale, characteristics and density of retail outlets, and other factors that affect alcohol availability.*
- *Fund strong enforcement programs by the alcohol beverage control commission and local police, including the use of decoys in "sting" operations.*
- *Increase excise tax rates on beer and wine to the same level (by alcohol content) as for distilled spirits, and link future increases to the rate of inflation.*

Problem: Alcohol Advertising and Marketing

- *Stop the use of celebrities, sports stars, cartoon characters, or animals that have a special appeal to underage drinkers.*
- *Eliminate alcoholic beverage promotion via public events where a significant number of students in attendance are underage.*
- *Eliminate alcohol promotions that portray activities that can be dangerous when combined with alcohol.*
- *Curtail outdoor advertising in the vicinity of schools.*
- *Match the level of alcohol advertising on television and radio with equivalent exposure for effective pro-health and safety messages.*

Additional ideas for laws and regulations may be found in the Youth Issues Compendium *published by Mothers Against Drunk Driving, 511 East John Carpenter Freeway, Suite 700, Irving, Texas 75062, (214) 744-6233.*

Another important source of policy recommendations is the Surgeon General's Workshop on Drunk Driving: Proceedings*, which may be ordered through the National Clearinghouse for Alcohol and Drug Information, (800) 729-6686.*

The ultimate goal in exploring these issues is to promote alcohol and other drug prevention and create a safer physical environment.

As part of a total effort to create environmental change, school officials might also consider working for policy change at *the state and local level*. New laws and regulations, because they will affect the community as a whole and can help generate changes in social norms, can be an important part of society's efforts to stem student substance use. A campus-only strategy is insufficient. Consider these examples:

- Laws that establish "Drug-Free School Zones" mandate stiffer penalties for selling illicit drugs on or within specified distances from school grounds. While normally focused on elementary and secondary schools, these laws could be broadened to include institutions of higher education.[24]
- Several states have already passed lower blood alcohol limits for drivers under age 21, usually .02 percent BAC (blood alcohol concentration) as opposed to the current limit of .08 percent or .10 percent BAC for adults. States with lower limits for minors have seen a dramatic drop in alcohol-related traffic fatalities.[25]

Many strategies exist to help reduce the misuse of alcohol, especially by youth. Many of these are listed in the sidebar, Laws and Regulations to Stem Student Alcohol Problems. Consistent with their role as educators, school officials can support these proposals and enhance their chances of passage. Furthermore, at the local level, school officials can serve on zoning and licensing boards that determine the number, type, location, and business practices of bars, restaurants, liquor stores, and other commercial vendors.[26]

School officials can serve on zoning and licensing boards that determine the number, type, location, and business practices of bars, restaurants, liquor stores, and other commercial vendors.

In sum, schools can continue to expect students to exercise individual responsibility in making decisions about alcohol and other drugs.[27] But this is best done in the context of policies to change the legal, social, and economic environment in which students will make decisions about alcohol and other drug use, not only on campus, but in the broader community.

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Chapter 4

Policy Options for Substance Abuse Prevention

Chapter Summary

- Alcohol and other drug policies must be specific and detailed so that students, faculty, and other staff will understand precisely what is expected of them. The guidelines in this chapter present a range of policy options to be considered as school officials struggle to create a safe campus environment.
- Fair and consistent enforcement is also a critical aspect of a college's policies. Not taking action when school officials become aware of a situation could be construed as a failure to take reasonable measures for providing a safe campus, thereby opening the school to civil liability.
- A school's policy document can begin with a statement of purpose to explain why the school has developed and implemented a set of comprehensive policies on alcohol and other drug use.
- The school's policies should include a statement of principles that articulates the college's standards of conduct and delimits its legal responsibilities.
- A college might require all campus organizations that want to host events involving alcohol to formulate comprehensive policies of their own as part of their mission statements, bylaws, and procedures. Such policies must be consistent with school policies and all local, state, and federal laws.
- School policies must prohibit the unlawful use, possession, sale, or distribution of alcohol or controlled substances by all students and employees. School policies should spell out the specific federal, state, and local laws that apply in the school's jurisdiction and the penalties that will be imposed for violations.
- Rules must be considered to ensure that social events where alcohol is served are kept under sufficient control to prevent illegal service to minors or intoxicated persons, restrict drinking to the approved area designated for the event, and provide a level of supervision and security that will create a safe atmosphere.
- Requiring that a social event be registered and approved by the school may be a sufficient means of policy enforcement, since the event organizers will need to certify that they are aware of the school's policies and the specific requirements they need to meet in holding the event, including the presence of adequate security.
- Given the profits that the industry makes from sales to underage and problem drinkers, and given the problems that alcohol misuse creates on college campuses, it can be viewed as inappropriate for school administrators to collaborate in the industry's marketing activities. If school officials are unprepared to impose a total ban on campus advertising and promotion, they might consider developing strict policies to define what they will allow.

According to recent case law, the doctrine of environmental management imposes two principal responsibilities on colleges as owners and managers of property: 1) to ensure that all activities, offerings, and programs meet minimum standards of care for their students; and 2) to take reasonable steps to deal with dangerous situations on campus. As explained in chapter 3, these policies are not designed to control student conduct, or to intrude inappropriately into students' private lives, but to create a reasonably safe environment by guarding against foreseeable hazards and risks in the school environment.

Recent court decisions have made clear that prevention policies that are *comprehensive, reasonable, and enforceable* are the best protection that schools have against their potential civil liability as owners and managers of property.[1]

Among the worst mistakes that a school can make is to develop alcohol and other drug policies that it fails to enforce or that are, by their very nature, unenforceable.

Comprehensive. Alcohol and other drug policies must be specific and detailed so that students, faculty, and other staff will understand precisely what is expected of them. Simply stating that members of the college community are expected to uphold the law is not enough, whether to protect people from harm or to protect the institution from civil liability.

Reasonable. Colleges should also avoid unrealistic rules that cannot be enforced by reasonable means. Indeed, such rules are an invitation to civil liability, for they may define a set of assumed legal duties that schools cannot hope to satisfy, given the impossibility of controlling student behavior.

Enforceable. Fair and consistent enforcement is also a critical aspect of a college's policies. Legally, what defines those policies is not the school's written document but the actions school officials take to implement and enforce them.[2]

Developing a comprehensive set of alcohol and other drug policies is a complex undertaking. The scope of conduct these policies will cover is broad. Moreover, school officials must take into account not only the best interests of their students but also the need to meet legal requirements without also exposing the institution to undue civil liability or treading on students' rights to privacy and due process.

The purpose of the guidelines presented in this chapter is not to provide an exhaustive list of every conceivable policy that a school could consider, but to communicate the essential elements of a sound statement of policies and to present a range of options that can be considered as school officials struggle to create a safe campus environment. The chapter is organized into the following sections, which correspond to the principal components of a school's policy document:

- statement of purpose;
- jurisdiction;
- statement of principles;
- use, possession, sale, and distribution;
- enforcement of policies;
- regulating conditions of alcohol use and sales; and
- alcohol advertising and promotion on campus.

When considering these options, make sure that whatever policies are adopted can be enforced or otherwise fulfilled. A school's failure to comply with its own policies can be the basis for a negligence suit.[3] As noted before, consultation with legal counsel in selecting and writing these policies is highly recommended.

"Students have an uncanny ability to discern hypocrisy and condescension. So that we do not get in a position of setting a standard that cannot be achieved, that is inadequate, or that cannot be enforced...we need to formulate realistic policies."

—William David Burns and Margaret Klawunn. *The Web of Caring: An Approach to Accountability in Alcohol Policy*. New Brunswick, New Jersey: Rutgers University, Office of Student Life Policy and Services, 1990.

Statement of Purpose

It is appropriate that a school's policy document begin with a statement of purpose to explain why the school has developed and implemented a set of comprehensive policies on alcohol and other drug use. One reason, of course, is that the school must uphold local, state, and federal laws. Another is that such policies can help create a safer campus.

> ***"It is the policy of this institution that the unlawful manufacture, distribution, possession, use, or abuse of alcohol and illicit drugs on the APSU [Austin Peay State University] campus, on property owned or controlled by APSU, or as part of any activity of APSU is strictly prohibited."***
>
> ***—Drug-Free Policy Statement*, Austin Peay State University, Clarksville, Tennessee**

> ***"The Alcohol Policy shall apply to every function or event, including but not limited to receptions, banquets, dinners, picnics, or any outdoor event, social event, and campus-wide activity sponsored by organizations or individuals associated with the University of Tulsa. In addition, other off-campus University of Tulsa events that imply or express university affiliation are bound by this policy."***
>
> ***—Student Handbook*, University of Tulsa, Tulsa, Oklahoma**

Beyond that, however, this opening statement can say that a failure to prevent the misuse of alcohol and other drugs would subvert the school's ability to achieve its central mission: the academic and social development of its students. In short, prevention-oriented policies are a necessary part of what the school must do to meet its duties and responsibilities.

Jurisdiction

The jurisdiction of the school's prevention policies should be carefully defined to include all college property, as well as all events controlled by or associated with the institution. Jurisdiction can also be extended to student-sponsored social activities, even those off-campus. As noted by Upcraft and Welty,[4] whether institutions develop policies for behavior off-campus depends on "the institution's mission, local community norms, and the extent to which institutions are prepared to enforce their policies off campus."

Statement of Principles

As explained in chapter 3, the courts do not expect schools to take extreme or intrusive measures to control student substance use, especially when it occurs in private residences, but once school officials become aware of a violation of law, they are legally bound to take action. Moreover, colleges are obligated, as property owners, to take reasonable steps to eliminate foreseeable risks.

Accordingly, it is important that school officials include a statement of principles that articulates the college's standards of conduct and delimits its legal responsibilities. Even though the policies are usually designed with students in mind, it is vital that these policies apply to the entire campus community, including faculty, staff, alumni, and guests.[5] Hence, the statement of principles can state explicitly that the college's standards of conduct apply to all members of the campus community.[6]

> ***This policy applies to all students and employees of Del Mar College, as well as college visitors, contractors, and all other persons occupying space in/on conveyances, offices, buildings, facilities, or grounds over which Del Mar College has custody and control, including, but not limited to, rentals and leasing of auditorium and classroom spaces."***
>
> ***—Institutional Response to the Use of Alcohol and Other Drugs*, Del Mar College, Corpus Christi, Texas**

To reinforce this message, a college might require all campus organizations that want to host events involving alcohol to formulate comprehensive policies of their own as part of their mission statements, by-laws, and procedures. These policy statements would have to be consis

tent with local, state, and federal laws, and with the school's own policies.[7]

The American Council on Education recommends that the statement of principles inform students of the following information:[8]

- The college disclaims any intention to assume duties to protect its students from their own abuse of drugs or alcohol or to protect third persons from the conduct of the students.
- The college recognizes explicitly that students are adults, which means they are expected to obey the law and take personal responsibility for their conduct.
- The college will not police the personal lives of its students, either on or off campus, nor will the college invade students' privacy by spying on them or conducting intrusive searches.
- Students will be disciplined if their use of alcohol or drugs threatens to create disorder, public disturbances, danger to themselves and others, or property damage.
- College officials will take appropriate disciplinary action, up to and including expulsion, and will inform appropriate legal authorities when a student's illegal use of alcohol or drugs comes to their attention.

The statement of principles might also state explicitly that drinking is a choice and that the institution does not encourage the use of alcoholic beverages.[9] School officials can reinforce these messages by forbidding the use of general student fees or other funds collected and administered by any part of the university for the purchase of alcoholic beverages, as Southern Illinois University at Carbondale has done.

Use, Possession, Sale, and Distribution

The *Drug-Free Schools and Campuses Act* requires every institution of higher education to inform students of standards of conduct that clearly prohibit violations of local, state, and federal laws pertaining to alcohol and other drugs. This means that a school's policies must prohibit the unlawful use, possession, sale, or distribution of alcohol or controlled substances by all students and employees. Indeed, any violation of applicable local, state, or federal law can be considered a violation of the school's policies.[10]

Fake IDs

Establishing a policy of zero tolerance for fake IDs is essential. A Harvard survey of college administrators found that too few colleges make clear to students that fake IDs are prohibited. When infractions do occur, less than half of the colleges apply meaningful penalties or even confiscate the IDs.[12] Eliminating these student "passports" to illegal drinking should be of the highest priority.

"There is no intent to encourage the increased use of alcoholic beverages or to force their consumption upon those who object to the use of alcohol on moral, ethical, or religious grounds. This policy is designed to promote the positive, healthy use or non-use of alcoholic beverages in a responsible manner."

> ***—Policies Regarding the Possession and Consumption of Alcoholic Beverages*, University of North Carolina at Wilmington, Wilmington, North Carolina**

"Consuming alcoholic beverages is clearly a matter of personal choice. When students choose not to do so, their position should be honored and peer or organizational pressure should never be exerted to cause them to do otherwise."

> ***—Student Handbook*, University of Tulsa, Tulsa, Oklahoma**

The school's policies should spell out the specific laws

that apply in its jurisdiction and the penalties that will be imposed for violations. However, if certain penalties are trivial, citing them might embolden students to ignore the law.[11] The prohibitions listed in the sidebar, defined by state or local law, are probably of greatest relevance to college students.

The school's policies should also require compliance with all beverage service requirements that are imposed by state law or by the local alcohol beverage control commission. Especially vital is the prohibition against serving or selling alcohol to persons who appear to be underage or intoxicated.

In addition, fraternities, sororities, and other campus groups which the school authorizes to sell alcohol, need to know that they will be required to have special sales permits or licenses. This legal requirement also applies if a group charges admission or accepts donations for events involving alcohol beverages.

> ***"Where permitted under these regulations, the use of alcoholic beverages on University premises shall be considered a privilege and may be allowed only if consistent with state laws and University regulations, and only when it will not interfere with the decorum and academic atmosphere of the campus."***
>
> ***—Regulations Governing Alcoholic Beverages*, Southern Illinois University at Carbondale**

Finally, the college might consider including an explanation of the potential liabilities that campus organizations face under dramshop liability statutes or case law and the liabilities faced by individual students under social host liability statutes or case law[13] (see chapter 3). Adherence to the law will be more likely if the leaders of campus groups are required to attend training on these issues.

Enforcement of Policies

Effective substance use prevention can occur only if school officials are resolved to uphold the law firmly and consistently. Any ambivalence about enforcement sends

Subject of State and Local Laws to Be Cited in School Prevention Policies

Illicit Drug Laws

- *purchase or possession of illicit drugs (and possibly drug paraphernalia)*

Drinking Age Laws

- *purchase, possession, or consumption of alcoholic beverages by persons under age 21*
- *aiding or abetting an underage person in the purchase of alcoholic beverages*
- *falsification of a driver's license or other identification in order to obtain alcoholic beverages*

Open Container Laws

- *consumption of alcoholic beverages in outdoor areas or public places*
- *consumption of alcoholic beverages in automobiles*

Public Drunkenness Laws

- *appearing in any public place manifestly under the influence of alcohol, such that the individual may endanger himself or other persons, damage property, or annoy persons in the vicinity*

Impaired Driving Laws

- *driving while under the influence and driving while intoxicated*
- *for drivers under age 21 (in certain states), driving with a blood alcohol concentration (BAC) at .02 percent or higher*

a mixed message that students can interpret as tacit acceptance of illegal or otherwise inappropriate use of alcohol and other drugs.

> ***"Selective enforcement that results in some persons being held accountable (students) while others are not (faculty, staff, alumni, or visitors) is wrong. Holding students accountable in some environments (residence halls) but not in others (athletic events or tailgate parties) is poor practice. Ignoring violations for fraternity/sorority groups off campus while rigidly enforcing policies on campus is poor practice, too."***
>
> **—M. Lee Upcraft and John D. Welty. *A Guide for College Presidents and Governing Boards: Strategies for Eliminating Alcohol and Other Drug Abuse on Campuses.* Washington, D.C.: U.S. Department of Education, Office of Educational Research and Improvement, 1990.**

The courts do not expect colleges and universities to take extreme measures to control student conduct, especially in private residences, but if school officials become aware of a situation, they must take action. Not doing so could be construed as a failure to take reasonable measures for providing a safe campus, thereby opening the school to civil liability.

> ***"The University will not excuse acts of misconduct committed by employees and students whose judgment is impaired due to substance abuse."***
>
> ***"Persons are expected to assume responsibility for their own behavior while drinking and must understand that being under the influence of alcohol in no way lessens their accountability to the University Community."***
>
> **—*Alcohol and Drugs*, University of Maine System, Orono, Maine**

"Students found in violation of any of these policies will be subject to the following:

a. The student will be required to appear before the judicial system of the University when behavioral reports are presented.

b. The appropriate judicial officer will assess the behavioral report and impose appropriate sanctions.

c. If substance abuse is determined by that officer, the student will be referred to the Center for Substance Abuse Education/Prevention.

d. The student will receive a professional assessment for chemical dependency. If appropriate, the student will be scheduled for the next Education/Prevention Program class. If it is determined that this program is inappropriate for the student, he/she may be referred to other agencies.

e. The student will sign a Consent for Release of Confidential Information Form. The appropriate judicial officer will be notified as to the outcome of the assessment and the recommendations made.

f. The appropriate judicial officer will be informed as to the student's attendance, conduct, and, upon completion of the class, further recommendations for assistance."

—Statement of Policy, *University of South Alabama, Mobile, Alabama*

This means that a school's policies should spell out due process procedures for adjudicating violations of its policies and the penalties that can be imposed.[14] In addition, as part of a policy of zero tolerance for violence, a

student's problem behavior should never be excused because alcohol or other drug use was involved.

A broad range of penalties can be considered. For individual students, penalties can include mandatory attendance at a prevention education program, loss of privileges, restitution, community service, fines, eviction from college-owned or controlled housing, and suspension or expulsion. For student groups, possible penalties can include suspension of privileges, probation, fines, removal of officers from office, elimination of fee support from the college, suspension, and even forced disbandment.

> ***"For an initial alcohol violation, students are placed on residence hall probation, fined, and required to participate in an alcohol assessment program.***
>
> ***"For a second alcohol violation, students are placed on conduct probation, fined, given community service projects to complete, and required to participate in an alcohol education workshop. The Ada Country Sheriff's Office is also notified of the violation.***
>
> ***"For a third alcohol violation, students are suspended from the institution as per the November 1993 State Board alcohol guidelines."***
>
> ***—Report on Alcohol/Drug Policies, Prevention/Education Programs and Enforcement*, Boise State University, Boise, Idaho**

The policy statement might also state that violations of local, state, or federal law will be referred to local law enforcement.[15] Violations that might lead to consultation with local law enforcement officials for possible prosecution include the following:

- use of alcohol by minors;
- use, sale, or possession of illegal drugs;
- alcohol- and other drug-related behavior that is dangerous, destructive, or illegal; and
- use or furnishing of false identification to purchase or be served alcohol.

Campus security will need to work out an agreement with local law enforcement officials about the circumstances under which referrals will be made.

The policy statement can also define procedures that will be followed in incidents involving illicit drugs, including room entry, search, seizure, and confiscation. Consultation with counsel is encouraged to make sure that these procedures are consistent with student privacy and due process rights.

The policy statement should also clarify the legal responsibilities of various college staff members in regard to policy enforcement.[16] This is especially crucial for residence assistants (RAs), who typically are students just a couple of years older than the undergraduates they monitor.

Through extensive training, resident assistants need to understand that, as officers of the college, they are expected to uphold the school's policies. If RAs can be shown to have helped students circumvent school policies, or if RAs have been demonstrably negligent in enforcing those policies when violations became known to them, then they, like the college itself, may be liable for injuries or property damage that occurs as the result of substance use.

> ***"When the College rules and policies are violated concerning the personal use of alcohol or alcohol abuse, one or more of the following actions will be taken: required referral to a rehabilitation program, disciplinary probation, suspension, or dismissal. Following a second relapse from a rehabilitation program the individual is subject to immediate dismissal."***
>
> ***—Alcohol and Drug Abuse Education*, Baylor College of Dentistry, Dallas, Texas**

Consequences for violation of policies can combine disciplinary action with participation in mandatory educa

tion or counseling. One policy group recommends that students who have committed a repeat offense or a first offense involving dangerous or destructive behavior be referred for preliminary assessment and treatment. In some cases, completion of a treatment program might be made a condition of continued enrollment.[17]

A Word About Tobacco

A college will not want to be seen as an active promoter of tobacco products. For that reason, school officials should consider banning all campus tobacco sales and remove cigarette vending machines.[18]

The school's policies should also state that students who have not been found in violation of any policies, but who seek confidential help through an assistance program, will not jeopardize their academic status.[19]

Regulating Conditions of Alcohol Use and Sales

A fundamental issue that school officials will want to address is whether to allow alcoholic beverages to be used or sold by persons of legal drinking age, and if so, under what conditions. These rules should apply to everyone on campus or in attendance at any institution-sponsored event: students, faculty, staff employees, visitors, and guests.

If alcoholic beverages are to be permitted, the school's policies can list specific locations where alcoholic beverages can be possessed, served, or consumed by persons of legal drinking age, such as faculty housing, private rooms, commons areas, or fraternities and sororities. While it might be tempting for school officials to limit these locations as much as possible in hopes of discouraging drinking, there is a competing concern: pushing student alcohol consumption off-campus, where it is more difficult for school officials to control. Finding the right balance may require a period of experimentation.

"If the mission of the institution includes development of self-directed, responsible citizens, then consideration should be given to creating a campus environment where students (and others) learn how to deal responsibly with alcoholic beverages.

"If, on the other hand, the mission of the institution does not allow for the consumption of alcoholic beverages because of religious tenets or other beliefs, the rationale underlying the 'no drinking rule' should be clearly stated...."

—Donald D. Gehring and Christy P. Geraci. *Alcohol on Campus: A Compendium of the Law and a Guide to Campus Policy*. Asheville, North Carolina: College Administration Publications, 1989.

The policies can also list where alcoholic beverages may be sold, such as at a faculty lounge, student union, or pub. These facilities should be required to adhere to the strictest code of responsible beverage service, which means not only refusing to serve minors and intoxicated patrons, but also refraining from encouraging the choice of alcoholic over non-alcoholic beverages through price reductions or other promotions.

"Parties registered under this policy will normally be approved to be held only on Friday or Saturday evenings and not normally on days which immediately precede a University schedule day of academic classes.

"No parties registered under this policy will be approved for any day or weekend which immediately precedes the week before final examinations."

—*Alcoholic Beverage Policy*, University of the Pacific, Stockton, California

Banning sales except at designated locations or events may be easier than providing an exhaustive list of prohi-

bitions. At the Southern Illinois University at Carbondale, there is a general ban on alcohol sales with the exception of the faculty center. Subject to approval of the university president, alcohol may also be sold at conferences, conventions, or other activities that are attended primarily by persons other than students and employees of the university.

"Members of recognized fraternities, sororities, and cooperative housing organizations are subject to the following conditions concerning possession and consumption of alcoholic beverages on the premises of their houses:

- ***Under no circumstances may alcoholic beverages be sold. Alcoholic beverages may not be available at any event where an admission fee is charged.***
- ***Alcoholic beverages may not be consumed outside the house.***
- ***Alcoholic beverages and containers for alcoholic beverages may not be displayed outside the house.***
- ***Alcoholic beverages may not be provided or consumed at an open event [i.e., no invitations required]."***

***—Alcohol and Other Drugs: An Information Guide for Purdue University Students*, Purdue University, West Lafayette, Indiana**

The policies might also list times and places where alcohol cannot be used. Common restricted areas include:

- substance-free residence halls;
- residence halls for students under age 21;
- public areas on campus;
- athletic events and facilities (including parking lots);
- membership recruitment functions (e.g., fraternity or sorority rush); and
- social events where a significant number of those in attendance are under age 21.

George Mason University takes a different approach by permitting the possession and use of alcohol at certain locations and banning it everywhere else.

Rules must also be considered to ensure that social events where alcohol is served are kept under sufficient control to prevent illegal service to minors or intoxicated persons.[20]

Many schools already require that social events involving alcohol be registered with a designated school office. Those who register the event can be asked to sign a form indicating their understanding of state and local laws regarding service of alcoholic beverages, the legal liabilities they and their organization will face for irresponsible service, and how to care for an intoxicated person. A permit should be issued and prominently displayed at the event.

"The presence of alcohol at student activities creates a need to manage the activity with care and to be concerned with the conduct of those present. Those who plan or choose to attend events where alcoholic beverages will be present and consumed must assume full legal responsibility and liability for the consequences of their actions. The university holds officers of student organizations specifically responsible for the activities of their organization, members, and guests."

***—Student Handbook*, University of Tulsa, Tulsa, Oklahoma**

At Longwood College in Farmville, Virginia, the individual who registers a party or other social event is called the Event Manager. According to school rules, this

person and the officers of the organization are responsible for the following activities:

- ensuring the compliance of all members and guests with the College's Alcohol Policies, Procedures, and Sanctions, and with the Virginia ABC (Alcohol Beverage Control) license regulations;
- ensuring that only individuals of legal age serve, possess, or consume alcohol and that intoxicated individuals are not served;
- ensuring that the noise level does not disturb others; event managers must respond to requests regarding noise levels;
- preventing any damage that could occur in a room, suite, or other areas as a result of the event or party;
- ensuring that the area where the party was held, including yards and hallways, is cleaned by 7 a.m. the next day; billings for cleanings will be assessed to the individual who registered the party; and
- controlling the size of the event and ensuring that attendance does not exceed maximum safety occupancy.

"Proof of age must be checked at all entrances to an event. Guests should be given a wristband, handstamp, or nametag as proof of legal drinking age. The use of an ink pen, magic marker, or other method whose 'mark' could be readily forged by guests is not permitted.

"Servers reserve the right to ask for verification of age at the bar even if a patron has a wristband, hand stamp, nametag, etc. Even though verification of age must be checked by entrance monitors, Massachusetts state law does not protect servers' liability if they have not themselves verified guests' ages with a Massachusetts driver license or liquor identification card."

> ***—Policy Statement on the Use of Alcohol*, Massachusetts Institute of Technology, Cambridge, Massachusetts**

It is also important to specify the manner in which alcohol is to be served. Most important, a system should be in place to 1) prevent service to minors and intoxicated persons, 2) restrict drinking to the approved area designated for the event, and 3) provide a level of supervision and security that will create a safe atmosphere. Specific rules to consider include the following:

Pre-Event Planning

- There is to be an invitation list that identifies each expected guest.
- The number of invited guests is to be limited according to the size of the area being used for the event, taking into account local fire code regulations.
- Registered events are to have an explicit beginning and ending time.
- Social events for which alcohol is the primary focus or that encourage drinking or drunkenness as themes are prohibited.
- Promotions for the event are to include a statement concerning the minimum drinking age law and the organizers' intent to enforce all laws and regulations.
- Sufficient quantities of food and nonalcoholic beverages are to be available throughout the entire event.
- The total amount of alcohol to be available at the event is limited according to the number of guests.

Entrance to the Event

- Attendance is limited to those appearing on an advance invitation list. No "open" events.
- Someone is to be stationed at each entrance to monitor guests who are arriving or leaving the event.
- Proof of age is required to attend the event and to be served alcoholic beverages.
- Persons who appear to be intoxicated cannot be admitted to the event.

- Guests may not bring alcohol to the event.

Alcohol Access

- Access to supplies of alcohol is to be controlled to prevent guests from serving themselves.
- Bartenders who have received training in responsible beverage service are to be used.
- Bartenders are not to drink or be under the influence of alcohol.
- The use of grain alcohol is prohibited.
- Use of common containers (e.g., kegs) is prohibited.
- The content of alcoholic drinks is to be standardized to contain a consistent amount of alcohol.
- Guests may be served only one drink at a time.
- Bartenders are to stop serving anyone who appears to be intoxicated.
- Alcohol may not be given as a prize for any contest or party game.

Personal Conduct

- Misrepresentation of alcoholic beverages as being non-alcoholic is prohibited.
- No person shall be coerced, even subtly, to drink or to overindulge.
- Chugging, drinking games, initiations, or other potentially dangerous drinking activities are prohibited.

Ending the Event

- Guests may not leave the event with alcoholic beverages.
- Service of alcohol is to stop one hour before the event ends.
- Alcohol-impaired guests may not leave the event without verification that they have safe transportation home.
- There is to be a safe and workable plan for ending an event over which the organizers have lost control.

Rules for securing the event should also be required. One option is for event organizers to assign monitors, perhaps one monitor for every 50 guests, to watch for underage or intoxicated persons who are drinking.[21] Some schools may want to require off-duty police officers to be present at registered events, or at least those beyond a certain size.

> ***"The University Security Office shall, when informed of activities and events involving alcohol beverages, determine appropriate security measures to be taken and coordinate with the event sponsor and appropriate administrative staff of the University as may be necessary to assist with enforcement of state laws and University regulations."***
>
> ***—Regulations Governing Alcoholic Beverages*, Southern Illinois University at Carbondale**

School administrators face a basic decision about how strictly they will enforce these types of rules for social events on campus. These rules should not represent an attempt by the school to control the specific conduct of guests at an event, but rather a reasonable effort to help create a safe environment by reducing foreseeable risk.

Enforcement does not necessarily require that school officials assign monitors or security personnel to be present during an event. Requiring that the event be registered and approved by the school may be a sufficient means of enforcement, since the event organizers will need to certify that they are aware of the school's policies and the specific requirements they need to meet in holding the event, including the presence of adequate security.

In addition, when students are caught in violation of the minimum drinking age law or other policies, they can be queried about where they obtained their alcohol. With this information, school officials can take appropriate disciplinary action against the student or student group that supplied the alcohol.

Compliance with these rules would also be facilitated if those who are responsible for managing social events for their organization and who are serving alcoholic beverages are required to receive training on event planning and

laws, dramshop and social host liability, the school's policies, and procedures for handling emergencies.

In training students, faculty, and university staff, Stanford University's Community Responsible Hospitality Project (RHP) embeds the responsible beverage service message within an overall program on how to have a more successful party. Presenting the message this way avoids preachiness and makes the message more acceptable, especially to students.

> ***"Any student organization that intends to conduct events where alcoholic beverages will be consumed will be required to:***
>
> ***1. have its president and social chairman attend a university-sponsored alcohol education seminar;***
>
> ***2. conduct a university-approved alcohol education seminar for its entire membership once a year."***
>
> **—*Student Handbook*, University of Tulsa, Tulsa, Oklahoma**

In conjunction with these rules, the school will want to make clear to event organizers that the host organization is assuming full liability for the event. The policies statement for Southern Illinois University at Carbondale includes the following disclaimer:

> "The University assumes no responsibility for any liability incurred as a result of an organization's or individual's violation of these regulations or any applicable laws governing the use and consumption of alcoholic beverages."

To further reinforce this aspect of its policies, school officials might give consideration to requiring any student group that hosts an event at which alcohol is served to carry liability insurance. As Gehring and Geraci explain, "Insurance for special events where alcohol is served can be expensive and may also require certain risk management procedures. By going through the process of obtaining this insurance, students will learn a great deal."[22]

> ***"Advertisements of meetings and functions of recognized college organizations will make no direct reference to the specific availability of alcoholic beverages at such meetings or functions."***
>
> **—*Alcohol and Drug Abuse Education*, Baylor College of Dentistry, Dallas, Texas**

> ***"Advertising for a function where alcohol is being served may make no reference in written or picture form to alcoholic beverages being served or the cost of such beverages."***
>
> **—*Drug and Alcohol Policy*, George Mason University, Fairfax, Virginia**

Alcohol Advertising and Promotion on Campus

Although the alcohol industry has moderated its aggressive marketing efforts on college campuses in recent years, those changes, according to a recent study, are limited. There is an emerging consensus among prevention experts that current policies and regulations on most campuses fail to address the industry's continued marketing efforts.[23]

Advertising and promotion are the chief means by which the alcohol industry communicates its message to students. Given the profits that the industry makes from sales to underage and problem drinkers, and given the problems that alcohol misuse creates on college campuses, it can be viewed as inappropriate for school administrators to collaborate in the industry's marketing activities.

The National Commission on Drug-Free Schools called for a prohibition of all alcohol advertising in school newspapers, at sports stadiums, and at all school events.[24] The commission's recommendations were based on findings that the alcohol industry often targets minors in its advertising and promotion. The industry's voluntary code restrains companies from using youth-oriented advertising, but the code is not enforced and is frequently violated.[25]

A total ban on campus advertising and promotion by the alcohol industry would also exclude the following practices:

- use of on-campus sales or promotional representatives of the alcohol industry;
- use of college logos, insignia, or mascots by the alcohol industry;
- co-sponsorship of fraternity and sorority events by the alcohol industry; and
- industry sponsorship of educational programs.

In imposing such a ban, college administrators will need to take steps to ensure that educational, sporting, cultural, and prevention-oriented events are adequately funded without alcohol industry money.[26] Other potential sources of funds include higher student fees, special contributions by alumni, and paid advertising by other types of corporations (e.g., athletic apparel, soft drink distributors, restaurant chains).

> ***"No organization may co-sponsor an event with an alcoholic distributor, charitable organization, or tavern (tavern defined as an establishment generating more than half of annual gross sales from alcohol) where alcohol is given away, sold, or otherwise provided to those present."***
>
> **—*Statement of Policy*, University of South Alabama, Mobile, Alabama**

If school officials are unprepared to impose a total ban on campus advertising and promotion, they might consider developing strict policies to define what they will allow. Guidance in this matter can be taken from the Inter-Association Task Force on Alcohol and Substance Use.

In 1981, the National Association of Student Personnel Administrators (NASPA) and Boost Alcohol Consciousness Concerning the Health of University Students (BACCHUS) formed the Inter-Association Task Force, which was later joined by other national groups of college administrators. However, because BACCHUS receives financial support from the alcohol industry, the program is opposed by some prevention advocates.

One purpose of the Task Force was to define policies on the marketing of alcoholic beverages on campus. (*See sidebar, "Guidelines for Beverage Alcohol Marketing on College and University Campuses."*) The Task Force offered these policies as voluntary guidelines. Since 1981, however, many prevention advocates have grown skeptical of industry promises to abide by such voluntary codes.[27] Nonetheless, school officials who do not wish to ban all alcohol advertising and promotion on campus can use these guidelines as a beginning point for defining their own mandatory school policies.

Defining the "Alcohol Industry"

The "alcohol industry" includes the following entities or their representatives:

***Alcohol producers** include distillers, brewers, wineries, and their subsidiaries*

***Alcohol distributors, wholesalers, and retailers** whose primary income comes from trade in alcohol products*

***Alcohol trade associations** whose principal mission is to further the business interests of alcohol producers, distributors, wholesalers, or retailers.*

***Non-profit public service organizations** that receive the majority of their funds from alcohol interests, either directly or indirectly*

Endnotes

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2. Ball State University, Eta Sigma Gamma. Liquor, drug laws and liability: The role of campus alcohol and other drug policies in prevention. In Grow, L.M. (ed.). *FIPSE Training Institute: Drug Prevention Programs in Higher Education*. Washington, D.C.: U.S. Department of Education,

Guidelines for Beverage Alcohol Marketing On College and University Campuses

Inter-Association Task Force on Alcohol and Substance Use

1. *Alcohol beverage marketing programs specifically targeted for students and/or held on campus should conform to the code of student conduct for the institution and should avoid demeaning sexual or discriminatory portrayal of individuals.*

2. *Promotion of beverage alcohol should not encourage any form of alcohol abuse nor should it place emphasis on quantity or frequency of use.*

3. *Beverage alcohol (such as kegs or cases of beer) should not be provided as free awards to individual students or campus organizations.*

4. *No uncontrolled sampling as part of campus marketing programs should be permitted and no sampling, or other promotional activities, should include "drinking contests."*

5. *Where controlled sampling is allowed by law and institutional policy, it should be limited as to time and quantity. Principles of good hosting should be observed including availability of alternative beverages, food, and planned programs. The consumption of beer, wine, or distilled spirits should not be the sole purpose of any promotional activity.*

6. *Promotional activities should not be associated with otherwise existing campus events or programs without the prior knowledge and consent of appropriate institutional officials.*

7. *Display or availability of promotional materials should be determined in consultation with appropriate institutional officials.*

8. *Informational marketing programs should have educational value and subscribe to the philosophy of responsible use of the products represented.*

9. *Beverage alcohol marketers should support campus alcohol awareness programs that encourage informed and responsible decisions about the use or non-use of beer, wine, or distilled spirits.*

10. *If permitted, beverage alcohol advertising on campus or in institutional media, including that which promotes events as well as product advertising, should not portray drinking as a solution to personal or academic problems of students or as necessary to social, sexual, or academic success.*

11. *Advertising or other promotional campus activities should not associate beverage alcohol consumption with the performance of tasks that require skilled reactions such as the operation of motor vehicles or machinery.*

12. *Local off-campus promotional activities, primarily directed to students, should be developed with the previous knowledge of appropriate institutional officials.*

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Chapter 5

Creating an Effective Process for Policy Setting

Chapter Summary

- This chapter outlines a step-by-step procedure for assembling needed resources, selecting or revising alcohol and other drug policies, and implementing the new policies that are established.
- Top administrators will not want to act alone in developing or revising a school's substance use policies, but will instead want an organized and participatory process that involves a wide range of other administrators, faculty, students, and leaders of the local community.
- The president or another senior school administrator who has the president's ear and confidence, while also having the respect of the college community, must be intimately involved in the policy setting process in order to ensure that:
  - all key campus constituencies agree to participate actively and constructively in their development;
  - policies are developed that are acceptable to as many people on campus as possible; and
  - enforcement of the policies will be supported fully by the school's top officials.
- The procedure for developing and revising a school's alcohol and other drug policies involves 15 steps, which can be grouped into three major stages:
  - Assemble resources;
  - Select and revise the policies; and
  - Implement the policies.

Although school administrators have primary responsibility for what happens on their campuses and will be held accountable for obeying the law, top administrators will not want to act alone in developing or revising a school's substance use policies. For these policies to be effective, there must be an organized and participatory process that involves a wide range of other administrators, faculty, students, and leaders of the local community.

Participatory decision-making is especially important in developing or revising substance abuse policies.[1] Bringing in a wide range of expertise and perspectives will usually result in better policies. With broad participation, compromises among key constituencies can be worked out in advance, thus reducing the chance of public disagreement and controversy. Ultimately, all elements of the college community will have a vital role in implementing and enforcing the policies; their cooperation in this effort will be greater if they have participated in shaping and can endorse the policies.

This chapter outlines a step-by-step procedure for assembling needed resources, selecting or revising alcohol and other drug policies, and implementing the new policies that are established. Questions addressed include whom to involve in the process, what data to collect, how to build consensus, how to overcome potential barriers, and how to address obstacles that might arise.

Key steps in this process are listed in the box below. They are written from the perspective of the top administrator who is responsible for developing and implementing alcohol and other drug policies on campus. This person might be the college president. Or he or she might be a vice president, dean of students, or dean of residential life who reports directly to the president and can act with full authority in overseeing this process.

Assemble Resources

1. Provide Visible, Consistent, and Strong Leadership

The college president must communicate a strong and unwavering commitment to develop, implement, and enforce effective alcohol and other drug policies. At some schools, it will be the president who directly oversees the policy review and development process. At other schools, that person will be a vice president, dean of students, or dean of residential life who reports directly to the president and can act with full authority. If direct involvement of an upper-level administrator is impracticable, whoever leads that effort must have the public support of top officials and ready access to them.

There are several reasons why college presidents will want to support effective alcohol and other drug policies. First, college presidents are responsible for the financial well-being of their institution. In order to maintain federal funds, college presidents must ensure that their school is in compliance with the Drug-Free Schools and Campuses Act and other federal laws (see chapter 3).

There are other financial considerations. Effective policies can reduce the school's risk of legal liability, because the fact that strictly enforced policies are in place demonstrates that the school has exercised due diligence and care in dealing with foreseeable risks, and because such policies, by deterring student misuse of alcohol and other drugs, can reduce the school's legal risk.

Bad publicity has financial implications, too. Some college presidents deal with this prospect by trying to suppress news of alcohol- and drug-related problems on campus, but ultimately this is a losing strategy. Local citizens are fully aware of the impact that student drinking and other drug use has on their community. Increasingly, parents are being encouraged to ask hard questions about what schools are doing to stem student substance use[2] and can be expected to make decisions about where their children will enroll accordingly.

If campus officials concerned about substance use problems have been unable to secure a commitment from the president or other top administrators, there are four lines of approach they can take to establish that alcohol and other drug policies should be a top priority:

- Provide campus-specific data on the scope of the problem using student surveys[3] and incident reports from campus security and student health services.
- Through the university attorney, prepare an analysis of the school's legal exposure and the potential financial consequences of a civil action against the school (see chapter 3).
- Prepare a report on the impact of student alcohol and other drug use on the surrounding community. Encourage town officials and business leaders to communicate their concerns directly.
- Prepare a report on what steps other schools have taken to revamp their alcohol and other drug policies and on what effect those news policies have had on campus and in the local community.

The chief message to reluctant administrators is this: The main mission of the school is the educational attainment of its students. Problems arising from the misuse of alcohol and other drugs make it difficult for the school to achieve its mission. Students who binge drink and use other drugs suffer, but so do the many students who do not engage in these behaviors.[4] If the president were to embrace the idea of strengthening the school's policies, this would put the school in a positive light.[5]

2. Establish an Advisory Board

College presidents must communicate their commitment to the entire college community if the planning process is to work. Faculty, students, and other college staff, whose cooperation is essential to the policy-setting process, will need a strong signal that the school's president and other top administrators have made alcohol and other drug policies a top priority.

One way to send this message is for the president to appoint an advisory board to the policy-setting committee. The board should consist of high-level representatives of relevant campus constituencies, including members of the board of trustees, deans, alumni council leaders, faculty, and students in leadership positions, plus representatives of the local community, including elected officials, business leaders, law enforcement chiefs, and leaders of community coalitions for substance use prevention.

Members of the advisory board will be responsible for helping establish a work plan for the planning committee, providing access to key informants or other sources of information, serving as consultants to the committee, and reviewing draft policies. The advisory board will not have the time-consuming obligation of drafting the policies.

3. Recruit a Policy-Setting Committee

The policy-setting committee's role is to draft the alcohol and other drug policies. However the committee is structured, writing the draft policies should be the responsibility of a single individual who has an interest in the subject and can devote considerable time to it. Usually,

Key Steps in the Policy Development Process

Assemble Resources

1. *Provide visible, consistent, and strong leadership on this issue. Make clear that the development of effective policies has unwaivering administrative support.*
2. *Appoint an advisory board of leaders who represent all relevant campus constituencies plus representatives of the local community.*
3. *Recruit a policy-setting committee to draft and revise the school's policies.*
4. *Have the policy-setting committee evaluate the school's culture around alcohol and other drug use.*
5. *Provide the committee with background information on current law.*
6. *Request technical assistance from experts or confer with administrators from other schools.*

Select and Revise the Policies

7. *Assess all current policies that directly or indirectly impact alcohol and other drug use.*
8. *Adjust current policies to satisfy legal requirements while also meeting the needs of students who abuse alcohol or other drugs. Draft new policies as necessary.*
9. *Anticipate and address obstacles to implementation and enforcement.*
10. *Hold meetings with campus organizations or conduct public hearings on the draft policies. Revise the policies in response to feedback from the faculty, students, and other members of the school community.*
11. *Submit the draft policies to the advisory board and other reviewers for comment. Revise the policies as needed.*
12. *Submit the final draft policies to school authorities for approval.*

Implement the Policies

13. *Disseminate and publicize the policies through multiple channels of communication.*
14. *Assess the implementation and effectiveness of the policies by conducting a formal evaluation.*
15. *Maintain the policy-making committee as a standing committee. Conduct biennial reviews so that the policies are responsive to changes in the student body and the campus environment.*

this should not be the committee chair, who will run meetings when other committee members critique the drafts and offer amendments or changes. Many schools will want to assign this responsibility to the university attorney or a member of that person's staff.

A supportive president who is not directly involved with the policy-setting committee can take several steps to facilitate the committee's work, including the following:

- appointing the committee's membership and a chairperson;
- instructing members to make their work on this committee a top priority;
- being accessible to the committee chairperson and instructing other top college officials to make themselves available;
- meeting directly with community officials and business leaders to discuss their concerns;
- chairing public forums for information-gathering or presentation and review of draft policies; and
- publicizing the committee's work in presentations to parents, alumni, and students.

In choosing prospective members for this committee, it is important to balance the need to represent key segments of the campus with the need to keep the group small enough to do its work efficiently. A committee larger than ten may be unworkable unless it is divided into subcommittees.

Several types of expertise are needed on the committee.[6] Some members should be involved because of their technical expertise. The university attorney, for example, will be familiar with what the law demands. That individual or other legal counsel may be best suited for drafting policies that are consistent with the law, comprehensive, and enforceable. The school's coordinator for alcohol and other drug programs can help ensure that the policies make sense from a prevention standpoint and will facilitate getting students into treatment. The student health director or faculty members from a medical or pharmacy school can help with descriptions of controlled substances and their effects, which is mandated under the Part 86 of EDGAR requirements.

Others members of the committee should be involved because they represent important constituencies on campus. There are several such individuals to consider, including the housing director, the athletic director, the leader, the faculty senate, and student government leaders. Still other members are needed because they will be involved in implementing or enforcing the new policies, such as the campus security chief, the human resources director, and residence hall advisors.

A list of potential members for the policy-setting committee is presented below. As noted before, a committee larger than ten may be unworkable unless it is divided into subcommittees.

The need for committee members who have the authority to speak for their department or constituency must be balanced against the need for members who can devote time and energy to the committee's work.[7] Ideally, top-level officials will be able to serve on the committee, but this will not always be possible.

Depending on the size of the school and the particular individuals involved, it may work better for a top-level official from a particular constituency to serve on the advisory board while another senior staff member serves on the policy-setting committee.

Whatever arrangements are made, it is critical that the same individuals attend each meeting rather than allowing a substitute to attend who will not be up to speed on the committee's work and who may not have the required level of commitment to its success.

> ***"We needed their [the students'] input. If we had just imposed the program on them, they never would have bought into it."***
>
> **—Robert Carlisle, Coordinator for Academic Programs, Quincy College, Quincy, Illinois**

Student participation on both the advisory board and the policy-setting committee is especially important. Involvement in the committee's work may be the best way for students to learn why revised or new policies are necessary. Such policies are not designed just to control their behavior, but out of genuine concern for their devel-

opment and educational attainment. Shutting students out of the process carries risk. One reason some college students may be motivated to misuse alcohol or other drugs is to signal their rebellion against adult authority. Failing to secure student involvement in the policy-setting process may fuel this motivation.[8]

> ***"Get as many people on the campus involved [in policy development] as you can. It's essential that [policy] committees represent the breadth of the campus."***
>
> **—Dorothy Siegel, Vice President of Student Services, Towson State University, Towson, Maryland**

Once the candidates for the policy-setting committee have been identified, they need to be recruited. The college president should personally appeal for everyone's full and enthusiastic participation, even when a candidate's service on the committee can be viewed as a job requirement. Doing so will underscore that the president sees the committee's work to be a priority.

Some potential committee members may decline. Time is a major constraint. In addition, some individuals have mixed feelings about alcohol and drug use, often stemming from their upbringing, the involvement of family members with substance use, or their own misuse of alcohol or other drugs. If such a candidate's participation is essential, it may be possible to recruit that person as an advisory board member or outside reviewer, rather than as a committee member.

A number of facts can be marshalled to convince reluctant candidates to join the committee. Especially effective will be statistics on the severity of the problem, not just for the school as a whole, but for each person's area of responsibility. For example, an athletic director may be moved by the fact that athletes are at higher risk for substance use problems than other students.[9] Other parties may respond to the expected benefits they might receive. For example, community residents might look forward to reduced vandalism. Still others, such as fraternity presidents, might be motivated out of concern for their vulnerability to civil suits.

4. Evaluate the School's Culture Around Alcohol and Other Drug Use

Evaluating the school's culture around alcohol and other drug use means more than looking at the incidence of alcohol and other drug use and its consequences. It also means understanding the social meaning of this behavior and the psychological needs it meets. Evaluating the culture means examining how the traditions, organization, and physical structure of the institution contribute to or reinforce substance use. And it means understanding the "cultural transmission" of this behavior -- that is, how students select themselves into the school or are otherwise initiated into its rituals of alcohol and other drug use.

The policy-setting committee will also want to look at the staff and faculty cultures around alcohol and drug use. Students are keenly aware of double standards that hold students to higher codes of conduct than those to which faculty and staff are held. Eliminating this cause for grievance can reduce student resistance to the policies that eventually emerge from the committee.

This exploration into the campus culture can involve several methods: 1) survey of student knowledge, attitudes, and behavior; 2) systematic field observations; 3) one-on-one interviews with key informants and focus groups; and 4) reviewing incident reports from campus security and the student health service. Each of these methods is described in *Finding Out What Works and Why: A Guide to Evaluating College Prevention Programs and Policies*, a forthcoming publication from The Higher Education Center for Alcohol and Other Drug Prevention. (See the description of the Center on pages in Appendix F.)

The policy-setting committee at Longwood College in Farmville, Virginia shows how this type of information can be put to good effect. As part of its preparatory work, the committee hired skilled interviewers to explore the meaning of various findings from a student survey. The survey showed, for example, that a majority of the students reported acting in ways they later regretted after drinking. The interviewers probed for the types of regrettable actions students had engaged in and what might have helped them refrain from overindulging.

The results of these interviews and other observations led to several changes on the Longwood campus. One of the

first steps administrators took was to begin sponsoring weekend entertainment on campus, which helped discourage students from leaving the rural campus for other sources of amusement. Administrators also saw advantage in folding the alcohol and other drug program into a broader wellness program that included other public health issues such as violence and HIV infection. Another action taken by the school was designed to serve faculty and staff: filling the position of human resources director, which had been vacant for two years.

The committee members themselves should not take the lead in conducting this investigation. It is preferable to have skilled, neutral researchers, such as advanced graduate students or faculty, handle this work, in large part to elicit longer and more candid responses to the committee's questions.

Candidates for the Policy-Setting Committee

Members of the Board of Trustees

Administrators

- *Dean of students*
- *Dean of residential life*
- *University attorney*
- *Directors of:*
  - *admissions*
  - *human resources*
  - *housing*
  - *student health services*
  - *counseling center*
  - *athletics*
- *Coordinators/Managers of:*
  - *disciplinary and judicial affairs*
  - *alcohol and other drug prevention*
  - *campus pubs, bars, and eating facilities*
- *Campus security chief*
- *Campus chaplain or other spiritual leader*

Faculty

- *Faculty senate leader*
- *Selected faculty (e.g., content experts or department chairs)*

Students

- *Residence hall advisors*
- *Student government leaders (e.g., class presidents)*
- *Fraternity and sorority leaders (e.g., president of inter-fraternity council)*
- *Student newspaper editor*
- *Peer educators*

Alumni

Parents

Community

- *Elected officials*
- *Business leaders*
- *Law enforcement chiefs*
- *Leaders of community coalitions for substance use prevention*

5. Obtain Background Information on Current Law

The policy-setting committee will need a concise summary of relevant federal, state, and local laws and regulations. Consultation with the local prosecuting attorney can help ensure that the college's policies conform to state law and local ordinances. The committee can ask the university's legal counsel or a member of the National Association of College and University Attorneys to present information on relevant civil law.

6. Request Technical Assistance and Confer with Administrators from Other Schools

The Higher Education Center for Alcohol and Other Drug Prevention, funded by the U.S. Department of Education, is one source of technical assistance. (See the description of the Center in Appendix F.)

Another source of help is the Network of Colleges and Universities Committed to the Elimination of Alcohol and Drug Abuse. The Network is organized into 21 regions established along state boundaries. A list of regional coordinators can be found in the Department of Education's *Network Directory*, which is also available through The Higher Education Center.

The policy-setting committee can also contact other schools, particularly those located in similar environments or serving similar student populations. Copies of the alcohol and other drug policies that other schools have adopted are especially valuable.

Select and Revise the Policies

7. Assess All Current Policies

The college most likely has a set of policies dealing with alcohol and other drug use, since this has been required by Part 86 of EDGAR for several years. If those policies are designed only to meet the minimum requirements set forth in Part 86 of EDGAR, it is likely that different components of the college (e.g., athletic department, housing office) have adopted their own policies for dealing with substance use problems.

All of these policies must be assessed for their adequacy and consistency. The policy-setting committee can use the following checklist to guide its evaluation of current policies:

Policy Checklist

- Do current policies support the school's mission, goals, and principles?
- Are current policies consistent with federal, state, and local laws?
- Are the current policies comprehensive?
  - Do they cover students, administration, faculty, staff and visitors?
  - Do they address on- and off- campus behavior?
  - Do they address both individual and group behavior and events?
  - Do they cover all campus property as well as all campus events?
- Do the policies take into account the health risks associated with alcohol and other drug use?
- Do the policies address recovering students' needs?
- Do the policies attempt to influence the availability of alcohol?
- Have issues related to advertising and promotion been taken into consideration?
- Do the policies reflect an environmental management approach?
- Are the policies understandable to a lay person, or are they written in legal or bureaucratic language?
- Do the policies reflect the input of all relevant stakeholders, including students, faculty, and staff?
- Are the policies included in official documents, such as faculty and student handbooks and admissions publications?
- Are the policies distributed to all relevant individuals and groups?
- Are the policies enforceable?
- Are the policies being enforced uniformly?

- Is the authority of those charged with enforcing the policies clearly defined?
- Do possible sanctions include intervention and referral as well as punishment?
- Is there an effective procedure in place for assessing the policies' implementation and impact?

8. Revise and Draft New Policies

This step is the heart of the policy development process. Even if all of the previous planning steps have been carried out conscientiously, this step will still be a major and perhaps time-consuming undertaking. In the box below is a list of the key policy issues that the committee will want to consider. It is a long list.

When considering various policy options, there are several factors the committee will want to take into account. First, policies that are too heavily weighted towards regulation can backfire in ways that the committee does not intend. For example, if students who have overdosed on alcohol and have been brought to the infirmary or emergency ward are subject to punitive sanctions, classmates may be reluctant to seek emergency care for friends for fear of getting them in trouble.[10]

> ***"Policies must be flexible enough to accommodate changes in students and their needs .... It's important that policies be based on re-education and re-evaluation."***
>
> **—Hilton Hallock, Director of Student Services, Longwood College, Farmville, Virginia**

Second, the committee needs to consider whether any of its policies will have the unintended effect of moving student drinking off-campus, where it will be more difficult for the school to control student behavior and which may result in an increase in alcohol-impaired driving. This is not to say that it is the school's responsibility to avoid any policies that have this effect, only that the committee should be aware of this potential consequence, make an informed decision regarding the risk, and consider additional policies that might ameliorate it.

Third, the committee needs to ensure that the policies meet all of the requirements of applicable federal, state, and local laws. In particular, the policies must address the requirements of the Drug-Free Schools and Campuses Act that are outlined in chapter 3. Beyond that, the policies should be designed to help protect the school from civil liability, as current case law dictates (see chapter 3).

Finally, the policies should be enforceable. The committee needs to think carefully through the logistics of enforcing each policy in terms of the labor, time, and funding required to guarantee its effective enforcement.

> ***"Policies do not guarantee effective [alcohol and other drug] prevention. Discussions of effective policy setting must work in combination with effective policy*** **implementation."**
>
> **—Roger Howard, Dean of Students, University of Wisconsin-Madison**

9. Anticipate and Address Obstacles to Implementation and Enforcement

The policy-setting committee must anticipate and address several potential obstacles to the implementation and enforcement of the alcohol and other drug policies. Some of these obstacles would be encountered by any organization that tries to implement new policies. Others obstacles are peculiar to institutions of higher education, or even to the realm of alcohol and other drug policies.

Below is a list of the three most troublesome and common obstacles the committee can expect to encounter followed by suggestions about how to overcome each barrier. By anticipating these obstacles, the committee can take early action to short-circuit them before they develop or become insuperable.

1) People often hold strong opinions about drinking and other drug use. As a result, key individuals and groups may react to policies not only on their merits, but also in terms of personal experiences and political beliefs.

   Such reactions can lead to both lenient and punitive extremes. For example, some people may feel that student intoxication in general should be ignored because "kids will be kids." At the same time, other people may believe that students should be sub

Policy Issues

Circumstances of Alcohol Use

a) *Will the college permit the consumption of alcohol?*

b) *If the school elects to allow consumption, will public consumption be permitted, or will only private consumption be allowed?*

c) *Will consumption be disallowed in certain places (e.g., residence halls, membership recruitment functions such as rush week) or at certain times (e.g., only weekend nights)?*

d) *Will consumption be allowed at events where the majority of participants are underage?*

e) *Will individual possession be permitted? If so, will possession be restricted to particular places (e.g., residence hall rooms or fraternity and sorority houses)?*

f) *Will faculty be permitted to have alcoholic beverages in their offices? Will alcohol be permitted at staff parties and social gatherings for the board of trustees?*

g) *Will alcoholic beverages be permitted at athletic contests, including the surrounding parking lots?*

h) *Will licensed sales (such as in a campus pub) be permitted, or will alcohol be restricted only to gratuitous service? Will service be limited to certain times or places?*

Responsible Service

a) *Will trained servers be required at school social events involving alcohol?*

b) *Will monitoring of alcoholic beverage service be required? If so, what type of security arrangements will be required?*

c) *How will responsible service be ensured at school social events?*

d) *What will responsible service training entail? Who will provide the training?*

Campus-Associated Social Events

a) *Will the school consider its jurisdiction to include all college property and all student-sponsored social activities, including those held off-campus?*

b) *Will the college permit alcohol consumption at events sponsored by the school or by school organizations?*

c) *Will liability insurance be required of groups serving alcoholic beverages?*

d) *Will social groups be held responsible for preventing damage to property, for controlling the size of their events, and for restricting drinking to the area of the events?*

e) *Will social groups be required to register social occasions where alcohol is served? If so, how far in advance?*

f) *Will the school allow alcohol to be served only at closed functions (with a guest list)*

. . . continued

Policy Issues (continued)

or also at functions open to the general public?

g) Will there need to be explicit beginning and ending times for these events?

h) Will food and nonalcoholic beverages be required at these events?

i) Will there be limits to the amount of alcohol that can be served at parties according to the number of guests?

j) Will guests be allowed to bring their own alcohol to events?

k) Will drinking games, chugging, and drinking initiations be prohibited?

l) Will hosts be required to discontinue alcohol service at some interval before the event ends?

m) Will the school permit its monies to be used to buy alcohol?

Kinds of Alcohol Permitted

a) Will grain alcohol be permitted on campus or at student-sponsored events?

b) Will the term "drink" be defined in terms of a standard alcoholic content?

c) Will kegs or other large, common containers be allowed? If so, will registration of such containers be required?

Advertising and Promotions

a) Will advertising of social events at which alcohol is served be permitted?

b) If so, can the advertising make reference to alcohol?

c) If so, will the advertising be required to include a statement concerning minimum drinking age and the intent to enforce that drinking age at the event?

d) Will advertising of alcoholic beverages on campus be restricted?

e) Will price reduction specials, promotions, or prizes featuring alcohol be allowed?

f) Will on-campus sales or promotions by the alcohol beverage industry be allowed?

g) Will the alcohol beverage industry (including sellers of mugs and other drinking paraphernalia) be allowed to use college logos, insignia, or mascots?

h) Will sponsorship of school events (including sorority and fraternity events, sporting events, and alcohol education programs) by alcohol beverage companies be disallowed?

i) If so, will the school provide funding for school events to replace the money formerly provided by the alcohol beverage industry?

Other Prevention Measures

a) Will there be a freshman orientation program on alcohol and other drugs? If so, will it be mandatory? What content will it cover?

b) How will resident assistants be selected and trained?

. . . continued

Policy Issues (continued)

c) *Will the school's admissions criteria be altered so that newly matriculated students are at less risk of binge drinking and other drug use?*

d) *What services will be available for recovering students and students with spouses or families with substance use problems (e.g., aftercare, Alcoholics Anonymous, Narcotics Anonymous, Al-Anon)?*

e) *Will the school offer substance-free floors or dorms? Will there be separate dorms for recovering students?*

f) *Will the college invest in new recreational facilities to create alternatives to fraternities and sororities?*

g) *Will fraternities and sororities be banned? If not, what policies will be adopted to reduce substance use problems in these organizations? Are there other ways to encourage reform?*

h) *Will students be required to perform a certain number of hours of volunteer work?*

Enforcement

a) *Who will be responsible for enforcing each of the policies?*

b) *How will referrals to local law enforcement be handled?*

c) *How will referrals for assessment and treatment be handled? How will confidentiality be assured?*

d) *Will a confidential student assistance program be established?*

e) *What range of disciplinary measures will be used when someone violates a policy? How will educational sanctions be balanced against punitive sanctions?*

f) *Will community service sanctions be incorporated?*

g) *How will using or furnishing false IDs to purchase alcohol be handled?*

h) *What sanctions will be applicable to student organizations and other campus groups, and under what circumstances?*

Future Policy Revisions

a) *Will there be a formal amendment process?*

b) *If so, who will be allowed to petition for changes to the policy?*

c) *How will petitions be handled? What will the criteria for evaluating petitions be?*

jected to random drug tests or that students who violate any of the school's alcohol and other drug policies be expelled, even for a first-time offense.

Committee members should openly acknowledge that many people, perhaps including members of the committee itself, have strong feelings about alcohol and other drug use. But the committee should also resolve that such feelings will give way to a logical and evidence-driven analysis of what policies will help deter student substance use, what policies are

required by law, and what policies can best protect the school from civil liability.

2) Once it becomes known that the school is revising its alcohol and other drug policies, various campus constituencies may seek formal representation on the policy-setting committee or otherwise lobby the committee to push their views.

   These pressures might come from any quarter: students may want substance-free dorms; bar and restaurant owners may worry about a chilling effect on their business; and admissions officers may worry that applications will drop off.

   These individuals and groups should not be ignored. Indeed, lobbying the committee, if it is done in an open and professional manner, is entirely appropriate. The committee chairperson may want to consider inviting representatives of these constituencies to serve on the committee, but should not feel compelled to do so since there will be ample opportunities for their concerns to be heard (see below).

3) Schools in state college or university systems may need to get approval for their policies from state-level authorities, such as a board of regents, chancellor, or commissioner of higher education. This may require schools with very different settings (e.g., rural versus urban) and students (e.g., commuter versus residential) to adopt policies that can work for all schools in the state system, even though certain policies may not be well-suited to their particular campus.

   One way of avoiding this dilemma is to request permission from state authorities to adopt some policies that are different from those of other schools in the system. Another solution is to adopt a set of general policies that will apply to all schools, but to allow each school to develop its own implementation guidelines.

10. Solicit Faculty and Student Opinion on the Draft Policies

The next step is to solicit feedback from the faculty, students, and other members of the school community. These constituencies should be represented on both the advisory board and the policy-setting committee. However, since this small number of people cannot represent the views of all, and perhaps not even most, of their peers, it is important to secure a wider response to all proposed policies.

The most effective way to obtain feedback is in a group setting that allows for discussion and follow-up questions. Four alternative approaches are recommended: 1) meetings with campus organizations, 2) focus groups, 3) class discussions, and 4) public hearings. (See *Finding Out What Works and Why: A Guide to Evaluating College Prevention Programs and Policies*, a forthcoming publication from The Higher Education Center.)

Meetings with Campus Organizations. The policy-setting committee can schedule meetings with faculty, student, and other campus groups that represent various constituencies. At the University of Michigan, according to Associate Dean of Students Dolories Sloan, the policy-setting committee tried to get feedback from as many groups as possible, of whatever size or persuasion. "It took longer than we thought it would," she explained, "and the process was long and tedious." Their willingness to endure this tedium appears to have paid dividends. Sloan reported that no serious obstacles were encountered when the committee introduced the new policies.

Focus Groups. The committee can also set up informal focus groups, which can be moderated at low cost by experienced graduate students from appropriate disciplines such as marketing, psychology, or sociology. Recruitment of participants will seldom be difficult. Faculty and other staff will welcome the opportunity to address the proposals. Students can usually be enticed by an offer of free pizza and soft drinks.

It is customary to limit focus groups to six to 12 participants. The moderator, following a previously developed agenda, creates a non-threatening, accepting atmosphere in order to draw out each participant and strives to facilitate discussion among them. The success of this technique is highly dependent on the skills of the moderator. More information about focus groups can be found in *Finding Out What Works and Why: A Guide to Evaluating College Prevention Programs and Policies*, available from The Higher Education Center.

Class Discussions. The committee should try to arrange for one or more classes to discuss its proposed draft

policies. Faculty who teach courses in public policy, sociology, health, or related fields may be willing to set aside a class period to allow students to debate the merits of the draft policies.

Public Hearings. The president or another top official can arrange for one or more public hearings to be held at which members of the school community are given the chance to ask questions or raise concerns about the proposed policies. A moderator will be necessary to manage the event.

The policy-setting committee may want to wait until late in the drafting process to try this option. By using meetings with representative groups, focus groups, and classroom discussions, they can incorporate legitimate student concerns before presenting the policy in such a public forum.

11. Secure Reviews of the Draft Policies

The policy-setting committee should secure reviews of the draft policies from both the advisory board and other expert reviewers. Each policy statement should be followed by a brief narrative that explains the rationale for the policy and possible evidence of its effectiveness elsewhere. Amendments and new ideas for policies should be encouraged.

It is important to check whether the policies are becoming too unwieldy or too complicated to be understood easily. One way to test this is to ask some reviewers to study the document and then try to recall as much of each policy as they can. Elements that reviewers cannot recall may need to be revised.[11]

12. Submit the Draft Policies for Approval

At most schools, if the president has been intimately involved with development of the school's policies and has been kept fully apprised of the committee's progress, as should be the case, securing approval from within the school should not be difficult. One way to avoid rejection at this stage is for a subgroup of the policy-setting committee to meet regularly with the president to solicit feedback on any potentially controversial policies that members might be considering recommending.

In some cases, approval for the policies or a subset of them must be obtained from authorities other than the president. In the case of state schools, this might be a board of regents, a chancellor, or a commissioner of higher education. In the case of private schools, this might be a board of trustees. In both cases, the president's advocacy may be sufficient to win approval. To head off potential problems, however, the president may wish to invite representatives from those authorities to serve on the advisory board (see step #2 above).

Implement the Policies

13. Disseminate and Publicize the Policies

The final set of policies should be distributed to all faculty, students, and staff of the school, plus alumni and parents. Every member of the school community must be made aware of the policies and their responsibilities for enforcing them.

Traditional mailings are an important dissemination route. The policies can also be reprinted in admissions materials, course catalogs, class schedules, faculty and student handbooks, and other school publications.[12] School employees can also be notified through paycheck inserts.[13]

Formal speaking engagements can be used to remind people of the policies and their importance. First-year orientation is an obvious time to do this, but even traditional addresses as part of convocation and graduation ceremonies offer the opportunity to remind students that the policies are taken seriously and enforced.

Training sessions for employees at campus pubs, bars, and eating facilities must include a thorough review of the policies. For other college employees, such a review can be included as part of staff orientation, continuing education, or in-service training programs.

For students, a review of the policies should be included as part of the training that residence assistants (RAs) receive. As noted in chapter 4, RAs need to understand that, as officers of the college, they are expected to uphold the school's policies.

If the school has elected to institute party registration and responsible service requirements, training of party hosts and alcohol servers should include a review of the policies. Going beyond that, school officials might consider

It should not be difficult to convince campus media of the newsworthiness of new alcohol and other drug policies on campus. A press release, letter to the editor, or an editorial might be all that is needed to generate news coverage. Other alternatives could be to hold a news conference or other public forum or to invite student reporters to attend a policy-setting committee meeting.

When disseminating the policies, the committee should publicize the participants involved in their formulation. This not only gives credit to hardworking committee members, but also informs the campus community that all segments of the school were actively involved in their development and endorse their provisions.[14]

14. Conduct the Biennial Assessment and Evaluation

The Drug-Free Schools and Campuses Act requires that institutions of higher education conduct a biennial assessment of their alcohol and drug prevention programs and policies. The purpose of this assessment is two-fold: 1) to determine their effectiveness and implement any needed changes, and 2) to ensure that the school's sanctions are being consistently enforced.

As part of this review, school administrators must make sure that the policies remain in compliance with state and federal requirements and that the policies are internally consistent and fair.[15] Because of possible changes in legislation and relevant case law, the school's legal counsel needs to be involved in this review.[16]

The policy-setting committee should arrange for a formal evaluation to demonstrate the overall impact of its policies. The Network of Colleges and Universities Committed to the Elimination of Alcohol and Drug Abuse suggests a variety of data sources that could be used to guide policy development, including information from police and security reports, school disciplinary records, data from health and counseling centers, and assessments of awareness, attitudes, and behavior. (Appendix C provides the full text of the Network's standards.)

A key element in the evaluation will be a survey of student beliefs, attitudes, and behavior, using a random selection of student respondents. Many schools have used the CORE Alcohol and Drug Survey to conduct this survey.[17] Schools that have used the CORE for several years could continue to use it in order to determine trend data, which can help them assess the impact of new policies.

A new survey questionnaire, the Harvard Alcohol Survey, is a complement to the CORE survey. The Harvard survey differs from the CORE survey in two important ways: 1) it focuses exclusively on alcohol, the most commonly used and misused drug on college campuses, and 2) it uses a gender-specific definition for binge drinking (5 or more drinks in a row for men, 4 or more in a row for women).

A detailed discussion of survey design and administration, including features of the CORE and the Harvard surveys, is provided in the bulletin *Assessing Alcohol-Related Problems on Campus*, which is available from the Higher Education Center for Alcohol and Other Drug Prevention. (See the description of the Center in Appendix F.) The Center also has a software package, *Looking at Binge Drinking*, that four-year colleges can use to compare the rate of binge drinking among their students to rates at similar schools.

There are other assessment methods that can be used to study the impact of alcohol and other drug policies, including 1) one-on-one interviews with campus and community officials, 2) focus groups with students, faculty, and administrative staff, 3) public hearings or forums, and 4) systematic field observations of campus conditions.[18] (See *Evaluating Alcohol and Other Drug Prevention Programs on Campus: A Guide for College Administrators*, available from The Higher Education Center.)

15. Keep the Policy-Making Committee as a Standing Committee

The policy-making committee should not disband after its policies have been approved and promulgated, but should instead be kept as a standing committee.

The committee can serve an important role in overseeing the school's evaluation of its new policies, including the biennial assessment required by Part 86 of EDGAR. Over time, the committee will want to recommend policy changes based on the outcomes of the evaluations, amendments proposed by campus groups or school officials, and

changes in federal, state, and local law or other new conditions that might affect students' alcohol and other drug use.

In addition, the committee can provide guidance to individuals and groups on campus that are involved in implementing the new policies (e.g., campus security, housing, student health services). What the committee's intentions were when recommending a particular policy might be helpful in knowing how to handle specific disciplinary cases that arise. Likewise, the committee can offer assistance to campus groups that want to set their own internal alcohol and other drug policies.

After its initial work to establish new policies, the committee's duties can be expanded to include providing assistance to campus groups involved in prevention and intervention. At Towson State University, for example, the policy-setting committee became the Alcohol Concerns Committee, with a broader mission that included orienting and educating new students.

Another way the committee's duties can expand is to look into broader institutional changes that might help reduce alcohol and other drug use. As discussed in chapter 3, there are a number of changes, from admissions to graduation requirements, that administrators and faculty can make to help students become better integrated into the intellectual life of the school, change student norms away from alcohol and other drug use, or make it easier to identify students in trouble with substance use.

The committee will need to meet less often than when it was originally drafting the alcohol and other drug policies, perhaps only on an *ad hoc* basis or every six months. The important consideration to keep in mind is that individual committee members, plus the group as a whole, will have developed a unique expertise in the area of alcohol and other drug policies. School administrators should not allow that resource to dissipate.

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Appendix A

Collegiate Alcohol Risk Assessment Guide (Integrated Substance Abuse Consultations, Arlington, Virginia)

COLLEGIATE ALCOHOL RISK ASSESSMENT GUIDE

The liability resulting from alcohol-related activities on the college campus can be significant. The hazards and associated liability of these events can be reduced by developing an aggressive risk management strategy designed to inform, educate, and coordinate the actions of all of those individuals and groups associated with these programs.

While no system, regardless of its thoroughness, can eliminate all accidents, injuries, or their potential resulting legal action, some attention to the myriad of related issues will assist in minimizing this risk. Institutions should be aware that there is no one single set of standards which is appropriate; individual institutional histories and tradition, specific philosophies, state laws, local statutes, and evolving case law all need to be taken into consideration when examining the institution's approach to risk management.

An affirmative response to a question on this checklist indicates that a preventive risk management measure exists; a negative response identifies an area for further attention and possible development. Administrators can create a risk management profile and develop a comprehensive risk management plan from this assessment.

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A. ALCOHOL POLICY	*Yes*	*No*
1. Does a comprehensive alcohol policy exist in published form on your campus?		
2. Does the policy provide assistance in anticipating or responding to alcohol-related issues?		
3. Does the current policy statement reflect the institutional mission?		
4. Does the policy reflect a reasonable and realistic position, given the history, tradition, and politics of your campus?		
5. Is the policy enforceable?		
6. Is the policy enforced with reasonable consistency?		
7. Is the policy consistent with current state and local laws?		
8. Is the policy consistent within itself (i.e., no double standards)?		
9. Does the policy formulation or revision process involve the active participation of students, faculty, staff, community representatives, appropriate campus groups, and other relevant constituencies?		
10. Does the rationale or a statement of philosophy appear in the policy itself?		
11. Is the policy reviewed on an annual basis for updating and revision?		
12. Do faculty, staff, and students receive copies of all policy statements on a regular basis?		
13. Does a policy on anti-hazing (for Greek and other student organizations) which addresses potential misuse of alcohol exist?		
14. Do legal counsel and law enforcement personnel participate in policy formulation to determine the scope and applicability of state and local issues?		
15. Does the policy statement meet the legal requirements of "duty to care" as interpreted by your legal counsel?		

B. ADVERTISING	*Yes*	*No*
16. Does the institution prohibit advertising which encourages abusive alcohol consumption?		
17. Does the institution require alcohol advertising to include a non-alcoholic beverage message?		
18. Does the institution prohibit alcohol from being the primary focus of advertising?		
19. Does the institution clearly articulate standards for advertising by off-campus establishments?		
20. Does the institution enforce these advertising regulations?		

C. GENERAL PROCEDURES	*Yes*	*No*
21. Do all procedures reflect the spirit of the campus policy statement?		
22. Do specific regulations concerning the use, distribution, and sale of alcohol, both for public and private events, exist in published form?		
23. Is alcohol prohibited from being offered as an enticement (reward, benefit of membership in an organization) or as a prize?		
24. Does a specific procedure prohibit "quantity drinking" ('all you can drink' events)?		
25. Are criteria for acceptance of financial or in-kind support from the alcoholic beverage industry clearly specified?		
26. Is it clear how standards differ for university-sponsored events, events sponsored by a university-sponsored or university-recognized organization, sports activities, alumni gatherings, private events held by students, and community events held on campus?		

D. PARTIES AND SOCIAL EVENTS	*Yes*	*No*
27. Is a registration/notification process for all organized events involving alcohol clearly defined?		
28. Is the responsibility of the event host clearly specified and understood?		
29. Is it clear whether event registration implies institutional approval, control, and/or responsibility?		
30. Is security required for major events involving alcohol?		
31. Are non-alcoholic beverages required in reasonable quantities, easily accessible, and as attractive and appealing as alcoholic beverages?		
32. Is substantive food required to be served in reasonable quantities at alcohol-related events?		
33. Is alcohol prohibited from being the primary focus of a social event?		
34. Is the number of people permitted to attend an event limited?		
35. Are limits as to the duration of an event specified in advance?		
36. Are there restrictions regarding the total amount of alcohol to be made available at an event?		
37. Are limits specified for the amount of alcohol any one individual may be served?		
38. Are procedures for ending a party for its failure to meet standards specified in advance?		
39. Are there ways specified for visually identifying those under the legal drinking age?		

E. STAFF TRAINING	*Yes*	*No*
40. Does a comprehensive alcohol awareness/education program for paraprofessional staff members exist?		
41. Does this program include topics such a signals of problem drinking, referral, appropriate modeling, and event planning?		
42. Are professional staff members trained to recognize and deal with those faced with alcohol problems?		
43. Does your campus have an active Employee Assistance Program which addresses problem identification, referral, and treatment?		
44. Is the role of staff members (police, administrators, residence hall paraprofessionals, etc.) clearly defined regarding violations of both University policy and state law?		
45. Is the role of faculty and staff clearly defined regarding their responsibility in the sponsorship of an event at which alcohol is served?		
46. Do campus organization leaders receive special training on alcohol-related issues?		

F. FACULTY/STAFF ADVISORS	*Yes*	*No*
47. Do advisors receive copies of all current policy statements, rules, and regulations?		
48. Do advisors have the opportunity to discuss alcohol-related issues and how they relate to their organizations in an advisor's forum held regularly?		
49. Do advisors attend seminars to discuss liquor law liability and its impact on the institution and individuals connected with the event?		
50. Do advisors receive information on how to plan events at which alcohol is served?		
51. Do advisors receive encouragement to actively advise their organizations to help facilitate compliance with alcohol policy and constructive alcohol programming efforts?		

G. APPROVAL AGENTS	*Yes*	*No*
52. Are individuals responsible for approving an event fully aware of their responsibilities when signing to endorse such events?		
53. Do approval agents follow through or provide oversight to insure compliance with the terms of the agreement?		
54. Are approval agents formally protected by liability insurance?		
55. Do approval agents use a written checklist that outlines event standards when meeting with sponsors of alcohol-related events?		

	Yes	No
56. Do approval agents use the approval process as an opportunity to educate and inform event planners?		
57. Do approval agents request that event sponsors acknowledge the acceptance of their responsibility for the event in writing?		

H. SELLERS OF ALCOHOL	***Yes***	***No***
58. Do meetings with licensing boards and local law enforcement personnel occur to discuss the terms of the licensing agreement?		
59. Do appropriately strict procedures for the sale of alcoholic beverages exist?		
60. Do training programs for employees who sell or serve alcoholic beverages occur on a regular basis?		
61. Are employees prohibited from selling or serving alcoholic beverages until they are trained?		
62. Must employees selling or serving beverages be of legal drinking age?		
63. Is the selling and serving behavior of waiters, waitresses, bartenders, cashiers, etc. monitored to insure compliance with the established standards?		
64. Does the institution have appropriate liability insurance to cover this sales activity?		
65. Is there a procedure for notifying employees about the changes in the law, its enforcement, or its interpretation?		

I. SERVERS OF ALCOHOL	***Yes***	***No***
66. Do servers (whether employed or designated to serve alcohol) receive training so they can identify intoxicated individuals and refuse to serve them additional alcohol?		
67. Do servers receive training on how to monitor the legal drinking age requirement?		
68. Do servers receive copies of all procedures connected with the sale and serving of alcoholic beverages?		
69. Do servers attend in-service training programs on the physical effects of alcohol?		
70. Do servers receive emergency first aid training for alcohol abusers?		
71. Do servers receive information on the civil and criminal liability connected with the illegal or improper serving of alcoholic beverages?		
72. Are designated servers the only individuals who have direct access to the alcohol served?		

J. PREVENTION AND ALCOHOL EDUCATION	*Yes*	*No*
73. Does a comprehensive alcohol awareness/education program for students exist on your campus?		
74. Does this program emphasize knowledge and attitude change?		
75. Does the Summer and Fall Orientation program/period for new students include information about the alcohol policy and program?		
76. Are alcohol education resources made available in an accessible and non-threatening location?		
77. Does you campus have a student programming group (e.g., BACCHUS Chapter)?		
78. Does your academic curriculum include a course specifically devoted to alcohol-related issues?		
79. Are alcohol education programs offered at a time near events involving the potential use of alcohol (holidays, homecoming, Greek rush, etc.)?		
80. Are funds specifically allocated for alcohol education programs?		
81. Are funds specifically designated for the acquisition or development of resources?		

K. SOCIAL HOSTS	*Yes*	*No*
82. Do individuals who sponsor private events (social hosts) receive information about their liabilities?		
83. Do social hosts receive information about party planning?		
84. Does your institution disseminate resources on alternative beverage recipes and food recipes?		
85. Do social hosts have first aid training available to them?		
86. Does training exist on how to deal with party crashers or drunk individuals?		
87. Does your institution provide training on how to have a successful event without alcohol?		

L. PROGRAM IDENTIFICATION AND TREATMENT	*Yes*	*No*
88. Do treatment resources exist on or near the campus?		
89. Does a support group for those with drinking problems exist?		
90. Does a support group for those affected by someone with a drinking problem exist?		
91. Is special intervention done for an individual involved in a problem situation which included his/her use of alcohol?		
92. Is the institution alert, and does it respond quickly, to any disorderly conduct on campus?		
93. Does the institution deal with chronic student offenders or a group of offenders effectively and consistently?		
94. Does the institution anticipate recurring patterns of rowdiness and respond appropriately (by providing heightened security, etc.)?		
95. Does the institution systematically identify problem behaviors related to alcohol use through surveys, incident reports, other statistical reporting, and research?		
96. Are students who misuse alcohol held accountable for their behavior?		
97. Are organizations which misuse alcohol held accountable for their behavior?		

M. RESEARCH	*Yes*	*No*
98. Have procedures been developed to monitor changes in the law and law enforcement practices?		
99. Is the effectiveness of campus policies systematically monitored?		
100. Is the effectiveness of campus prevention and education programs measured on a periodic basis?		
101. Is the impact of alcohol use on student health and student disciplinary situations monitored?		
102. Is research on the relationship between a student's alcohol consumption patterns and his/her academic performance, retention, and collegiate adjustment conducted periodically?		
103. Is research conducted on the overall drinking patterns on the campus, with regard to specific student subcultures (sex, class rank, age, place of residence, race, etc.)?		

Appendix B

The Drug-Free Schools and Campuses Act

Codified as Part 86 of EDGAR
(34 CFR Part 86)

Subpart B: Institutions of Higher Education (IHEs)

The IHE's drug prevention program must, at a minimum, include the following:

(a) The annual distribution in writing to each employee and to each student who is taking one or more classes for any type of academic credit except for continuing education units, regardless of the length of the student's program of study, of—

(1) standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities;

(2) a description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol;

(3) a description of the health risks associated with the use of illicit drugs and the abuse of alcohol;

(4) a description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students; and

(5) a clear statement that the IHE will impose disciplinary sanctions on students and employees (consistent with local, State, and Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct required by paragraph (a)(1) of this section. For the purpose of this section, a disciplinary sanction may include the completion of an appropriate rehabilitation program.

(b) A biennial review by the IHE of its program to—

(1) determine its effectiveness and implement changes to the program if they are needed; and

(2) ensure that the disciplinary sanctions described in paragraph (a)(5) of this section are consistently enforced.

Appendix C

Membership Guidelines and Standards of the Network of Colleges and Universities Committed to the Elimination of Drug and Alcohol Abuse

The Standards of the Network of Colleges and Universities Committed to the Elimination of Drug and Alcohol Abuse define criteria for institutional membership in the Network. They are organized within the following four areas:

A. Policy

Network members shall:

1. annually promulgate policy, consistent with applicable federal, state, and local laws, using such means as the student and faculty handbooks, orientation programs, letters to students and parents, residence hall meetings, and faculty and employee meetings;
2. develop policy that addresses both individual behavior and group activities;
3. define the jurisdiction of the policy carefully to guarantee the inclusion of all campus property and apply campus-based standards to other events controlled by the institution;
4. stipulate guidelines on marketing and hosting for events involving students, faculty, staff, and alumni at which alcoholic beverages are present; and
5. state institutional commitment to the education and development of students, faculty, and staff regarding alcohol and other drug use.

B. Education

Network members shall:

1. provide a system of accurate, current information exchange on the health risks, violent behavior, and other consequences of alcohol abuse and other drug use for students, faculty, and staff;
2. promote and support alcohol-free institutional activity programming;
3. provide, with peer involvement, a system of intervention and referral services for students, faculty, and staff;
4. establish collaborative relationships between community groups and agencies and the institution for alcohol and other drug-related education, treatment, and referral;
5. provide training programs for students, faculty, and staff to enable them to detect problems of alcohol abuse and other drug use and to refer persons with these problems to appropriate assistance;
6. include alcohol and other drug information for students and their family members in student orientation programs. The misuse and abuse of prescription and over-the-counter drugs also should be addressed; and
7. support and encourage faculty in incorporating alcohol and other drug education into the curriculum, where appropriate.

8. develop a coordinated effort across campus for alcohol- and other drug-related education, treatment, and referral.

C. Enforcement

Network members shall:

1. publicize all alcohol and other drug policies;
2. consistently enforce alcohol and other drug policies;
3. exercise appropriate sanctions for violent acts and other counterproductive behavior; and
4. exercise appropriate sanctions for the illegal sale or distribution of drugs; minimum sanctions normally would include separation from the institution and referral for prosecution.

D. Assessment

Network members shall:

1. assess the institutional environment as an underlying cause of alcohol abuse and other drug use;
2. assess campus awareness, attitudes, and behaviors regarding the abuse of alcohol and use of other drugs and employ results in program development;
3. collect and use alcohol and other drug-related information from police or security reports to guide program development;
4. collect and use summary data regarding health na counseling client information to guide program development; and
5. collect summary data regarding alcohol- and other drug-related disciplinary actions, including violent and other counterproductive behavior, and use it to guide program development.

Appendix D

Model Campus Alcohol Policy Adopted by the Inter-Association Task Force on Campus Alcohol Issues

The Policy Model

Model Campus Alcohol Policy

The Interassociation Task Force on Campus Alcohol Issues

The Inter-Association Task Force recommends that a comprehensive campus policy on alcohol include the following:

The Institution's Policy Statement

This broad but succinct philosophical statement, from which all policy components flow, should include a pro-health and safety, anti-abuse comment, an underscoring of student responsibility for their own actions, an equal emphasis on the university's "duty to care" responsibility, and a commitment to alcohol education for all students. It must be drafted from each institution's unique needs and experiences.

A Summary of State and City Laws

1. Drinking Age Laws—pertaining to the possession, consumption, and sale of alcoholic beverages as well as penalties for violation of such laws.
2. Regulation of Sale Laws—with special emphasis on Alcohol Beverage Control (ABC) Board requirements for special permits or licenses by groups that charge admission or dues for events involving alcoholic beverages.
3. Open Container Laws—governed by city or county ordinances or state statutes concerning the consumption of alcoholic beverages in outdoor areas or automobiles.

College Regulations

1. Locations where alcoholic beverages are permitted to be possessed, served, and consumed by persons of legal drinking age on the campus should be identified. A specific listing of such places (e.g., in private rooms, designated common areas of residence halls, college unions, etc.) helps clarify questions that students, faculty, or staff might have about where alcoholic beverages are permitted on campus.
2. Locations where alcoholic beverages are permitted to be sold as opposed to merely served on campus (e.g., faculty lounge, college union, pub, etc.) should be delineated clearly.
3. Guidelines for public and private social events that involve alcoholic beverages within the institution's jurisdiction should be established. An event that is open to the public (i.e., where admission is charged or public announcement is made) should be registered with the appropriate campus office before the event. Such events should be conducted within the following guidelines:
    a. If the function includes the sale of alcoholic beverages, a permit should be obtained from the appropriate state office or ABC Board.

b. Individuals sponsoring the event should implement precautionary measures to ensure that alcoholic beverages are not accessible or served to persons under the legal drinking age or to persons who appear intoxicated.

c. At social functions where alcoholic beverages are provided by the sponsoring organization, direct access should be limited to a person(s) designated as the server(s).

d. Consumption of alcoholic beverages should be permitted only within the approved area designated for the event.

e. Nonalcoholic beverages must be available at the same place as the alcoholic beverages and featured as prominently as the alcoholic beverages.

f. A reasonable portion of the budget for the event shall be designated for the purchase of food items.

g. No social event shall include any form of "drinking contest" in its activities or promotion.

h. Advertisements for any university event where alcoholic beverages are served shall mention the availability of nonalcoholic beverages as prominently as alcohol. Alcohol should not be used as an inducement to participate in a campus event.

i. Promotional materials including advertising for any university event shall not make reference to the amount of alcoholic beverages (such as the number of beer kegs) available.

j. Institutionally approved security personnel shall be present at all times during the event.

4. A specific statement concerning the use or nonuse of alcoholic beverages at membership recruitment functions (e.g., fraternity/sorority rush, departmental clubs, and special interest groups) should be explicitly and officially distributed to the appropriate organizations.

5. A specific statement concerning the use or nonuse of alcoholic beverages in athletic facilities or at athletic events, effectively communicated, should apply equally to student, faculty, staff, alumni, and others attending the event.

6. Guidelines for any marketing, advertising, and promotion of alcoholic beverages on campus events involving alcohol should be stated and officially disseminated to the appropriate campus organization, the participating private business, and the campus newspaper and other media in which such advertising might occur.

7. Procedures for adjudicating violations of the alcohol policy should be articulated. Such procedures should include an explicit statement of sanctions.

Additionally, National Conference participants suggested that an alcohol treatment program be mandated which would include a process for "flagging" students with major or chronic drinking problems: repeated DUI convictions; infirmary visits due to alcohol-related illnesses; repeated disturbing the peace or vandalism offenses, etc. Such a treatment program could include professional assistance, peer counseling or inclusion in the university's alcohol education program, or some combination thereof.

Guidelines for Beverage Alcohol Marketing on College and University Campuses

The Inter-Association Task Force on Campus Alcohol Issues

1. Alcohol beverage marketing programs specifically targeted for students and/or held on campus should conform to the code of student conduct of the institution and should avoid demeaning sexual or discriminatory portrayal of individuals.
2. Promotion of beverage alcohol should not encourage any form of alcohol abuse nor should it place emphasis on quantity and frequency of use.
3. Beverage Alcohol (such as kegs or cases of beer) should not be provided as free awards to individual students or campus organizations.
4. No uncontrolled sampling as part of campus marketing programs should be permitted and no sampling, or other promotional activities, should include "drinking contests."
5. Where controlled sampling is allowed by law and institutional policy, it should be limited as to time and quantity. Principles of good hosting should be observed including availability of alternative beverages, food and planned programs. The consumption of beer, wine or distilled spirits should not be the sole purpose of any promotional activity.
6. Promotional activities should not be associated with otherwise existing campus events or programs without the prior knowledge and consent of appropriate institutional officials.
7. Display or availability of promotional materials should-be determined in consultation should be determined in consultation with appropriate institutional officials.
8. Informational marketing programs should have educational value and subscribe to the philosophy of responsible and legal use of the products represented.
9. Beverage alcohol marketers should support campus alcohol awareness programs that encourage informed and responsible decisions about the use or non-use of beer, wine or distilled spirits.
10. If permitted beverage alcohol advertising on campus or in institutional media, including that which promotes events as well as product advertising, should not portray drinking as a solution to personal or academic problems of students or as necessary to social, sexual or academic success.
11. Advertising and other promotional campus activities should not associate beverage alcohol consumption with the performance of tasks that require skilled reactions such as the operation of motor vehicles or machinery.
12. Local off-campus promotional activities, primarily directed to students, should be developed with the previous knowledge of appropriate institutional officials.

Appendix E

Alcohol and Other Drug Policies

Longwood College

Southern Illinois University-Carbondale

University of Maine System

University of Michigan

University of Tulsa

Longwood College Policies, Procedures, and Sanctions for Alcohol and Other Drugs

STUDENT SERVICES

Longwood College
Farmville, Virginia

1995-96

Longwood College endorses the efforts of the Fraternity Insurance Purchasing Group (FIPG) and the Network of Colleges and Universities Committed to the Elimination of Drug and Alcohol Abuse. This brochure is distributed in partial compliance with the federal Drug Free Schools and Communities Act.

Concerns, suggestions, or questions about Alcohol Procedures should be submitted to the Alcohol Procedures Review Task Force through the office of the Director of Student Services.

revised 8/95

I. INTRODUCTION

Longwood College prohibits the illegal and irresponsible use of alcohol and other drugs. The College will enforce federal, state, and local laws, as well as its own alcohol and drug policies, and procedures that support these laws will be instituted and strictly enforced. It is the responsibility of every member of the College community to know the risks associated with the use and abuse of alcohol and other drugs and to assist the College in creating an environment which promotes health-enhancing attitudes and activities. This brochure is intended to provide information about the College's Alcohol and Other Drug policies and sanctions; federal, state and local laws and penalties; procedures for the serving of alcohol and the registration of parties; health risks associated with alcohol and other drug use; and resources for education and treatment.

II . ALCOHOL AND OTHER DRUG POLICIES

A. The primary goal of students at Longwood is to achieve academic excellence. Illegal use of alcohol and other drugs will not be condoned. Also, irresponsible use of alcohol by persons of legal age will not be tolerated.
B. At no time will Longwood allow possession, use, and/or distribution of an illegal drug as defined by the Drug Control Act of Virginia. For appropriate events, Longwood will determine how, when, and where alcohol may be used.
C. Individuals and sponsoring groups are accountable for their choices and behavior. If alcohol or other drug violations occur, the following systems may be utilized:
   1. College Disciplinary, Honor, or Judicial Boards and Sanctions.
   2. Procedures outlined in faculty and employee handbooks.
   3. Legal prosecution.
D. Students, employees, and guests must adhere to federal, state and local rules and regulations.
E. Alcohol and other drugs will not be allowed to interfere with residence hall living, co-curricular activities, or classroom learning.
F. Alcoholic beverages must not be brought into or consumed within freshmen residence hall floors or within other floors that choose not to have alcohol present in their living environments.
G. When alcohol is present at an event, strict controls will be enforced in order to prevent underage drinking.
H. Alternative beverages and food must be available and visible when alcohol is served.
I. Specific guidelines for alcohol use will be issued for events that have approval for alcohol to be present.
J. Detailed alcohol procedures are outlined in this brochure available from the Dean of Students and the director of Student Services. These procedures apply to all members of the Longwood community.
K. Questions should be directed to the Director of Student Services or the Dean of Students.

III. LEGAL REQUIREMENTS

A. **The *Virginia Law:*** Individuals must be 21 years of age to purchase, possess, and/or consume alcohol. It is illegal to give or sell alcoholic beverages to persons who are under 21 years of age or who are intoxicated.
B. ***Laws Pertaining to Alcohol Sales:*** An alcohol license is needed any time there is an exchange of money, including donations, specifically for an event at which alcohol will be present and/or for the alcohol itself. Information on how to obtain an alcohol license is available in the Dean of Students Office. The licensing procedure requires two weeks to complete and costs $40.00. The individual requesting the license must be 21 years of age or older and will be held responsible for conforming to all requirements of the license agreement. Violations and/or negligence can lead to arrest, fines, and court action.
C. ***Open Container Law:*** The Commonwealth of Virginia and Prince Edward County prohibit open containers of alcohol in public, including all public areas of the Longwood campus. At Longwood, open containers of alcohol are defined as any holders or receptacles on which the manufacturer's seal has been broken, and/or holders that allow unobstructed, unrestricted, or otherwise open access to the alcohol. This includes, but is not limited to, cans, cups, bottles, kegs, etc.
D. ***Possession, use, sale, and/or manufacture of false identification cards*** is strictly prohibited under Virginia law and under the Longwood College Honor Code.
E. ***Public Consumption and Intoxication:*** State law prohibits the consumption of alcohol in unlicensed public places. In keeping with local and state laws, Longwood will not allow public drunkenness.

IV. COLLEGE ALCOHOL PROCEDURES

A. ***Locations and Times for use of Alcoholic Beverages:***

LOCATION	***DAY OF THE WEEK***
Snack Bar/Lancer Cafe	Tuesday &Thursday.
Lankford Student Union	Times and locations by permission of the Dean of Students (only Fri. and Sat. night parties will be approved).
Residence Hall rooms (FOR INDIVIDUAL USE OF ALCOHOL)	For persons 21 years of age, Sunday- Saturday, as long as roommates/suitemates agree.
Residence hall rooms/suites (for events requiring registration)	Fri. 6 p.m.-Sat. 2 am.; Sat. 12 noon-Sun. 2 a.m.; & Sun. 12 noon-7 p.m., as approved by the REC.
Residence Hall common areas and chapter rooms	Fri., 6 p.m.-Sat 2 a.m.; Sat. 12 noon-Sun. 2 a.m. & Sun. 12 noon-7 p.m., as approved by the REC.
Cabin	Fri. & Sat., 6 p.m.-midnight.
Other Locations	By permission of the Dean of Students.

NOTE: Events with alcohol cannot be registered or held within the last seven (7) days prior to the first day of final examinations in Fall or Spring semester.

B. ***Guidelines for Amounts of Alcohol:*** The total amount of alcohol allowed will be calculated based on the percentage number of persons attending of legal age to drink. The specific amount will be set by the appropriate Residence Education Coordinator (REC) or Building Manager in consultation with the "Event Manager." The Event Manager is defined as the individual registering and present at the event being held (see Section D). The amount of alcohol available must not exceed:

1. **Beer:** Twelve (12) ounces of beer/ one (1) hour/ each person present of legal age. **Kegs are not allowed in individual rooms/suites or chapter rooms.**
2. **Wine:** Four (4) ounces/ one (1) hour/ each person present of legal age. 400 ounces is the maximum allowed for an individual room/suite party.
3. **Liquor:** One (1) ounce/ one (1) hour/ each person present of legal age. 100 ounces is the maximum allowed for an individual room/suite party.
4. **A combination of the above** not to exceed amounts per type of alcohol allowed for legal age of consumer.

C. ***Non-alcoholic Beverages and Food:***

1. Non-alcoholic beverages (soft drinks or other alternatives) must be available in the same location and be featured as prominently as the alcoholic beverages during the entire time alcoholic beverages are served. The number of servings (12 oz.) of alternative beverages must be equal to at least half of the approved alcohol servings.
2. When alcoholic beverages are served, food and/or snacks must be prominently displayed and available during the entire event.

D. ***Dispensing Alcohol and Non-alcoholic Beverages:***

1. All beverages at registered parties must be dispensed by approved persons called "servers," who are 18 years of age or older.
2. All registered alcohol events must have a person identified as the "Event Manager" available at all times during the event. This person must pass an alcohol training program sponsored by Student Services or Greek Affairs prior to the event.
3. The College will assume the Event Manager is the person registering the event unless otherwise noted on the registration form.
4. Event Managers must assure that servers understand the responsibilities of hosting an event with alcohol as stipulated in their training.

E. ***Promotion:***

1. Alcohol may not be used as an inducement to participate in a campus event.
2. Promotional materials, including advertisement for any college event, shall not make reference to or include pictures of alcoholic beverages. Advertising materials must comply with the Solicitation and Advertising Guidelines in the *Student Handbook.* Advertisement of individual room/suite parties is prohibited.

F. ***Security:***

1. College-approved Security Personnel are required at all events of 150 or more people. The sponsoring group is responsible for the costs of supplying Campus Police. One officer is required for the first 150 people (including members of the host organization), and an additional officer is required for each additional 100 attendees. Campus Police can provide additional information on scheduling and costs.

2. Parties cannot exceed fire code regulations. In residence hall single rooms--8 people; 2-person rooms-- 12; 2-room suites--25; 3--room suites--35. The Building Manager of Lankford can provide information concerning maximum fire code capacities for Lankford Student Union. The Dean of Students Office can provide fire code capacities for the Iler Gym, the Cabin, chapter rooms, and residence hall common areas.

G. ***Party Registration Procedures:***

1. Parties must be registered. Parties to be held in Iler gym are to be registered with the Office of Intramural and Recreational Sports. Parties in the Cabin and Lankford are registered in the Office of the Dean of Students.
2. Parties to be held in the residence halls must be registered if the following two conditions exist: (a) the number of people present in the room/suite totals the number of residents plus 6 others and (b) alcohol is present. Therefore, number of residents plus 6 plus alcohol equals registration -- i.e., a 2-room suite of 2 residents per room must be registered if 4 plus 6 plus alcohol, or 10 people and alcohol are present.
3. The number of individual room/suite parties that may be registered for any one night is equal to one-half the number of floors in the building.
4. The number of registered fraternity/sorority parties with alcohol per weekend per residence hall may not exceed the number of chapter rooms in that building. (In other words, if Frazer hall has three chapter rooms then Frazer hall is allowed a total of three parties, with alcohol, per weekend.)
5. Group events that use common areas or chapter room space must submit a guest list to the REC, the Coordinator of Greek Letter Societies, and the Campus Police by 5:00 p.m. on the Thursday prior to event for approval. Failure to submit a guest list may result in cancellation of the party. The number of persons present at any time must be in compliance with fire code regulations. The guest list is restricted to members of the organization and their invited guests.
6. Persons whose names appear on the guest list must actually be invited to the event. A copy of the guest list should be kept at the entrance of the party for guests to sign in. The individual registering the party is responsible for insuring that the names and birthdates of members and invitees appearing on the guest list are accurate. Deliberately providing inaccurate information and/or "padding" of guest lists is considered falsification of information and subject to action under the Longwood College Honor and/or Judicial system.
7. All events with alcohol must be approved by and registered with the REC or Building Manager of the building where the event will occur no later than seven (7) days prior to the event. All other events must be registered five (5) days prior to the event.
8. Gatherings in chapter rooms must be registered as parties with the REC if non- members and/or alumni are present.
9. At that time, the staff member will approve the amounts and forms of alcohol allowed and will set a limit for the duration of the party.
10. "Bring Your Own" (BYOB) events involving only 12 oz. cans of beer can be approved by the REC for the building in which they are registered. "Guidelines for Approval of BYOB Events" (obtainable from REC, Greek Affairs, Dean of Students, or Student Services Offices) must be followed, along with the regular party registration procedures.
11. The REC can disapprove the registration of any parties for substantial reasons such as: numerous parties have been scheduled; a sponsor has lost privileges for registering parties; the registration deadline was not met; or residents have documented a request to reduce the number of parties.
12. "Bring Your Own" events for areas other than chapter rooms or residence hall common areas, and BYOB events involving alcoholic beverages other than 12 oz. cans of beer, must be approved by the Dean of Students at least seven (7) days prior to the event.
13. The individual registering the party, the Event Manager, and organization officers are responsible for the following:
    a. Ensuring compliance with all of the Longwood College Alcohol Policies, Procedures, and Sanctions and the Virginia ABC License regulations by members and guests. The College reserves the right to enter events to investigate compliance.
    b. Ensuring that only individuals of legal age serve, possess, or consume alcohol and that intoxicated individuals are not served.
    c. Ensuring that the noise level does not disturb others. Event managers must respond to requests regarding noise levels.
    d. Preventing any damage that could occur in a room, suite, or other areas as a result of the event/party.
    e. Ensuring that the area where the party was held, including yards and hallways, is cleaned by 7 a.m. the next day. Billings for cleaning will be assessed to the individual who registered the party.
    f. Controlling the size of the event and ensuring attendance does not exceed maximum safety occupancy.

H. ***Serving Alcoholic Beverages and Restrictions:***

1. Individuals sponsoring an event must insure that alcoholic beverages are not accessible or served to persons under the legal drinking age or to persons who appear intoxicated.
2. Direct access to alcoholic beverages must be limited to a person(s) designated as the server(s). Servers must be 18 years of age, and servers who are of legal drinking age must not consume alcohol one hour before or during their shifts and must not be intoxicated.
3. Consumption of alcoholic beverages is permitted only within the approved areas designated for the activity.
4. Open containers of alcohol are allowed only in private rooms or in areas designated and approved for alcoholic events. No open containers of alcohol are allowed in hallways, reception areas, or on the grounds.
5. Containers larger than sixteen (16) ounces may not be used.
6. No grain alcohol parties are allowed on campus or at events sponsored by campus groups.
7. No social event shall include any form of drinking game or theme in its activities or promotion.
8. Sponsors of any event needing an Alcohol Beverage Control license may not sell beer or wine for less than 50 cents. No more than two (2) beers or wine may be sold to any one person at one time.
9. No alcohol may be consumed from a glass container in any common areas (common areas of residence halls, the Cabin, or Lankford). If bottle alcohol is used it must be transferred by the server, prior to sale or consumption, to a non-glass container (no larger than pint size).
10. Alcoholic beverages are not permitted to be brought into or consumed within freshmen residence hall floors or within other floors that choose not to have alcohol present in their living environment.
11. Special Guidelines and Restrictions are involved in "Bring Your Own" events. Copies of the "Guidelines for BYOB Events" are available from the REC, the Coordinator of Greek Letter Societies, and the Offices of Dean of Students and Student Services. These special guidelines must be followed, even when they require stricter controls than those outlined above.

I. ***Kegs:***

1. Kegs are not allowed on campus unless properly registered.
2. Kegs of beer will not be registered for any organizations whose national organizations and/or insurance policies forbid the purchase of kegs and/or the group purchase of alcohol.
3. Kegs are not allowed in individual rooms/suites or chapter rooms.
4. One-quarter kegs (pony kegs) are the largest kegs allowed in residence hall common areas. With approval of the REC a half keg may be substituted for 2 quarter kegs in common areas.
5. One-half kegs are allowed in the following areas: Cabin, Lankford, or Blackwell Dining Hall on Friday and Saturday nights.

V. ADDITIONAL PLANNING GUIDELINES

A. Common areas and chapter rooms are available for non-alcoholic events any night of the week.
B. A $100 damage deposit will be required from any organization requesting use of a common area.
C. Common areas may not be used more than twice a month by the same group.
D. Only organizations recognized by the College are permitted to reserve residence hall common areas. Individuals who desire to reserve a common area must contact the Dean of Students.
E. Student-sponsored social events to which the public is invited cannot be held in residence halls. All such events must have the presence of a Campus Police Officer for the duration of the event.
F. All events should end by 2:00 am. unless prior approval is received from the Dean of Students. Outdoor events should end by 11:00 p.m. because of the Farmville Noise Ordinance.
G. Longwood College policy prohibits students from signing contracts on behalf of the College. All contractual agreements with outside agencies must be made under the direction of a College official. Contact the Student Union office for more information.

VI. SANCTIONS

A. Students found to be in violation of the Longwood College Code of Conduct or the Policies and Procedures for Alcohol and Other Drugs will be held accountable for their actions and will face disciplinary action and/or legal prosecution. Students may also be held accountable for allowing or soliciting violations of the standards of conduct by their guests. Campus disciplinary sanctions include, but are not limited to: written warnings, loss of privileges, probation, educational assignments, fines,

restitution, suspension, and/or dismissal. If students are found to be in violation of the above policies and procedures by a **campus hearing body**, the following minimum sanctions are likely to occur:

a. Distribution of illegal drugs: Dismissal.
b. Possession/use of illegal drugs: Suspension/Other sanctions.
c. Possession of Drug Paraphernalia and Alcohol Policy Violations (underage drinking, alcohol on freshman floors, etc.): Probation/Other sanctions.
d. Possession/use of false identification (Honor Code offense): Probation/other sanctions.

Multiple and/or repeat offenders will face more stringent sanctions, and the case may also be referred for legal prosecution.

B. Violations of **state/local** alcohol and drug laws or ordinances are punishable by fines, imprisonment, and suspension of a driver's license. Violations occurring within a **Drug Free School Zone** (on or within 1,000 feet of all College property) may carry enhanced penalties. Specific information about these penalties is available from the Campus Police and the Office of Student Services.

C. Violations of federal laws for possession, use, or distribution of illegal drugs carry mandatory penalties for first time offenders including: imprisonment, fines, loss of property, loss of professional licensure, and loss of financial aid. Penalties for violations occurring within 1,000 feet of a school or campus may be doubled with no possibility of parole. Specific information about these penalties is available from the Campus Police and the Office of Student Services.

VII. HEALTH RISKS

Alcohol and illicit drug use can pose many health risks to college students. Such use may result in: impaired judgement and coordination; physical and psychological dependence; damage to vital organs such as the heart, stomach, liver and brain; inability to learn and remember information; psychosis and severe anxiety; unwanted or unprotected sex resulting in pregnancy and sexually transmitted diseases, including AIDS; and injury and death. There are risks associated with drugs and alcohol. Negative consequences of alcohol and other drug use can be immediate.

Substance abuse by family members and friends is also of concern to students. Patterns of risk-taking behavior and dependency not only interfere in the lives of these abusers, but can also have a negative impact on students' academic work, emotional well-being, and adjustment to college. Students concerned with their own health or that of a friend should consult a physician, a mental health professional, or one of the other resources listed in the following section for more information and assistance.

VIII. RESOURCES FOR EDUCATION AND TREATMENT

On Campus

1. Student Development/Wellness (395-2509) -Various educational programs (including video and print resources) regarding alcohol and other drug use and abuse and related issues are available.
2. Counseling Center (395-2409) -The Counseling Center offers individual counseling, an alcohol support group, and a support group for adult children of alcoholics (ACOAs).
3. Student Health (395-2102).
4. Student Services (395-2490).
5. Greek Affairs (395-2118).
6. Campus Police (395-2612). **Emergency** (395-2091).
7. Peer Helpers (395-2657)—Peer Helpers are available for individual consultations and educational programs.
8. Wellness Advocates (395-2509 or contact your organization's representative).
9. G.A.M.M.A. (395-2118)—Greeks Advocating the Mature Management of Alcohol.
10. S.O.A.R. (395-2509)—Student Organization for Alcohol Responsibility.
11. Housing (395-2080)—Contact the Housing Office for information about alcohol-free residence hall options.

Off Campus

1. Local meetings of support groups, including Alcoholics Anonymous (AA) and Al-Anon, and Adult Children of Alcoholics (ACOAS)—Contact Student Development/Wellness, Student Health, or the Counseling Center for information.
2. Crossroads Mental Health Service (392–3187). 24-hour Emergency (1–800–548–1688).
3. Alcohol and Drug Abuse Hotline (1–800–ALCOHOL).
4. Narcotics Anonymous (1–800–777–1515).
5. National Cocaine Hotline (1–800–COCAINE).

6. National Institute on Drug Abuse/Treatment Hotline (1–800–662–HELP).
7. AIDS Information Hotline (1–800–342–AIDS).
8. National STD Hotline (1–800–227–8922).
9. Federal Drug, Alcohol and Crime Clearinghouse Network (1–800–788–2800).
10. Piedmont ASAP (392–8920).

This information is from the Longwood College Student Handbook, 1995-1996 Edition.

ALCOHOL AND DRUG POLICY

A. The primary goal of students at Longwood is to achieve academic excellence. Illegal use of alcohol and other drugs will not be tolerated. Also, irresponsible use of alcohol by persons of legal drinking age will not be condoned

.**B.** At no time will Longwood allow possession., use, and/or distribution of an illegal drug as defined by the Drug Control Act of Virginia. For appropriate events, Longwood will determine how, when, and where alcohol may be used.

C. Individuals and sponsoring groups are accountable for their choices and behavior. If alcohol or drug violations occur, the following systems may be utilized:

1. College Disciplinary, Honor, or Judicial Boards and Sanctions.
2. Procedures outlined in faculty and employee handbooks.
3. Legal prosecution.

D. Students, employees, and guests must adhere to federal, state, and local rules and regulations.

E. Alcohol and other drugs will not be allowed to interfere with residence hall living, co-curricular activities, or classroom learning.

F. Alcoholic beverages must not be brought into or consumed within freshmen residence hall floors or within other floors that choose not to have alcohol present in their living environments.

G. When alcohol is present at an event, strict controls will be enforced in order to prevent underage drinking.

H. Alternative beverages and food must be available and visible when alcohol is served.

I. Specific guidelines for alcohol use will be issued for events that have approval for alcohol to be present.

J. Detailed alcohol procedures are available in the publication *Longwood College Policies, Procedures, and Sanctions for Alcohol and Drugs,* and from the Dean of Students and the Director of Student Services. These procedures apply to all members of the Longwood community.

Southern Illinois
University at Carbondale
Carbondale, Illinois
62901

Office of the President
618/453-2341

August 31, 1989

MEMO TO: Fiscal Officers

FROM: John C. Guyon, President

SUBJECT: Alcohol Policy

On August 19, 1988, the regulations governing alcoholic beverages at Southern Illinois University at Carbondale were modified and approved. The Vice President for Student Affairs was designated as the approval officer for all requests for use of alcoholic beverages on property owned or controlled by the University at Carbondale. The use of alcoholic beverages, including sale, delivery, possession, and consumption, in or on any property owned or controlled by the university is strictly prohibited except as authorized in the regulations. Where permitted under these regulations, the use of alcoholic beverages on University premises shall be considered a privilege and may be allowed only if consistent with State laws and University regulations, and only when such use does not interfere with the decorum and academic atmosphere of the campus.

The sale, direct or indirect, of alcoholic beverages on campus is prohibited by State law except as follows:

> The President or his/her designee, pursuant to Illinois Revised Statute Chapter 23 Paragraph 130, may approve the sale, delivery, possession, and consumption of alcoholic beverages by and to persons of legal drinking age who are attending "conference and/or convention type activities" or "cultural, political, or educational activities" at designated locations on campus. A conference or convention, or an educational, cultural or political activity for the purposes of these regulations means and includes (1) gatherings organized and developed principally for persons other than students and employees of Southern Illinois University, or (2) interorganizational conferences or activities of two or more internal or University-related organizations. Further, the activity must have a principal purpose which is clearly and directly related to the educational, public service, or research functions of the University, or which directly relates to fulfilling officially assigned responsibility of a line officer of the University on matters of institutional advancement support or improvement.

No sales of alcoholic beverages will be permitted, unless a license has been issued, pursuant to State law, authorizing such sales in the facility where alcoholic beverages are to be sold. Touch of Nature Environmental Center maintains a liquor license for the conference facilities issued by the Illinois Liquor Control Commission for purposes compatible with the Illinois Revised Statutes allowing sale, delivery, and consumption of alcoholic beverages.

The University will not authorize the use of general student fees or other funds collected and administered by the University for the purchase of any alcoholic beverages except as provided in the Statute and University regulations to either partially or totally support off-campus events where alcoholic beverages are served or provided to participants as part of an event.

The University assumes no responsibility for any liability incurred as a result of the organization's or individual's violation of these regulations or any applicable laws governing the use and consumption of alcoholic beverages. All student and other organizations, while using University facilities or premises, shall be required to abide by State laws and University regulations governing alcoholic beverages; members of the organizations are responsible for conducting themselves in accordance with the State laws and University regulations.

For all events on campus, where use of alcoholic beverages is planned or anticipated, the event sponsor must submit through appropriate administrative channels a form either requesting approval of such use of alcoholic beverages pursuant to these regulations or requesting permission to conduct an event where unauthorized use of alcoholic beverages is expected. When the use of alcoholic beverages is not approved for such an event, publicity for the event, if conducted, should clearly state that the use of alcoholic beverages is not permitted. For all events involving the use of alcoholic beverages on campus the event sponsor will be responsible for assuring that:

1. Nonalcoholic beverages and food are made available at the event.

2. Provisions are made to regulate portions of alcoholic beverages served per individual and that the event shall not include any form of "drinking contest" in its activities or promotion.

3. Adequate supervision and security are available for the event as necessary to provide for a safe atmosphere to permit enforcement of the law concerning underage consumption of alcoholic beverages and other State laws and University regulations.

4. Promotion of the event includes a statement which states the legal age of consumption of alcoholic beverages and the intent to enforce State laws and University regulations.

The responsibility for compliance of these regulations and with all applicable laws will be incumbent upon all members of the University community. The University Security Police shall, when informed of activities and events involving alcoholic beverages, determine appropriate security measures to be taken and will work with the event sponsor and appropriate administrative staff of the University as may be necessary to assist with the enforcement of State laws and University regulations. Persons who violate either the applicable laws or these regulations may be subject to University discipline and/or prosecution under the State law.

Exceptions to allow the use of alcoholic beverages by persons of legal drinking age at designated events and locations on the campus may be approved by the President or designees. Such exceptions may take place only at times and places which will not interfere with the academic function of the University and only if all applicable requirements of regulations are met by the event sponsors. This form must be submitted in sufficient time to have all required approvals received at least ten days before the date of the scheduled event. These forms may be obtained from the Student Center Director's office.

Illinois law and University regulations provide that the President or his/her designee may approve sale and serving of alcoholic beverages to individuals of legal drinking age attending conference and convention type activities and certain other activities as designated facilities for which license has been issued pursuant to State law. This form must be submitted in sufficient time so that all required approvals may be received at least ten days before the date of the scheduled event. Forms for sale and serving alcoholic beverages may be secured from the office of the Director of the Touch of Nature Environmental Center.

August 19, 1988

REGULATIONS GOVERNING ALCOHOLIC BEVERAGES

Southern Illinois University at Carbondale

The use of alcoholic beverages on property owned or controlled by Southern Illinois University at Carbondale is restricted by the laws of the State of Illinois, and the regulations of the University. Pursuant to Policies of the Board of Trustees C-3, the following regulations have been approved by the President and Chancellor, and shall apply to the use of alcoholic beverages at Southern Illinois University at Carbondale.

1. The use, including sale, delivery possession and consumption of alcoholic beverages in or on any property owned or controlled by the University is strictly prohibited, except as otherwise provided in these regulations. Where permitted under these regulations, the use of alcoholic beverages on University premises shall be considered a privilege and may be allowed only if consistent with State laws and University regulations, and only when it will not interfere with the decorum and academic atmosphere of the campus.

2. Definitions

   a. For the purpose of these regulations, the term "alcoholic beverages" includes only legally produced, commercially available beverages having alcoholic content. All other beverages having an alcoholic content shall be strictly prohibited and excluded from the permissible uses under these regulations.

   b. The term "legal drinking age" refers to the legal age for use of the alcoholic beverages in Illinois, which is 21 years. (The Illinois Liquor Control Act provides, among other things, that anyone who sells, gives, or delivers an alcoholic beverage to an individual under the age of 21 years commits a Class A misdemeanor, and that any person under the age of 21 years who possesses any alcoholic beverage in any public place or in any place open to the public commits a Class B misdemeanor).

3. The possession and consumption of alcoholic beverages on campus by persons of legal drinking age may be permitted in the following living areas in accordance with administrative guidelines developed by University Housing and approved by the President:

   a. In designated upper-class, graduate, or professional residence halls owned or controlled by the University. Such possession and consumption of alcoholic beverages shall be confined to the individual room of the resident.

   b. By individuals associated with a fraternity or sorority housed in the Greek Row living area in the house chapter room and/or in a private study room. The chapter room is that room which is closed to the general public and used for fraternal activities.

c. In faculty or family housing owned or controlled by the University.

4. The President or his/her designee, may approve exceptions to these regulations to allow possession or consumption of alcoholic beverages by persons of legal drinking age at designated events and locations on campus. These exceptions may take place only at times and places which will not interfere with the academic functions of the University, and only if all applicable requirements of Sections 8 and 9 of these regulations are met by the event sponsor.

5. The sale, direct or indirect, of alcoholic beverages on campus is prohibited by State law and these regulations, except as follows:

   a. The President or his/her designee, pursuant to Ill. Rev. Stat., Ch. 43, Par. 130, may approve the sale, delivery, possession and consumption of alcoholic beverages by and to persons of legal drinking age who are attending "conference and/or convention-type activities" or "cultural, political, or educational activities" at designated locations on campus. A conference or convention, or an educational, cultural, or political activity, for purposes of these regulations means and includes (1) gatherings organized and developed principally for persons other than students and employees of Southern Illinois University at Carbondale, or (2) inter-organizational conferences or activities of two or more internal or University-related organizations. Further, the activity must have a principal purpose which is clearly and directly related to the educational, public service, or research functions of the University, or which directly relates to fulfilling officially assigned responsibilities of a line officer of the University on matters of institutional advancement, support, or improvement.

   b. The President or an appropriate designee may approve the sale, delivery, possession and consumption of alcoholic beverages by and to persons of legal drinking age at an established faculty center, as permitted by State law.

No sales of alcoholic beverages will be permitted unless a license has been issued pursuant to State law authorizing such sales in the facility where alcoholic beverages are to be sold.

6. The University will not authorize the use of general student fees or other funds collected and administered by a University office or agency for the purchase of any alcoholic beverage (except as provided in Section 5) or to either partially or totally support off-campus events where alcoholic beverages are served or provided to participants as part of the event.

7. The University assumes no responsibility for any liability incurred as a result of an organization's or individual's violation of these regulations or any applicable laws governing the use and consumption of alcoholic beverages. All student and other organizations while using University facilities or premises shall be required to abide by State laws and University regulations governing alcoholic beverages; members of the organization are responsible for conducting themselves in accordance with the State laws and University regulations.

8. For all events on campus where use of alcoholic beverages is planned or anticipated, the event sponsor must submit through appropriate administrative channels a form either requesting approval of such use of alcoholic beverages pursuant to these regulations, or requesting permission to conduct an event where unauthorized use of alcoholic beverages is expected. When use of alcoholic beverages is not approved for such an event, publicity for the event, if conducted, should clearly state that the use of alcoholic beverages is not permitted.

9. For all events involving use of alcoholic beverages on campus, the event sponsor will be responsible for assuring that:

    a. Nonalcoholic beverages and food are made available at the event.

    b. Provisions are made to regulate portions of alcoholic beverages served per individual and that the event shall not include any form of "drinking contest" in its activities or promotion.

    c. Adequate supervision and security are available for the event as necessary to provide for a safe atmosphere and to permit enforcement of the law concerning underage consumption of alcoholic beverages and other State laws and University regulations.

    d. Promotion of the event includes a statement concerning the legal age for consumption of alcoholic beverages and the intent to enforce State laws and University regulations.

10. Responsibility for compliance with these regulations and with all applicable laws will be incumbent upon all members of the University community. The University Security Office shall, when informed of activities and events involving alcoholic beverages, determine appropriate security measures to be taken and coordinate with the event sponsor and appropriate administrative staff of the University as may be necessary to assist with enforcement of State laws and University regulations. Persons who violate either applicable laws or these regulations may be subject to University disciplinary action and/or prosecution under State law.

This information is from the University of Maine at Augusta Student Handbook 1995-1996

◆ UMA ALCOHOL POLICY

POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES IS NOT ALLOWED ON ANY UMA PREMISES EXCEPT UNDER THE FOLLOWING CONDITIONS: Alcoholic beverages may be possessed or consumed on the UMA campus only by persons 21 years of age or older and only with specific authorization. Permission may be granted by the Director of Student Services. A "UMA Social Event Registration Form" must be completed and returned to the Office of Student Services at least one week prior to the event and preferably at the time of initial planning. The form indicates the specifics of the event and lists those responsible for assuring that University policies and State laws are observed. For permission to possess and consume alcohol at Centers, contact the appropriate Center Director. No alcohol will be served at any student function on campus. When alcohol is permitted, such functions will occur off campus at facilities licensed to sell alcohol. All individuals should be aware of the laws pertaining to the sale, possession, and use of alcoholic beverages, particularly the following:

A. Consumption of alcoholic beverages is prohibited in a public place. This applies to any and all UMA functions open to the public, such as concerts, dances, and athletic events whether inside UMA buildings or out-of-doors.

B. Anyone under 21 years of age who purchases or possesses any intoxicating liquor may be punished by a fine.

C. Anyone that knowingly aids a minor in procuring liquor may be punished by a fine or imprisonment or both.

D. Anyone who sells liquor without a license may be punished by fine or imprisonment or both.

E. No institutional funds may be used to purchase alcoholic beverages.

F. A reasonable quantity of nonalcoholic beverages will be made available during any function authorized to permit the consumption of alcohol.

G. Each individual must assume responsibility for his/her behavior while drinking and must understand that being under the influence of alcohol in no way lessens accountability to the University community. Infraction by students of regulation pertaining to the use of alcoholic beverages will be dealt with under the Disciplinary Code. Infraction by staff and/or non-students will be brought to the attention of the appropriate administrative official.

Any student, faculty, or other sponsoring group desiring alcoholic beverages at a University social function should be aware of and follow currently approved procedures.

ANY QUESTIONS REGARDING APPROPRIATE INTERPRETATION OF APPROVED PROCEDURES SHOULD BE REFERRED TO THE OFFICE OF STUDENT SERVICES.

◆ UNIVERSITY POLICY ON ALCOHOL AND ILLEGAL DRUGS

University policy recognizes that substance abuse is a complex problem that is not easily resolved solely by personal effort and may require professional assistance and/or treatment. Accordingly, each campus and System Wide Services have designated an individual to assist employees and students who seek referral for assistance with a substance abuse problem. Students, faculty, and staff members with substance abuse problems are encouraged to take advantage of available diagnostic, referral, counseling and prevention services.

However, employees and students availing themselves of these services will not be granted special privileges and exemptions from standard personnel practices applicable to job performance requirements and from standard academic and student conduct requirements. The University will not excuse acts of misconduct committed by employees and students whose judgement is impaired due to substance abuse.

Alcoholic Beverages

The sale, possession and use of alcohol on campuses of the University of Maine System must comply with the laws of the State of Maine and with local campus regulations and procedures. The acquisition, possession, transportation and consumption of alcohol by anyone under 21 years of age is prohibited by University policy.

Alcohol may be possessed or consumed on University property only by persons 21 years of age or older in their rooms or in appropriately licensed and/or approved campus facilities. Persons are

expected to assume responsibility for their own behavior while drinking and must understand that being under the influence of alcohol in no way lessens their accountability to the University community.

Illegal Drugs

The possession, use, manufacture or distribution of illegal drugs (heroin, cocaine, marijuana, LSD, steroids, etc.) is prohibited at any time on University property and as part of any University activities. "Illegal drugs" does not mean the use of drugs under a valid prescription. Employees and students known to use, possess, manufacture or distribute illegal drugs are liable to public law enforcement actions and University disciplinary actions.

Sanctions

Employees and students who violate the University's policy will be subject to disciplinary action by the University. The severity of the imposed sanctions will be appropriate to the violation; possible sanctions include suspension, probation, dismissal, restitution, official censure or reprimand, referral for prosecution, participation in a rehabilitation program, and other actions the University deems appropriate.

Special Rules that Apply to Employees and Students Under the Drug-Free Workplace Act

In November of 1988, the United States Congress enacted the Anti-Drug Abuse Act which contains a section called the "Drug Free Workplace Act of 1988." This section requires organizations receiving federal grants and contracts to ensure that their workplaces are free from illegal use, possession, manufacture or distribution of controlled substances.

The law requires employees who receive federal funds to:

- notify employees that drug abuse is prohibited in the workplace,
- establish a drug-free awareness program
- require each employee to notify the University of any criminal conviction for violations occurring in the workplace, and
- impose sanctions or remedial actions for convicted employees

As a result of the Anti-Drug Abuse Act of 1988, a court of law may suspend or terminate an individual's eligibility for Federal benefits, including student financial assistance, if that individual is convicted of certain drug offenses.

As a University employee, the Drug Free Workplace Act requires you to notify your supervisor (for example, Department Director or Principal Investigator) if you are convicted of any workplace-related criminal drug violation. You must notify your supervisor within 5 calendar days after the conviction. Failure to report a conviction may be grounds for dismissal.

Grantees, whether the University or individuals, must report in writing to the contracting or granting agency within 10 calendar days of receiving notice of the conviction.

Violations of the Drug Free Workplace Act can result in:

- disciplinary action, including dismissal
- suspension of payments under the grant
- suspension or termination of the grant
- suspension or debarment of the grantee

Maine Alcohol Laws

Furnishing liquor to a minor or a visibly intoxicated person (or allowing a minor under your control to consume alcohol): up to $2,000 fine and one year in jail.

Maine Liquor Liability Act:

Civil liability for negligently or recklessly serving alcohol to a minor or a person visibly intoxicated. If property damage, bodily injury or death results, monetary damages may be awarded. This Act could apply to a person or organization that is not licensed to serve alcohol.

Illegal sale of liquor

(without a license from the Maine Bureau of Alcoholic Beverages): $300-$500 fine plus 30 days in jail for the first offense.

Illegal possession with intent to sell:

up to $ 1,000 fine and six months in jail. Any vehicle used to transfer liquor with intent to sell can be seized.

Operating Under the Influence (OUI)

Maine motor vehicle law makes it a crime for any person to operate a motor vehicle in Maine under

the influence of alcohol or drugs or with an excessive blood alcohol level. Penalties for first convictions are:

If your blood-alcohol content is .08 to .14 percent:

- a fine of at least $300, and
- loss of license for at least 90 days

If your blood-alcohol content is .15 percent or more, or you are traveling 30 m.p.h. or more over the speed limit, or you attempt to elude an officer of the law, or you have a passenger in the vehicle who is under 16 years of age, or you refuse to submit to a blood test on the occasion that results in the conviction:

- a fine of at least $300
- at least 48 hours in jail, and
- a loss of license for at least 90 days

Penalties for subsequent convictions are more severe. If you are stopped for OUI while under suspension for previous OUI, your vehicle may be seized. If you refuse to be tested, you automatically lose your license for a minimum of 180 days. Maine civil law also prohibits drinking alcoholic beverages while driving on a public road (up to $500 fine).

Special Liquor Laws Relating to Minors

Illegal Possession of Liquor

Any minor (a person under the age of 21 years) who is found to be in possession or control of alcohol is guilty of a civil infraction and shall be fined:

- 1st offense, $ 100 to $300
- 2nd offense, $200 to $500
- 3rd and subsequent offense, $500

Teen Drinking Laws

An individual under the age of 21 years shall have his/her license suspended for one year if he/she operates a motor vehicle with a blood alcohol concentration of .02 or more. Refusal to submit to a chemical test will result in a one year suspension of a driver's license. One can of beer, one glass of wine, or one ounce of distilled spirits can result in a blood alcohol level of .02 or more.

Illegal Transportation

No minor shall transport alcohol in a motor vehicle except in the scope of his/her employment or with the parent's knowledge or consent. The penalty is a 30-day driver's license suspension. A reinstatement fee will be charged to get a license reinstated. Points will be assessed against the offender's license. Up to a $500 fine may be assessed.

Maine Drug Laws

Maine law prohibits the knowing, intentional and unauthorized possession, furnishing (distribution or giving away) and trafficking (selling) of scheduled drugs such as cocaine, marijuana, lysergic acid diethylamide (LSD), heroin, and steroids.

Possession can include merely allowing drugs to be kept in your room, car, or locker even though the drugs are owned by someone else. Furnishing means giving drugs to another, regardless of profit. If a student on one end of a bleacher sends drugs to a student at the other end, everyone who passed the drugs and who knew (or should have known) they were passing illegal drugs is legally guilty of "furnishing" that drug. Sharing a line of cocaine with friends (even if the friends don't pay for it) is "furnishing cocaine."
Trafficking is selling or exchanging an illegal drug and getting something in return. Aggravated trafficking (carrying longer terms of imprisonment or greater fines) includes one of these factors:

- Trafficking within 1,000 feet of an elementary or secondary school
- Trafficking on a school bus
- Trafficking involving a minor (under 18)
- Trafficking 112 grams or more of cocaine
- Trafficking involving a firearm
- Prior conviction of a drug-related offense with a prison term of more than a year

Federal Drug Offenses

The criminal offenses most commonly charged under the Federal Controlled Substances Act are the knowing, intentional, and unauthorized manufacture, distribution, or dispensing of any controlled substance or the possession of any controlled substance with the intent to manufacture, distribute, or dispense. Federal law also prohibits the knowing, intentional, and unauthorized creation, distribution, dispensing, or possession with intent to distribute or dispense a "counterfeit substance."

Simple possession without necessarily an intent to distribute is also forbidden by federal law and carries a penalty of imprisonment. Furthermore, attempts and/or conspiracies to distribute or

possess with intent to distribute controlled substances are crimes under federal law.

Specific drug crimes carry greater penalties, including:

- the distribution of narcotics to persons under 21
- the distribution or manufacturing of narcotics near schools and colleges
- the employment of juveniles under the age of 18 in drug trafficking operations
- the distribution of controlled substances to pregnant women

The penalties for violating federal narcotic statutes vary considerably. The penalties may be more harsh based on two principal factors:

- the type of drug involved (heroin, cocaine, marijuana, LSD, etc.)
- the quantity of the drug involved

With the exception of simple possession charges which result in up to one year imprisonment, maximum penalties for narcotic violations range from 20 years to life in prison. Certain violations carry mandatory *minimum* prison sentences of either five years or ten years. Harsher penalties will be imposed if a firearm is used in the commission of a drug offense. If a drug offense results in death or serious bodily injury to an individual who uses the drug involved, the penalties are also more harsh.

Anabolic steroids are controlled substances. Distribution or possession with intent to distribute carries a sentence of up to five years and a $250,000 fine.

Questions sometimes arise as to what amount of narcotics found in the possession of a person is considered to be for personal use as opposed to the more serious offense of possession with intent to distribute. Federal law, as a general rule, considers anything more than a dosage unit as indicating an intent to distribute. In other words, the greater quantity possessed by the individual, the more likely it is that an individual possessed such quantity with an intent to distribute.

HEALTH RISKS ASSOCIATED WITH ALCOHOL AND DRUG ABUSE

Alcohol abuse and drug use problems have become a national health concern. Alcohol is a chemical. So are drugs. Any chemical is potentially harmful to someone. Some of the health risks associated with alcohol are listed below. You should contact the resources in this handbook for additional information about health risks.

ALCOHOL

- Slowing down of brain function, judgment, alertness, coordination and reflexes
- Attitude and/or behavioral changes, such as uncharacteristic hostility, or increased risk taking such as driving recklessly
- Alcohol taken with other drugs can intensify the drug's effects, alter the desired effect of the drug, cause nausea, sweating, severe headache and convulsions
- Addiction or chemical dependency
- Memory blackouts
- Uncharacteristic family, school, work, or legal problems
- Physical problems such as cirrhosis of the liver
- Birth defects and mental retardation in user's children

COCAINE

- Destroy nasal tissues
- Kidney damage
- Stroke
- Diseases of the lung, heart and blood vessels
- Cardiac arrhythmia, convulsions, seizures, suppression of respiration, sudden death
- Intense anger, restlessness, paranoia, fear
- Hear and see imaginary things
- Malnutrition

LSD

- Experience frightening hallucinations
- Trigger more serious problems for a person who has a history of mental or emotional instability
- Distortions of reality such as feeling that the unusual and sometimes frightening effects of the drug will somehow last forever
- Tolerance with repeated use means that increased amounts are needed to bring. about the same effects
- Effects may recur ("flashbacks") days or weeks later, even without further use of LSD
- Death may result from suicide, accident

MARIJUANA

Elevated blood pressure, coughing, dryness of the mouth and throat, decrease in body temperature, sudden appetite

- Swollen red eyes
- Panic reaction, paranoia
- Distortions of time, reality, and perception, often impairing short-term memory
- Possible addiction
- Dysfunctions related to thinking, learning and recall
- Impaired ability to drive and do other things that require physical and intellectual capabilities
- Irritate lungs, aggravate asthma, bronchitis, emphysema
- Listlessness, tiredness, inattention, carelessness about personal grooming, withdrawal and apathy
- Chronic lung disease and lung cancer

HEROIN

- Loss of appetite
- Addiction with severe withdrawal symptoms
- Drowsiness, clouding of mental processes, apathy, slowing of reflexes and physical activity
- Infection, hepatitis, or AIDS
- Death from overdose

STEROIDS

- Liver disease
- Cancer
- Growth problems
- Testicular atrophy
- Bone fusions
- Acne
- Psychological problems
- Rage and uncontrolled anger
- AIDS
- Breast reduction
- Failure of secondary sex characteristics
- Sexual dysfunction, sterility (reversible), impotence

WHERE CAN EMPLOYEES GO FOR HELP?

Sheri Stevens, Executive Director
Administrative Services
Telephone: 621-3110/1-800-696-6000 Ext. 3110

WHERE CAN STUDENTS GO FOR HELP?

Sheri Cranston Fraser
Coordinator of Retention/Counselor Student Services
621-3176/1-800-696-6000, Ext. 3176
Students at Centers or Sites may contact either the Student Services Coordinator at your Center or the designated contact person at the campus of enrollment.

In addition to campus resources, you may find local social service agencies who can help. Consult the telephone directory. "Community Services Numbers" are listed in the front of the directory. Also see the Yellow Pages listings for Alcohol Information and Treatment Centers and Drug Abuse and Addiction Information and treatment.

The following state and national telephone number may also be helpful:

1-800-499-0027 Office of Substance Abuse - Information and Resource Center, to receive information about treatment services.

1-800-452-6457 Maine Bureau of Drug Enforcement - You may confidentially and anonymously report information about the illegal trafficking of drugs.

1-800-COCAINE Cocaine Hotline

SOME STATE OF MAINE ILLEGAL DRUG VIOLATION PENALTIES

	COCAINE		MARIJUANA***		LSD		HEROIN		STEROIDS	
	PRISON	FINE**	PRISON	FINE	PRISON	FINE	PRISON	FINE	PRISON	FINE
Possession*	up to &/or 1 yr.	$2,000	(1st offense)	$200-$400	up to &/or 1 yr.	$2,000	up to &/or 5 yrs.	$5,000	up to &/or 6 mos.	$1,000
Possession with intent to furnish	up to &/or 5 yrs.	$5,000	up to &/or 1 yr.	$2,000	up to &/or 5 yrs.	$5,000	up to &/or 5 yrs.	$5,000	up to &/or 1 yr.	$2,000
Possession with intent to traffick	up to &/or 10 yrs.	$20,000	up to &/or 5 yrs.	$5,000	up to &/or 10 yrs.	$20,000	up to &/or 10 yrs.	$20,000	up to &/or 1 yr.	$2,000
Possession with intent to commit aggravated trafficking	4- &/or 40 yrs	$50,000	2- &/or 10 yrs	$20,000	4- &/or 40 yrs	$50,000	4- &/or 40 yrs	$50,000	1-5 &/or	$5,000
Furnishing	up to &/or 5 yrs.	$5,000	up to &/or 1 yr.	$2,000	up to &/or 5 yrs.	$5,000	up to &/or 5 yrs.	$5,000	up to &/or 1 yr.	$2,000
Trafficking	up to &/or 10 yrs.	$20,000	up to &/or 1 yr.	$2,000	up to &/or 10 yrs.	$20,000	up to &/or 10 yrs.	$20,0000	up to &/or 1 yr.	$2,000

* The amount of the drug possessed determines whether the crime is categorized as merely possession or possession with intent to furnish, traffic or commit aggravated trafficking.

** The Court may order any person convicted of possession, furnishing or trafficking to pay a fine in an amount up to twice the pecuniary gain he/she derived from the crime.

*** The amount of marijuana will increased the penalties. For example, the penalties for trafficking are increased to up to 10 years jail and $20,000 fine if the amount of marijuana is 20 pounds or more.

NOTE: State law allows for forfeiture of motor vehicles used in the commission of drug related crimes.

The University of Michigan

Office of the Vice President
for Student Affairs

Maureen A. Hartford

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Dear University of Michigan Student:

Welcome back! I hope that your summer months were productive and that, like myself, you are looking forward to another exciting year here at Michigan.

I am writing this letter to introduce you to a significant part of the effort to aid in the prevention and treatment of alcohol and other drug abuse problems among members of the University of Michigan community: *The University of Michigan Student Policy on Alcohol and Other Drugs.*

There can be no question that alcohol and other drug abuse is a significant problem on our campus. Individuals who abuse substances may suffer from a number of health related and other short and long-term medical, behavioral, and social problems. Such problems may range from comas to hangovers, violent behavior to academic problems. In several well-publicized national studies, 20 to 25% of college students have reported these types of consequences as a result of alcohol or other drug abuse. In a 1993 study conducted by the University of Michigan Initiative on Alcohol and Other Drugs, it was found that there are indications of serious alcohol problems in at least 18% of undergraduates here at Michigan. All of us probably know a friend or family member who has experienced difficulty as a result of the use or abuse of alcohol or other drugs.

The Division of Student Affairs is committed to providing an environment which will help to reduce the incidence of such problems among students. This effort has taken many forms, including: education, the provision of counseling and the establishment of community-wide expectations and norms. *The Student Policy on Alcohol and Other Drugs* is a cornerstone in this initiative, and I am proud to present it to you in this light.

As you may already know, the *Policy* was developed in 1993, and there was major student participation in each stage of the process. As a result of this process of involvement, I believe, this document reflects the needs and values of University of Michigan students. However, the Board of Regents has directed that revisions be made to Appendix B, the Statement of Student Rights and Responsibilities. As soon as those revisions are made and approved, you will receive a revised copy.

I strongly encourage you to read the *Policy* in its entirety. It contains much information that may be helpful to you in learning more about the issue of alcohol and other drug abuse, as well as important information regarding expected standards of behavior for members of our community. If you have questions about the policy or its implementation, please feel free to contact the Office of the Dean of Students (3000 Michigan Union, 764-7420) at any time.

Once again, welcome back to campus. On behalf of the Division of Student Affairs, I wish you continued success in all of your endeavors during this upcoming academic year.

Sincerely,

Maureen A. Hartford
Vice President for Student Affairs

THE UNIVERSITY OF MICHIGAN STUDENT POLICY ON ALCOHOL AND OTHER DRUGS

Preamble

The University of Michigan and its students, faculty, and staff, are committed to providing a safe, healthy learning community for all its members. The Division of Student Affairs has primary responsibility for working with students to establish policies regarding student use of alcohol and other drugs. The Division further strives to encourage safe and legal behavioral norms, standards, and practices regarding student use of alcohol and other drugs. The purposes of this Student Policy on Alcohol and Other Drugs are to define the philosophical framework for the University's values, and to define acceptable and unacceptable student behavior with regard to alcohol and other drugs.

Students are affected by alcohol and other drug abuse in a variety of ways. Individuals who abuse substances may suffer from a number of health-related and other short and long-range medical, behavioral, and social problems. Health problems suffered by students on this campus have ranged from overdose, coma and death to hangovers, disorientation, and psychological problems, among others. Alcohol and other drug abuse is associated with violent behavior toward others. It may lead to inappropriate risk taking which can result in injury or death, unplanned pregnancies and sexually transmitted diseases. Alcohol and other drug abuse has negative effects on academic and work performance, can result in conflicts with others, and can lead to legal problems. In national studies, approximately 20 to 25 percent of students on college campuses have reported these types of negative consequences as a result of alcohol and other drug abuse.

The abuse of alcohol and other drugs interferes significantly with the mission of the University. In addition to affecting the health and safety of students, faculty and staff, it also exacts a tremendous cost in its interference with goals of learning, and through crime, property damage, and risk management. Because of these problems, the University of Michigan Task Force on Alcohol and Other Drugs, in a 1990 report, recommended that policies be developed throughout the University to begin to change the environmental factors that contribute to these problems. This policy is one of many that have developed across the University to address alcohol and other drug abuse problems in specific divisions. In addition to these policies, the University is required by the Federal Drug-Free Schools and Campuses Act of 1989 to distribute each year the information contained in the Appendices of this document.

The policy covers the following areas:

1. General Principles
2. Prevention and Assistance
3. Values with Regard to Specific Substances
4. Values with Regard to Student Organizations
5. Sanctions

1. General Principles

University as a Community

Students, faculty and staff make up a community in which each individual should respect the rights, health, property, and participation of others within the community.

Responsibility

Students and student organizations at the University of Michigan accept the rights and responsibilities of membership in this academic and social community when they are admitted to or affiliated with the University. Each student and student organization is expected to demonstrate respect for others and to follow all federal, state and local laws and the rules of the University as they apply to alcohol and other substances.

The Division of Student Affairs is charged with the responsibility to address the problems of alcohol and other drug abuse by educating students about this policy, and by providing programs and resources for education, prevention and treatment. The Division of Student Affairs also has the responsibility to take appropriate disciplinary action regarding substance use covered under this policy.

Comprehensiveness

The creation and maintenance of an environment that promotes health and safety requires a comprehensive, integrated set of policies and programs. It is the University's goal that all units of the University develop a policy similar to the University of Michigan Student Policy on Alcohol and Other Drugs. The manner in which each school or unit of the University carries out such a policy may vary.

The Student Policy on Alcohol and Other Drugs is a comprehensive statement that applies to students throughout the University community. Students who are employees of the University should be aware that they may also be held responsible for employee behaviors outlined under the Alcohol and Other Drug Policy of their employing unit.

Relations between Policies, Prevention, Intervention, Rules and Sanctions

Federal, state and local laws and other mandates require policies and procedures that stipulate sanctions for violations of standards for misuse of alcohol and other drugs. However, the University's efforts go beyond rules and sanctions to develop and sustain healthy community-wide norms to prevent problems from occurring and to provide resources for intervention and assistance.

Value of Norm Setting

Through the mechanisms discussed in this policy, the Division of Student Affairs endeavors to develop, affirm, maintain and modify community-wide, behavioral norms. These clearly articulated, behavioral norms will allow for the accomplishment of mutual goals, including the growth, development and effectiveness of all students. To assist in this endeavor, the Division of Student Affairs will periodically review its policies, practices and programs on alcohol and other drugs.

Reach

The Student Policy on Alcohol and Other Drugs pertains to the activities of all students on University property and the activities of students at University-sponsored events or at off-campus activities while **officially representing** the University community. Unlawful use, manufacture, sale or distribution of alcohol is prohibited on University property or at official University functions. Illegal sale, distribution or manufacture of illicit drugs on University property, at

University-sponsored events, or within a 30-mile radius of campus, will result in a challenge through the student judicial system. Sanctioning procedures under this policy are outlined in Section 5: Sanction for Policy Violations.

If the student has been convicted of illegal sale, distribution or manufacture of drugs in a court of law, wherever the incident took place, the student may be subject to disciplinary action by the University.

Consistency
The Student Policy on Alcohol and Other Drugs is consistent with values described in *A University Community Approach to Alcohol and Other Drugs: Phase One Report of the Michigan Task Force on Alcohol and Other Drugs.*

2. Prevention and Assistance

The Division of Student Affairs will facilitate the prevention of problems through: promoting and supporting alcohol-free institutional programming, informing students regarding policies related to alcohol and other drugs, training students in the provision of assistance, and creating an atmosphere in which those with problems are encouraged to seek help. To establish an environment that discourages the unacceptable use of alcohol and other drugs and that helps to prevent problems related to those substances, the Division of Student Affairs' prevention efforts include:

- Building awareness of the scope of the problem of alcohol and other drug abuse and specific policies regarding the use of alcohol and other drugs. This can be accomplished by communicating this information through student handbooks, orientation programs, residence hall meetings, letters to students, and other efforts;
- Discouraging the promotion and advertising of alcohol, tobacco and other drug use;
- Offering alternatives to alcohol and other drug use through consistently supporting social events not centered around either;
- Providing educational programs for students in academic and non-academic setting. These programs will include a variety of topics: problems associated with alcohol and other drug misuse, development of healthier lifestyles, skills in decision-making, stress management, resistance to peer pressure, risk reduction, and identifying and helping others with alcohol and other drug problems;
- Supporting and encouraging faculty to incorporate alcohol and other drug education into the curriculum where appropriate;
- Developing a coordinated effort across campus regarding alcohol and other drug education, treatment, and referral;
- Supporting and encouraging student organizations to incorporate alcohol and other drug education into programs and events, when appropriate;
- Working toward early identification of behaviors or factors in the campus environment that place students at high risk for alcohol and other drug problems;
- Assessing the institutional environment as an underlying cause of alcohol and other drug abuse;
- Collecting and using alcohol and other drug-related statistics from available surveys and reports to guide program development; and
- Encouraging early intervention and assistance for those with alcohol and other drug problems.

Resources for Assistance
All students are encouraged to seek help early in the discovery of a problem with alcohol and/or other drugs, and to learn how to assist others with problems related to the use of substances. There are many resources on campus and in the community for confidential individual and student organization assistance. Students seeking help should feel comfortable approaching residence hall staff, faculty, academic advisors, or Student Affairs staff about resources for assistance. University resources such as Counseling Services and Health Service are confidential and available to students without charge. In addition, non-university resources in the community are also available. The earlier assistance is obtained, the less likely there will be serious, negative consequences resulting from an alcohol or other drug problem. Students seeking assistance for a substance abuse problem will not be sanctioned by the University as a result of seeking such assistance. See Appendix A for a listing of resources.

3. Values with Regard to Specific Substances

The Division of Student Affairs supports the following values and general principles with regard to substances;

Alcohol	Abstinence, as an option, is supported and never discouraged. While moderate, legal alcohol use is accepted, the drinking of alcohol is never encouraged. Excessive use of alcohol is always discouraged. Illegal behaviors involving alcohol (e.g., underage drinking, manufacturing and distributing false identification, drinking and driving) are not acceptable.
Tobacco	Non-religious use of tobacco (including smoking) is discouraged and all use is not acceptable where its use is prohibited by law or University policy, or is harmful or offensive to others.
Illicit Drugs	Possession, sale or use of illicit drugs is not acceptable.
Other Drugs	Improper or illegal use of prescription medications, controlled substances or other legal drugs is not acceptable.

Certain of these values are established as conduct standards under the Statement of Student Rights and Responsibilities, violation of which may result in referral to the Judicial Advisor's office and possible disciplinary action under the Statement of Student Rights and Responsibilities (see section 5 below).

4. Values with Regard to Student Organizations

Each student organization should adopt a policy on the use of alcohol and other drugs. Student organization policies shall strive to reflect the values of this policy, comply with federal, state and local laws, and minimize criminal and civil liability to the organization and its members. To achieve these values, the following guidelines are RECOMMENDED:

I. The organization should not sell or provide alcohol to any person.

II. If alcohol is to be present at an organization-sponsored activity,
   a. it should not be focus of the event;
   b. attractive alternative beverages should be provided;
   c. procedures should be in place to prevent service or sale to persons under the legal age to consume alcohol;
   d. alcohol beverages should not be purchased with organization funds nor with the contributions of individual members;
   e. it should not be served from common or self-serve containers;
   f. service should comply with the rules of the facility.

The University strongly encourages student organizations to develop sanctioning procedures in their system. The Division of Student Affairs will assist student organizations with drafting policies regarding alcohol and other drugs.

5. Sanctions for Policy Violations

University Sanctions

Individual students are governed by the Statement of Student Rights and Responsibilities and its procedures. Violations of the Statement of Student Rights and Responsibilities specific to alcohol and other drugs include unlawful possession, use, manufacture, sale or distribution of alcohol and other drugs. Illegal sale, distribution, or manufacture of drugs may result in a challenge if such action occurs a) on campus, b) within a 30-mile radius of campus, or c) regardless of geographic boundaries if the student has been convicted of a drug-related (other than alcohol) offense in a court of law. Applicable sanctions range from formal reprimand to expulsion. (For complete information regarding sanctions, including a process for initiating a complaint, refer to "Procedures for Responding to Violations of Standards," Section IX: Sanctions in the Statement of Student Rights and Responsibilities *Appendix B*).

The Division of Student Affairs Judicial Advisor's office does not bear sole responsibility for all sanctioning of University policies involving alcohol and other drugs. For example, University Housing, individual academic units, and facilities may maintain internal procedures and may impose sanctions against individuals or groups in violation of their policies involving alcohol and other drugs.

External Sanctions

The sanctions imposed under this policy do not diminish or replace the penalties available under generally applicable civil or criminal laws. Students are reminded that many violations of the standards may violate various federal, state and local laws.

(See Appendix C for a listing of federal, state and local laws.)

6. Amendments

Proposal

Amendments to the student policy on alcohol and other drugs can be proposed by any Executive Officer of the University, SACUA, the Dean of Students or any Associate Dean of Students, the Michigan Student Assembly, the recognized student government of any of the University of Michigan (Ann Arbor) schools or colleges, or by a petition sponsored by a student and signed by 200 currently enrolled students. Amendments shall be presented to the Vice-President for Student Affairs.

Review

All proposed amendments shall be reviewed during the academic year by a panel appointed by the Vice-President for Student Affairs. This panel may not be less than one-half students, and shall include (at a minimum) representatives from: the Michigan Student Assembly, Health Services, Counseling Services, SODC, Housing and the General Counsel's Office. The panel must meet at least once per academic semester (fall and winter) when amendment proposals are pending. The panel will consider the proposed amendment(s) and issue a recommendation to the Vice-President for Student Affairs. Proposed amendments may be revised by the panel prior to forwarding a recommendation.

Approval

Amendments recommended by the above panel shall be approved or rejected by the Vice-President for Student Affairs. Amendment proposals rejected by either the panel or by the Vice President may be revised and resubmitted at any time. This is the only procedure by which faculty, staff, or students can make amendments to the Student Policy on Alcohol and Other Drugs not required by law. Amendments required by law can be unilaterally enacted by the Vice-President for Student Affairs.

EFFECTIVE: September 1, 1995

APPENDIX A

RESOURCES FOR PREVENTION, TREATMENT, AND ASSISTANCE

University of Michigan Resources

University Health Service 763-8320
All services are free and strictly confidential.

UBS Alcohol/Other Drug Education Coordinator 763-1320
207 Fletcher Street, Room 209
Provides referrals, interactive programs to student groups, printed materials.
All services are free and strictly confidential.

University Counseling Services 764-8312
3100 Michigan Union Building
Provides assessment, short-term individual therapy, group therapy, and referrals (when necessary) for UM students.
All services are free and strictly confidential.
Alcoholics Anonymous and Adult Children of Alcoholics support groups offered next door.

U-M Guide 76-GUIDE (764-8433)
Provides anonymous, confidential peer counseling phone-line (7pm-8am, daily) for students.

Lesbian-Gay Male-Bisexual Programs Office 763-4186
3116 Michigan Union
Crisis intervention, advice and counsel, and referrals for assistance.

Community/Self-Help Resources

S.O.S. Crisis Center 485-3222
Provides counseling and referrals via a 24 hour hot-line

Washtenaw Council on Alcoholism 971-7900
Provides educational programs and materials, support groups and treatment. *(fees are on a sliding scale).*

Alcoholics Anonymous (AA) 482-5700
Provides support for people to stay sober and help others achieve sobriety.

Al-Anon 995-4949
Provides support for those who are involved in relationships with people who abuse alcohol/other drugs.

Narcotics Anonymous 1-313-543-7200

A non-profit group of recovering addicts helping each other remain drug-free. Meetings are scheduled regularly, and the program is one of complete abstinence from all drugs.

National Information and Referral Hotlines

Cocaine and Crack Information 1-800-888-9383
Anonymous counseling for cocaine users, friends and family. Referrals offered.
(24 hrs., 7 days/week)

National Institute on Drug Abuse Hotline 1-800-729-6686
Provides general information on drug abuse and AIDS as it relates to intravenous drug users.

Transportation Services

Nite Owl
A free university shuttle bus that runs 2-20 minute routes around central campus from 7:00pm-2:00 a.m., 7 days a week.
Route schedules are available at the Campus Information Center in the Michigan Union.

Nite Ride 663-3888
A taxi-like service provided by the City of Ann Arbor. For $1.50 you can be taken anywhere in the city from I 1:00 pm-6.00 am.

Emergency Service Telephone Numbers

Ann Arbor Police	911 (off campus)
Campus Security	911 (campus phone)
Assault Crisis Center	483-RAPE
Domestic Violence Project/Safehouse	995-5444, TDD
UM Sexual Assault Prevention & Awareness Center	763-5865 Business Office 936-3333 Counseling Line

University Hospital

Psychiatric Emergency Services	996-4747
Emergency Medical Services	936-6666

APPENDIX B

THE UNIVERSITY OF MICHIGAN'S STATEMENT OF STUDENTS RIGHTS AND RESPONSIBILITIES

Preamble

The University of Michigan is dedicated to creating a scholarly community that promotes intellectual inquiry, encourages vigorous discourse, and respects individual freedom and dignity. Civility, diversity of opinion, and freedom of expression are all valued as the necessary foundation for a healthy learning community. All students are welcome members of this community and are expected to participate in sustaining its values.

The University of Michigan and its students are committed to maintaining an inclusive, academically centered community. The goals of this community include creating an environment that supports learning, protects the freedoms guaranteed by the United States Constitution, and assures members of the University community a safe environment free from violence, intimidation, fraud, theft, and harassment. The responsibility for reaching these goals lies with each member of this academic community.

The purposes of this statement are to define students' basic rights within the University community and what students may expect of the University and to explain the academic community's expectations of its student members, including the standard by which student behavior is measured. This statement describes unacceptable student behavior and creates procedures to sanction students if they engage in such unacceptable conduct.

It is the University's goal that all members of the University community adhere to a set of fundamental and ethical standards similar to those that follow for students. The manner in which each group may carry out such standards will vary depending on the rules and procedures established.

Section 1: Scope of the Statement

This statement does not:

- apply to issues of academic integrity or professional conduct covered by school or college rules: it does not apply if the school or college chooses to employ its rules and procedures to process a case.
- cover the policies or practices of student organizations; it applies only to the actions of individual students.
- apply to nonviolent civil disobedience or student protest. Federal, state, and local laws may be enforced against student demonstrators, but the University will not pursue sanctions under this policy against students for nonviolent demonstrations.
- apply to speech that is protected by the First Amendment.
- apply to student publications or to students responsible for writing, creating, or publishing the material contained in such publications while they are acting within the scope of their journalistic responsibilities.
- limit the ability of the University to employ administrative actions (hold credits, library fines, etc.).

Section II: Expectation of Students

Students accept the rights and responsibilities of membership in the University of Michigan's academic and social community when they are admitted to the University. Honesty in academic work is expected of each student at the University of Michigan. Allegations of academic dishonesty are reported to and handled by the schools and colleges. Each student is expected to respect the rights of others and to work to create an open, intellectually stimulating environment where diversity of ideas is valued and every person's dignity and autonomy is respected.

Section III: Students' Rights and the University's Responsibilities

Students at the University of Michigan have the same rights and protections under the constitutions of the United States and the state of Michigan as other citizens. These rights include freedom of expression, press, religion, and assembly. Freedom of expression, including dissent and voicing unpopular views, is a valued tradition at the University of Michigan, where students have a long tradition of activism. As members of this community, students have the right to express their own views, but must also take responsibility for according the same right to others.

Students also have the right to be treated fairly by the University and to be informed of University policies affecting them.

Any student accused of violating this policy is entitled to procedural due process protections.

A. The University is committed to protecting students', rights of association.

Students are free to organize and join associations to promote their common interests.

B. The University is committed to protecting students' rights of inquiry and expression.

Students are free to examine and discuss all questions of interest to them and to express opinions publicly and privately.

The University's commitment to freedom of expression and inquiry has been described in detail in the "Statement on Freedom of Speech and Artistic Expression: The Rights and Obligations of Speakers, Performers, Audience Members, and Protesters at the University of Michigan," approved by the Board of Regents in July 1988. Members of the University community, speakers, artists, and others invited by members of the University community have the right to set forth their views and opinions at the University. Within its lawful authority to do so, the University will protect the right of any member of the University community or any invited speaker or artists to speak or perform. The University will also protect the rights of those members of the University community who wish to hear and communicate with an invited speaker or artist.

C. The University is committed to protecting students' rights to a free press.

The University will not restrict the editorial freedom of student publications and the student press.

D. The University is committed to protecting students' rights to due process.

Students who have been accused of violating University policies have the right to fair treatment. Students, under this policy, have the right to:

1. be informed, in writing, of the charges against them with sufficient particularity and time to insure opportunity to prepare for a hearing.
2. decline to make self-incriminating statements or to participate in a hearing. Such action will not be interpreted as evidence of guilt, but the process and the hearing will still go forward.
3. decline to appear at the hearing, which will not be interpreted as evidence of guilt, with the understanding that the process and the hearing will still go forward. The judicial advisor will attempt to set hearing times and dates that are mutually acceptable to the parties.
4. present information on their own behalf, including oral and written statements, physical exhibits, and witnesses.
5. require the testimony of any member of the University community who has direct knowledge of the incident; unless the Judicial Advisor determines that the testimony would be irrelevant, immaterial, or redundant or would violate a legal privilege.
6. hear all information presented and to question all people who appear before the hearing committee.

7. be advised by an advisor or attorney for consultation purposes during the hearing.
8. an opportunity to challenge the objectivity of the hearing officer or the panel.
9. have the burden of proof rest upon those bringing the charge.
10. receive a timely written decision.
11. confidentiality as provided by the Family Education Rights and Privacy Act.
12. have a recording made of the hearing.
13. an appeal or review of the original hearing.
14. an open hearing, providing the accused requests an open hearing and either:
    (a) the complainant consents, or
    (b) the complainant is not a student and the complaint does not allege sexual assault or harassment, or
    (c) the judicial advisor, in consultation with the General Counsel's office, determines that no substantial harm will result to the complainant as a result of an open hearing.

Section IV: Students' Responsibilities

Students at the University of Michigan expect members of their community to be responsible for their actions and to respect the rights of others. These expectations are not meant to limit students' constitutional right to freedom of expression.

A. Actions on campus

The following personal actions on University property or at official University functions are prohibited by this policy:

1. Sexual assault and rape
2. Harassment, defined as physical force or violence; or behavior, including stalking, that involves a deliberate threat to interfere with an individual's personal safety, academic efforts, employment or participation in university sponsored activities and causes the person to have a reasonable apprehension that such harm is about to occur. Students may not use threats concerning the terms or conditions of an individual's education, employment, housing, or participation in a University activity as a way to gain sex and/or sexual favors.
3. Physical assault, battery, or endangerment of any person
4. The knowing possession, use, or storage of firearms or dangerous weapons, except for authorized academic or employment purposes or in connection with a registered student activity or organization
5. Hazing practices as requirements of membership, advancement, or continued good standing in organizations, defined as including the following willful acts, with or without the consent of the individual involved:
    - physical injury, assault, or battery
    - kidnapping or imprisonment
    - intentionally placing at risk of severe mental or emotional harm
    - degradation, humiliation, or compromising of moral or religious values
    - forced consumption of any liquid or solid
    - mandatory personal servitude
    - placing an individual in physical danger (at risk) which includes abandonment
    - impairment of physical liberties which include curfews or other interference with academic endeavors
6. Unlawful possession, use, manufacture, sale, or distribution of alcohol or other drugs
7. Arson; unauthorized setting of fires, unauthorized tampering with any fire alarms or fire safety systems
8. Fraud against the University, forgery, misuse, or alteration of any university document or record, misuse of the University's computer system to gain access to restricted information, or knowingly furnishing false information to the University
9. Unauthorized taking or possession of property or services of another
10. Intentionally and significantly interfering with teaching
11. Damage or destruction of property belonging to another
12. Illegal entry into University facilities
13. Making a false report concerning a fire, bomb, or other emergency
14. Misuse of the disciplinary procedures, including
    (a) failure to respond to the request for an interview by the judicial officer during the investigation of a violation (students, including an accused student, may choose not to appear and present testimony at a hearing after a meeting with the judicial advisor)
    (b) knowingly falsifying or misrepresenting information before a hearing body
    (c) disruption or interference with the orderly conduct of a hearing
    (d) knowingly making a false accusation
    (e) attempting to influence the impartiality of a member of a hearing body prior to, and/or during the course of, a hearing
    (f) harassment and/or intimidation of a member of a hearing body or of a witness prior to, during and/or after a disciplinary proceeding
    (g) failure to comply with the sanction(s) imposed by the hearing body
    (h) influencing or attempting to influence another person to present false information or a false complaint

B. Actions off campus

While the conduct of students on campus is of concern to members of the academic community, student actions off campus may also negatively affect the security of the community and/or the integrity of the educational process. The University has differentiated these by the nexus to the institution and the egregiousness of the violation. While all illegal conduct by students is abhorrent to the University, the ability to gather evidence, including testimony of witnesses, limits the institution from pursuing most violations which occur at a distance from the University.

1. The following actions committed off campus will result in a challenge through the student judicial system if they occur in Ann Arbor or its environs (within 30 miles of campus);
    (a) Illegal sale, distribution, or manufacture of drugs
    (b) physical assault, battery, and endangerment
    (c) murder
    (d) arson
    (e) hazing
    (f) sexual assault and/or rape
    (g) harassment
2. The same actions listed in IV B. 1 may be challenged through the University judicial system regardless of where they occur if a student has been convicted of the offense in a court of law. The University hearing body must decide if the violation poses a clear threat to the mission of the University or to the health and safety of its members.

Section V: Regent's Bylaw 2.01

The Board of Regents of the University of Michigan in Regent's Bylaw 2.01 has given the President of the University the authority for "the maintenance of health, diligence, and order among the students." In cases

in which student behavior interferes with the University's ability to maintain those conditions, the President, working through designated University officials, normally will refer a student case to the hearing procedures outlined in the procedures section of this document.

PROCEDURES FOR RESPONDING TO VIOLATION OF THESE STANDARDS

Section I: Purposes of the Procedures

These standards and procedures have been established by the University to protect its educational purpose, to provide for the orderly conduct of its activities, to protect the victims of crime, and to safeguard the interests of the University community. These disciplinary procedures used by the University are considered part of its educational process and reflect the philosophy of peer education and evaluation. Hearings or appeals conducted as a part of this process are not courts of law and they are not subject to many of the rules of civil or criminal hearings. Because some of the violations of these standards are also violations of law, students may be accountable to both civil authorities and to the University for their actions. Disciplinary action at the University will normally proceed not withstanding any civil or criminal proceeding.

Section II: Emergency Suspension

If a student's actions indicate that his or her continued presence on campus or participation in University activities poses an imminent danger to persons or property, the Vice President for Student Affairs may take emergency action through an immediate suspension. Before, within 24 hours after, such emergency suspension is imposed, the student shall be given an opportunity to appear before a designee of the Vice President for Student Affairs. At such time the student may make a statement and present evidence bearing on the alleged violation. If the emergency suspension is continued, the student is entitled to a formal hearing within seven (7) calendar days or as soon as practicable after the accused student is prepared to participate in a hearing.

Section III: Filing Complaints, Notice and Investigation

A. Filing a complaint

Individuals are encouraged to file complaints when they believe there has been a violation of this policy. The formal mechanisms are designed to afford due process protection to the individuals involved, including time to prepare statements, but also resolve cases in a timely manner.

Those filing complaints under these standards should contact the Office of the Vice President for Student Affairs, in the Fleming Building. A judicial advisor, located within the Office of the Vice President for Student Affairs, administers the procedures and guidelines of these standards. The judicial advisor will consult the Office of the General Counsel regarding such complaints.

All complaints must be filed within six months of the date of the violation or the discovery of the violation.

B. Notice and Investigation

The judicial advisor will make written notification within ten (10) working days after the filing of the complaint, as well as provide the accused with a complete copy of the complaint. All records and documents to be presented to the hearing committee will be made available to both the accused and complainant. The judicial advisor will conduct a preliminary investigation to determine if there is sufficient evidence to proceed with mediation or a formal hearing. Such a review ordinarily will involve interviewing any complaining witnesses and the accused, as well as other necessary witnesses. If the judicial advisor determines there is enough evidence for a hearing committee to find a violation of the policy, a formal hearing process or mediation will be initiated.

If the judicial advisor determines there is insufficient evidence that a violation has occurred, both the accused and the individual filing the complaint will be notified in writing.

When a serious violation has been reported and it appears that a member of the University community is in serious and continuing danger, the judicial advisor will move the case ahead of others to insure a timely hearing.

Section IV: Mediation

The University believes a strong system of mediation of disputes will encourage reporting and resolution of complaints. Mediation is appropriate when all parties involved (accuser(s) and accused) voluntarily agree to engage in the mediation process. Mediation will involve resolution of the incident, including sanctioning when needed. If mediation fails, the case will be forwarded for a formal hearing.

To ensure these standards are applied with a proper regard to their goals and purposes, such mediation will occur solely through or at the direction of the office of the judicial advisor. Other academic and administrative offices may provide counseling and support for students. These offices include Counseling Services, Multicultural Student Programming, the Ombudsman, the Center for the Education of Women, the Sexual Assault Prevention and Awareness Center, the Department of Public Safety, Services for Students with Disabilities, the Lesbian and Gay Male Programs Office, and faculty and staff within the schools and colleges.

Section V: Formal Hearing

The hearing board will consist of six students. At the beginning of each academic year, students will be randomly selected from the student body to serve as potential hearing panelists until a pool of 50 eligible students is obtained. Selected students may be excused by the judicial advisor if service could cause undue hardship. The hearing will be chaired by a faculty or staff member drawn from a panel selected by the Student Relations Committee of Senate Advisory Committee on University Affairs. The chair conducts the hearing and is a non-voting member of the committee. The chair selects a hearing committee by lot from the eligible pool of panelists. The judicial advisor shall provide appropriate training for the faculty and student panel in due process and questioning techniques prior to being assigned to a hearing committee.

The chair shall ensure that panelists are both dedicated to their duty as well as unbiased. The chair's selections may be reviewed by both the complainant and the accused. The complainant or the accused may challenge a committee member or the chair based on bias or other cause. The committee member shall be disqualified if the chair determines that the challenge is justified. The chair shall be disqualified if the Vice President for Student Affairs determines that the challenge is justified.

The chair may consult with the General Counsel's office before, during, and after the hearing regarding procedural matters. The judicial advisor is responsible for sending the complete report of the investigation to the hearing committee, and may be called as a witness. The accused retains the right to confront all witnesses and the accused, complainant, and panelists may question witnesses. Either the complainant or the accused may offer sworn affidavits to the panel for consideration. Both parties may be accompanied and counseled by an advisor of their choice who will be permitted to attend, but not participate in, the proceedings. The following are exceptions to this rule:

A. In cases where the accused student is physically incapable of being present at a hearing, he/she may be represented during the hearing by a member of the University community.

B. Students with communication disorders may have a member of the University community speak for them.

The accused must be informed of his or her right to remain silent, and may not be compelled to be a witness against himself or herself. Committee deliberations will be in private. The chair will communicate in writing the results of the hearing to the accused and to the complainant.

The letter communicating the results of the hearing will include a separate finding of facts in the case and how the facts were applied.

If all members of the committee determine, by clear and convincing evidence, that the accused student has violated the policy, they will come to consensus on an appropriate sanction. The finding and sanction of the hearing committee will be communicated to the Vice President for Student Affairs who will enforce the sanctions.

Section VI: Alternate Hearing Process

The accused student may waive a full board hearing and request an administrative hearing. These hearings are conducted by hearing officers appointed by the Vice President for Student Affairs. Administrative hearings will be used during the summer when student board members and faculty chairs are unavailable. An accused student has the option of delaying his or her hearing until the fall term, unless delaying the hearing causes imminent danger to persons or property.

Section VII: Appeals

A. Procedure

If the accused student disputes the finding of the hearing committee or the administrative hearing officer, or the recommended sanction, he or she may appeal the decision. Such an appeal must be submitted in writing to the Vice President for Student Affairs within ten (10) class days after the notice of the decision of the hearing panel. Upon petition, this time line may be extended. The appeal statement should contain the grounds for the appeal. Appeals will be limited to a review of the record of the hearing, written statements submitted by parties and any new evidence. The Vice President will forward the student's letter of appeal and all records of the investigation and hearing to the appeals board. The student may challenge any member of the appeals board for bias. The board member shall be disqualified if the Vice President for Student Affairs determines that the challenge is justified.

B. Grounds

Grounds for the appeal are limited to:

1. the procedures described in this policy were not followed
2. the decision was not supported by the evidence presented at the hearing
3. the sanction was not appropriate for the violation
4. new evidence is available that was not reasonably available at the time of the hearing.

C. Appeals Board

The Appeals Board is composed of three members who are to serve for the academic year and hear all appeals. They are appointed as follows:

1. a student who is elected from and by the 50 students comprising the hearing panel
2. a faculty member who is appointed by SACUA
3. an administrator who is appointed by the President of the University.

Alternate members may be appointed to the Appeals Board as needed.

D. Decisions of Appeals Board

Decisions by the appeals board will be by majority vote. The appeals board must make a decision within ten (10) working days of receiving the appeal. It may take any of the following actions:

1. affirm the original decision concerning the violation of the policy
2. affirm the original decision concerning the disciplinary sanction imposed
3. reverse the original decision concerning the violation of the policy and direct that the complaint be dismissed
4. reverse the original decision concerning the violation of the policy and direct that a new hearing be held before a new hearing board
5. set aside the original decision concerning the sanction and impose a different sanction. The Appeals Board may not impose a greater sanction than the Hearing Committee.

The appeals board will notify the Vice President for Student Affairs in writing of its decision, who will communicate the decision to the student.

E. Further Appeals

The student who filed the appeal may not make any further appeal from this decision. An exception to this rule can be made when a student has been tried in a civil or criminal court for the incident which resulted in a campus hearing and has been found not guilty in criminal court or has a decision in his/her favor in civil court. In this situation, a student may petition for an appeal before an Appeals Board, regardless of earlier appeals or length of time since the hearing committee's decision.

Section VIII: Records

Detailed records will be maintained by the judicial advisor about any actions undertaken under the policy. Accordingly, records will be maintained by the judicial officer of formal complaints, hearings, mediations, resolutions, findings, sanctions, and appeals. Two sets of records of these data will be maintained, an expunged version for public review and a confidential version for permanent records. Confidentiality of the records will be maintained to the extent required by law, including the Family Education Rights and Privacy Act. Records will be maintained in such a way that data on violations of this policy are easily available to the public. The judicial advisor will annually compile and release detailed statistics and examples of the administration and enforcement of the policy. However, some data may not be releasable if the identity of individuals involved would be revealed.

Section IX: Sanctions

Hearing panels should fashion sanctions commensurate with the offending conduct. Because education may be the most effective and appropriate means of addressing behavior that violates these standards in a University community, the University encourages hearing panels to design sanctions which include an educational element. One purpose of the sanctions is to help students understand their behavior in the context of this academic community. It is inappropriate for the University to try to change student's convictions; however, it remains appropriate for the University to ask a student to change behavior. Sanctions should be designed to deter the student from behaviors which harm, intimidate, harass, or threaten others. Regrettably, some conduct is so harmful to members of the University community or deleterious to the educational process that it requires more punitive sanctions. Hearing panels should impose such sanctions where appropriate.

Certain factors should be considered in fashioning the sanctions. These include the intent of the accused, the effect of the conduct on the victim and the University community, whether the student has violated the standards in the past, and whether sanctions such as education and community service are likely to change the student's conduct. The most severe sanctions, suspension from the University and expulsion, should be imposed only in very serious cases, including the willful failure to comply with a lesser sanction. The range of potential sanctions is as follows:

A. For any offense

1. Formal Reprimand: The individual receives a formal reprimand for violating the standards of behavior and a warning that future violations will be dealt with more harshly.
2. Community Service: The individual performs an appropriate amount of public service that is both beneficial to the community and likely to assist the individual in understanding the harm caused by his or her conduct.
3. Class Attendance: The individual enrolls in and completes a class that helps the person understand why the standards prohibit the conduct involved.

4. Restitution : The individual makes restitution to the victim for actual loss.
5. University Housing Transfer or Removal: The individual is transferred to a another room or housing unit, or is removed form University housing entirely. Additional policies identifying responsibilities of students living in University Housing are available in the document *Guidelines for Community Living*. The disciplinary process and sanctions described in that document may be applied as appropriate.
6. Suspension from Specific Courses or Activities: The individual is removed from a course or activity; or the individual is moved to a different section of a course.
7. Combined Sanctions: A combination of the sanctions described above may be imposed.

B. For offenses which are violent, dangerous, repeated, or a willful failure to comply with a lessor sanction

8. Suspension: The individual is suspended form the University for a defined period of time. When a student is suspended during a term, his or her tuition is forfeited. The Vice-President for Student Affairs shall consult with the dean, chair, or director in the unit in which the student is enrolled before suspension is imposed.
9. Expulsion: The individual is expelled from the University. When a student is expelled during a term, his or her tuition is forfeited. The Vice-President for Student Affairs shall consult with the dean, chair, or director in the unit in which the student is enrolled before expulsion is imposed.

The sanctions imposed under these standards do not diminish or replace the penalties available under generally applicable civil or criminal laws. Students are reminded that many violations of the standards, including harassment and other discriminatory behavior, may violate various state and federal laws.

Section X: Amendments

A. Proposal

Amendments to the Statement of Student Rights and Responsibilities can be proposed by the Michigan Student Assembly, SACUA, any Executive Officer of the University, by a petition sponsored by a student and signed by 500 currently enrolled students, or the faculty/student Panel. The judicial advisor shall bring all proposed amendments to the Panel for consideration.

B. Consideration by the Panel

All proposed amendments shall be considered and voted on by the Panel during the academic year. The Panel shall hold at least one public hearing on the proposed amendments. After the public hearing the Panel shall convene a meeting to determine by majority vote whether to approve a proposed amendment. The Panel may modify a proposed amendment at this time. During the public hearings and this meeting, at least 26 student panel members must be present. If less than 26 student members are present, no action may be taken. If the Panel votes to approve a proposed amendment it will be forwarded to the Board of Regents through the Vice President for Student Affairs.

C. Approval, Limitation and Exceptions

This is the only procedure by which faculty, staff or students can make amendments to the Statement of Student Rights and Responsibilities not required by law. If an amendment is required by law, it can be unilaterally enacted by the Board of Regents. The Regents of the University of Michigan may reject any amendment approved by this procedure. The Regents may propose and enact amendments without following this procedure.

EFFORTS TO EDUCATE THE STUDENT COMMUNITY ON THEIR RIGHTS, RESPONSIBILITIES AND THESE STANDARDS

A. Education and Prevention

The prevention of behavior that violates these standards and establishment of effective procedures with due concern for all parties require a thoughtful educational program.

1. The University will provide resources and time for the prevention of, and education about conduct that violates these standards. The University will provide information to deans, student affairs staff, chairs, and directors in each unit concerning: (a) student rights and responsibilities under this policy; (b) how complaints are filed; (c) summaries of cases; and (d) sources of support and information for victims and respondents.
2. Deans and heads of major administrative units are strongly encouraged to discuss these standards at meetings of faculty, staff, and teaching assistants. In addition, the deans and heads of major administrative units are urged to examine practices and behavior within their own units that may be inequitable or unjust to students.
3. Training programs for residential advisors, those who meet students in crisis situations, and others serving in an advising capacity to students, will include training about referrals, resources, and methods for handling conduct covered by this policy.
4. The Office of Student Affairs will develop an overall educational program for students dealing with issues covered in this statement and will provide information, definition, support, identification of resources, and exploration of behavioral alternatives. Educational programs will be directed toward, but not restricted to, new undergraduate and graduate/ professional students.
5. The University will publish annually this statement and the procedures, including the resources available to advise, counsel, and assist in the mediation or reporting of violations of these standards. The information will explain how to utilize University-wide and school-specific resources.

B. Exit Interviews

The University will survey annually a sample of departing students to measure the existence and frequency of incidents that violate these standards, with a focus on violent or intimidating conduct, as well as survey all participants in the judicial system.

Effective: January 1, 1993

APPENDIX C

FEDERAL, STATE AND LOCAL LAWS

Federal and State sanctions for illegal possession of controlled substances range from up to one year imprisonment and up to $100,000 in fines to three years' imprisonment and $250,000 in fines for repeat offenders. Under federal laws, trafficking in drugs such as heroin or cocaine may result in sanctions up to and including life imprisonment for a first offense involving 100 grams or more. Fines for such an offense can reach $4 million. Offenses involving lesser amounts, 10-99 grams, may result in sanctions up to and including 20 years' imprisonment and fines of up to $20 million. A first offense for trafficking in marijuana may lead to sanctions up to life imprisonment for an offense involving 1,000 kg. or more or up to 5 years' imprisonment for an offense involving less than 50 kg. Such an offense carries with it fines that can reach $4 million for an individual offender. Under Michigan laws, use of marijuana is a misdemeanor punishable by up to 90 days in jail and a $100 fine. Delivery of marijuana is a felony punishable by up to four years' imprisonment and up to $2,000 in fines. Violations may also lead to forfeiture of personal and real property and denial of federal benefits, such as grants, contracts, and student loans.

The State of Michigan may impose a wide range of sanctions for alcohol-related offenses. For example, a first drunk driving offense may be punished by up to 90 days in jail, a fine of not less than $100 nor more than $500, suspended license for not less than six months nor more than two years, and up to 45 days of community service. Subsequent offenses can lead to significantly increased sanctions. The vehicle of a minor transporting alcohol may be impounded for up to 30 days. Furnishing or using fraudulent identification to obtain alcohol may be punished by up to 90 days in jail and a $100 fine.

The City of Ann Arbor may impose a maximum sanction of $100.00 fine plus court cost, 90 days in jail and probation up to 2 years for consumption of liquor in a public parking area or structure and the use of false identification to obtain alcohol. In addition to the above, false use of driver's license to obtain alcohol may result in suspension of driver's license.

ALCOHOL BEVERAGES POLICY

UNIVERSITY OF TULSA

I. PHILOSOPHICAL STATEMENT

The University of Tulsa is an educational and social community wherein its students and their guests interact in a wide variety of activities. It is acknowledged that at some of these activities the consumption of alcoholic beverages will occur. So that these activities can be reasonably governed, and in order to promote responsible conduct with respect to alcohol consumption, this policy is established to conform with state and federal laws and in keeping with the mission of The University of Tulsa.

The university deplores the abuse of alcohol, intoxication, and unacceptable conduct that may result therefrom. A university-wide commitment to alcohol education prevails. Further, members of the university community are assured that the absence of alcohol from social events is an acceptable practice.

II. BASIC PRINCIPLES

A. The Law

The University of Tulsa holds its students and the officers of student organizations responsible for the observance of state and federal laws with respect to alcoholic beverages.* These laws prohibit consumption of alcoholic beverages by anyone under 21 years of age. These laws also make it unlawful to sell, purchase, deliver, or furnish alcoholic beverages to anyone under 21 years of age or to an intoxicated person, to consume them in a public place, or to misrepresent one's age to obtain alcoholic beverages. Further, it is unlawful for anyone 21 years of age or older, except a parent or guardian, to sell or furnish alcoholic beverages to anyone under the age of 21.

*Oklahoma Law: Title 37, Sec. 241, 1985.

*Federal Law: Drug-Free Schools and Communities Act, 1990.

B. Definition of Alcohol

The alcohol policy at The University of Tulsa is designed to ensure uniform application and understanding. To that end, it is essential that all persons recognize that the intent of this alcohol policy is to extend a very broad meaning to the definition of alcoholic beverages. Therefore, alcohol and alcoholic beverages are defined to be any consumed beverage which has alcohol content. This would include but not be limited to all forms of beer, wine, wine coolers, and distilled beverages.

C. Jurisdiction and Violations

Violations of the Alcohol Policy will be reviewed under the provisions of The University of Tulsa Judicial Code. The Alcohol Policy shall apply to every function or event, including but not limited to receptions, banquets, dinners, picnics, or any outdoor event, social event, and campus-wide activity sponsored by organizations

or individuals associated with The University of Tulsa. In addition, other off-campus University of Tulsa events that imply or express university affiliation are bound by this policy. This policy is in effect during all periods of the year including summer months.

D. Responsibility

The presence of alcohol at student activities creates a need to manage the activity with care and to be concerned with the conduct of those present. Those who plan or choose to attend events where alcoholic beverages will be present and consumed must assume full legal responsibility and liability for the consequences of their actions. The university holds officers of student organizations specifically responsible for the activities of their organization, members, and guests. The university will proceed with appropriate conduct hearings or administrative action whenever a breach of this expectation occurs.

E. Alcohol Consumption and Personal Choice

Consuming alcoholic beverages is clearly a matter of personal choice. When students choose not to do so, their position should be honored and peer or organizational pressure should never be exerted to cause them to do otherwise.

F. Education

The use, abuse, intoxication, and the dependency on alcoholic beverages is an issue that is of concern to The University of Tulsa community as well as society at large. To this end, education becomes the responsibility of the entire campus community and includes an individual's peers, and any organization sponsoring an event where alcoholic beverages are served. Any student organization that intends to conduct events where alcoholic beverages will be consumed will be required to:

1. have its president and social chairman attend a university sponsored alcohol education seminar;

2. conduct a university approved alcohol education seminar for its entire membership once each year.

G. Designated Driver and Non-Drinker Programs

The university, in connection with events where alcoholic beverages are consumed, requires student organizations to implement designated driver and non-drinker programs. Such efforts provide for the welfare of members and guests and reduce exposure to liability. A designated driver is defined as a person who will not consume alcoholic beverages immediately prior to, during, or immediately following the event. Designated drivers will be responsible for escorting to their place of residence those who would seem to have impaired driving abilities.

H. Alcohol Abuse, Intoxication, and Intervention

The university abhors alcohol abuse and intoxication and has the responsibility to intervene in situations where such occurs. Therefore, individuals demonstrating abuse, intoxication, or dependency may be subject to university discipline and will be referred to appropriate university or community services for assistance. Student

organizations encouraging abuse of alcohol or disregard for the principles of this policy are subject to disciplinary action.

III. IMPLEMENTATION

A. Registration of Events

All events where alcoholic beverages may be consumed, whether held on or off the campus, are to be properly registered with the Student Affairs Office, Holmes Student Center. Registration must occur at least seven (7) days in advance of the event. Parties confined to the individual residence rooms of students or that do not affect the immediate environs or the larger community, need not be registered. Students residing in residence halls are referred to the Residence Living Handbook regarding policies specific to residence halls.

B. Alternate Beverages and Food

Since many individuals choose to not consume alcoholic beverages, at any function where alcoholic beverages are served, the sponsoring organization must also provide non-alcoholic beverages in sufficient quantity to meet the needs of the guests. Likewise, a variety of non-salty foods are required and must be available to all guests throughout the event.

C. Publicity and Sponsorship

Publicizing events where alcoholic beverages will be consumed must be done in such a way as to bring credit to the sponsoring organization and the university. Such publicity must focus on the purpose of the event and not on the availability of alcoholic beverages.

D. Proof of Age

At any event where alcohol is consumed, whether served or sold, legal proof of age must be presented to those in charge of the event.

E. Approved Locations for Alcohol Consumption and Sale

1. The sale of beer by the university may occur only in the Hurricane Hut or in other locations as permitted by the university's license. Beer purchased in the Hurricane Hut may be consumed in the Hut and the Great Hall of Allen Chapman Activity Center. Alcoholic beverages purchased elsewhere may not be consumed in Allen Chapman Activity Center.

2. When an event has been properly registered, beer may be consumed but not sold by the student organization in the following locations:

    a. The Great Hall, the Hurricane Hut, and the patios and surrounding areas of the Allen Chapman Activity Center (only beer purchased in the Hut may be consumed in these locations)
    b. Shaw Alumni Center
    c. Residence Halls
    d. Fraternity houses
    e. Harwell Field
    f. The "U"

IV. GUIDELINES REGARDING ALCOHOLIC BEVERAGES

A. SAB Registration for Organizations

Only Student Activities Board (SAB) organizations may sponsor events where alcohol is consumed. The SAB, a part of the Student Association, establishes recognition of student organizations. Students wishing to have their organization recognized by the SAB must complete the materials required. Such materials are available at the Information Desk in the Allen Chapman Activity Center.

B. Authorization and Supervision

The president of the sponsoring organization must authorize the event by signature as required on the Alcohol Event Registration Form. Additionally, the social chairman or other appropriate officer must sign. These officers must plan to be in attendance at the event throughout its entirety. If one of these officers in unavailable, the next ranking officer must assume the responsibility.

C. Security

At any registered event where alcohol is consumed, off-duty police officers must be present. When an event has more than 100 people present, an additional officer is required for each 50 individuals in attendance. The sponsoring organization must make these arrangements at least seven (7) days prior to the event by contacting the Director of Safety and Security in the Holmes Student Center. The Director may also require additional security measures if circumstances warrant.

D. Party Monitors

All student organizations that intend to conduct events where alcohol will be consumed are required to nominate three (3) students each semester to a party monitor pool. On a random basis, two members of the pool and one member of the pool from the sponsoring organization will be assigned to attend registered events and monitor compliance with this policy. Monitors will submit compliance reports to the Dean of Students. These reports assess the organization's compliance with the stipulations of this policy.

E. Responsibility Regarding Damages

If damage to property occurs at any event where alcohol is served, the direct cost of repair may be passed on to the sponsoring organization. Additionally, the university may elect to proceed with disciplinary measures. The determination in these matters will be handled by the appropriate supervisor of the facility. Any discrepancies or appeals of damage may be referred to the Dean of Students. Until such time that damage claims have been resolved, the student organization shall not be able to sponsor any social event on or off campus.

F. Prohibition of "Open" Parties

Student organizations that sponsor registered events where alcoholic beverages are consumed may have only University of Tulsa students and invited guests in attendance. TU students must present a valid University of Tulsa identification card to gain admission to the event. Further, student organizations are urged to extend written invitations to those whom they wish to have attend the event. A list of invited guests by name must be posted at the entrance to the event and monitored by a responsible member of the organization or a security person. Admission of an individual whose name is not on the list must be approved in writing by the organizational representative.

G. Prohibition of Keg Beer, Wine. and Distilled Beverages

Keg beer, wine, distilled beverages, and punches made from wine or distilled beverages are not permitted on The University of Tulsa campus, except as provided by Dining Services.

August 1992

Appendix F

Sources of Other Information

The Higher Education Center for Alcohol and Other Drug Prevention

The Higher Education Center for Alcohol and Other Drug Prevention is a national resource center funded by the U.S. Department of Education and managed by Education Development Center, Inc., in Newton, Massachusetts.

The Center's goal is to assist colleges and universities as they work to change campus cultures, foster environments that promote healthy lifestyles, and prevent student alcohol and other drug abuse.

The Center offers five types of services: 1) information services, 2) technical assistance, 3) training, 4) national meetings, and 5) publications.

These services are available to all institutions of higher education free of charge. For additional information, contact the Center at the following address:

The Higher Education Center for Alcohol
and Other Drug Prevention
William DeJong, Center Director
Education Development Center, Inc.
55 Chapel Street
Newton, MA 02158-1060

e-mail: HigherEdCtr@edc.org
www: http://www.edc.org/hec/
phone: Toll-free: (800) 676-1730

The center has developed several publications that address alcohol- and other drug-related problems on campus. Please contact the Center to learn what publications are available to address your specific areas of interest or concern.

The Center's newsletter, the Catalyst, is a good way to keep up to date on important developments in alcohol and other drug prevention in higher education, including new publications from the Center. Please contact the Center for a free subscription.

An electronic version of these publications can be downloaded from The Higher Education Center's home page on the World Wide Web (http://www.edc.org/hec/).

Publications

The following publications are recommended for additional information on developing and enforcing new or revised policies to change the social, legal, and economic environment in which college students make decisions about their drinking behavior:

American Council on Education. *Institutional Liability for Alcohol Consumption: A White Paper on Institutional Liability for Consumption of Alcohol and Drugs on Campus*. Washington, D.C.: American Council on Education, August 1992. Available through the American Council on Education, One Dupont Circle, N.W., Suite 800, Washington, DC 20036.

Commission on Substance Abuse at Colleges and Universities. *Rethinking Rites of Passage: Substance Abuse on America's Campuses*. New York, New York: Center on Addiction and Substance Abuse at Columbia University, 1994. Available through the Center on Addiction and Substance Abuse, Columbia University, 152 West 57th Street, 12th Floor, New York, NY 10019.

Eigen, L.D. *Alcohol Practices, Policies, and Potentials of American Colleges and Universities: An OSAP White Paper*. Rockville, Maryland: U.S. Department of Health and Human Services, Office for Substance Abuse Prevention, 1991. Available from the National Clearinghouse for Alcohol and Drug Information, P.O. Box 2345, Rockville, MD 20847.

Gehring, D.D., and Geraci, C.P. *Alcohol on Campus: A Compendium of the Law and a Guide to Campus Policy*. Asheville, North Carolina: College Administration Publications, 1989. Available through College Administration Publications, Inc., P.O. Box 15898, Asheville, NC 28813.

Mothers Against Drunk Driving. *Youth Issues Compendium*. Irving, Texas: Undated. Available through Mothers Against Drunk Driving, 511 East John Carpenter Freeway, Suite 700, Irving, Texas 75062.

Mills-Novoa, B. *Striving for Success: A Self-Assessment Guide for Strengthening Drug Prevention Programs in Higher Education*. Flagstaff, Arizona: Northern Arizona University, 1992. Available through The Higher Education Center for Alcohol and Other Drug Prevention, 4800 Montgomery Lane, Suite 600, Bethesda, MD 20814.

Office of the Surgeon General. *Surgeon General's Workshop on Drunk Driving: Proceedings*. Rockville, Maryland: Public Health Service, U.S. Department of Health and Human Services, 1989. Available through the National Clearinghouse for Alcohol and Drug Information, P.O. Box 2345, Rockville, MD 20847.

Powers, D.R., and Powers, M.F. *Making Participatory Management Work: Leadership of Consultive Decision Making in Academic Administration.* San Francisco, California: Jossey-Bass, 1983. Available through the Academy for Educational Development, Inc., 1255 23rd St., N.W., Washington, D.C. 20037.

Ryan, B.E., and Mosher, J.F. *Progress Report: Alcohol Promotion on Campus*. San Rafael, California: Marin Institute for the Prevention of Alcohol and Other Drug Problems, 1991. Available through the National Clearinghouse for Alcohol and Drug Information, P.O. Box 2345, Rockville, MD 20847.

Upcraft, M.L., and Welty, J.D. *A Guide for College Presidents and Governing Boards: Strategies for Eliminating Alcohol and Other Drug Abuse on Campuses.* Washington, D.C.: U.S. Department of Education, Office of Educational Research and Improvement, 1990. Available through The Higher Education Center for Alcohol and Other Drug Prevention, 4800 Montgomery Lane, Suite 600, Bethesda, MD 20814.

* * *

The Higher Education Center has published two issues of *The Law, Higher Education, and Substance Abuse Prevention: A Newsletter*, which is designed to assist institutions of higher education in complying with the laws governing alcohol and other drug prevention at postsecondary schools.

Written for school administrators and prevention specialists, the newsletter reviews state and federal laws, relevant case law, local regulations, and U.S. Department of Education guidelines that impose legal obligations on schools, including the specific actions that administrators can take to come into compliance with these requirements.

Other Resources

Alcohol Policies Project
Center for Science in the Public Interest
1875 Connecticut Avenue, N.W.
Washington, DC 20009
(202) 332-9110

The Alcohol Policies Project publishes *Booze News*, a quarterly newsletter on beer and liquor marketing and efforts to combat the alcohol industry. Offered free of charge to alcohol prevention advocates, readers are encouraged to reproduce and distribute the newsletter. The Center for Science in the Public Interest has also produced several low-cost guides on how to challenge alcohol advertising.

Ronald S. Beitman, Esq.
P.O. Box 590
Falmouth, MA 02541
(508) 771-7376
Fax (508) 775-7317

Publishes the monthly *Dram Shop and Alcohol Reporter*. ("Dram shop" refers to bars and other establishments where alcoholic drinks are sold.) The *Reporter* offers analysis of relevant case decisions and reviews publications from the field. A one-year subscription costs $120.

College Administration Publications, Inc.
P.O. Box 15898
Asheville, NC 28813
(704) 277-8777

Publishes 1) *The College Student and the Courts: Cases and Commentary*, briefs that present selected higher court decisions and editorial comments on a wide range of topics in higher education; 2) *Synthesis: Law and Policy in Higher Education*, reports devoted to in-depth analysis and commentary on a single issue in higher education and the law; and 3) *Synfax Weekly Report*, a weekly annotated digest of critical issues in higher education.

National Association of College and University Attorneys (NACUA)
One Dupont Circle, N.W.
Suite 620
Washington, DC 20036
(202) 833-8390
Fax (202) 296-8379

NACUA is a nonprofit organization serving the needs of attorneys representing institutions of higher education. The association's purpose is to improve the quality of legal assistance to colleges and universities by educating attorneys and administrators on legal issues in higher education. NACUA accomplishes this goal through publications, conferences, and workshops. NACUA also operates an information clearinghouse for its attorney members.

Network of Colleges and Universities Committed to the Elimination of Alcohol and Drug Abuse
Office of Educational Research and Improvement
U.S. Department of Education
Washington, DC 20202

Established in 1987 by the U.S. Department of Education, the Network's purpose is to provide support to institutions of higher education that are establishing and enforcing policies to prevent the misuse of alcohol and other drugs. The Network has issued a set of standards that operate as criteria for institutional membership in the Network. Currently, over 1,500 institutions of higher education are members.

Stanford Community Responsible Hospitality Project
Stanford University Health Promotion Program
Cowell Student Health Services
606 Campus Drive
Stanford, California 94305
(415) 723-3429

Started in 1991, the Stanford Community Responsible Hospitality Project is a responsible beverage service program that targets students, faculty and staff, and the hospitality industry, which includes bars, restaurants, and beverage distributors both on- and off-campus. In training members of the Stanford community, the project embeds the responsible host message within an overall program on how to have a more successful party.

Publications available from …

The Higher Education Center for Alcohol and Other Drug Prevention

Please contact us (see back cover) for information on obtaining the following materials:

- Setting and Improving Policies for Reducing Alcohol and Other Drug Problems on Campus: A Guide for Administrators *(62 pp.)*
- Preventing Alcohol-Related Problems on Campus:
  - Acquaintance Rape: A Guide for Program Coordinators *(74 pp.)*
  - Methods for Assessing Student Use of Alcohol and Other Drugs *(48 pp.)*
  - Substance-Free Residence Halls *(62 pp.)*
  - Vandalism *(8 pp.)*
- College Alcohol Risk Assessment Guide: Environmental Approaches to Prevention *(103 pp.)*
- Raising More Voices than Mugs: Changing the College Alcohol Environment through Media Advocacy *(74 pp.)*
- Institutionalizing Your AOD Prevention Program *(8 pp.)*
- A Social Norms Approach to Preventing Binge Drinking at Colleges and Universities *(32 pp.)*
- Complying with the Drug-Free Schools and Campuses Regulations (34 CFR Part 86): A Guide for University and College Administrators *(36 pp.)*
- Rethinking the Campus Environment: A Guide for Substance Abuse Prevention *(39 pp.)*
- Alcohol and Other Drug Prevention: A Bulletin for Fraternity & Sorority Advisers *(39 pp.)*
- Binge Drinking on Campus: Results of a National Study *(8 pp.)*
- Secondary Effects of Binge Drinking on College Campuses *(8 pp.)*
- Special Event Planner's Guidebook *(16 pp.)*

Fact Sheets/ Prevention Updates

- Alcohol and Other Drug Use and Sexual Assault
- College Academic Performance and Alcohol and Other Drug Use
- Alcohol and Other Drug Use Among College Athletes
- Alcohol, Other Drugs, and Interpersonal Violence
- Alcohol Use Among Fraternity and Sorority Members
- Getting Started on Campus: Tips for New AOD Coordinators
- Responsible Hospitality Service Prevention
- Social Marketing for Prevention

The Higher Education Center for Alcohol And Other Drug Prevention

Our Mission

The mission of the Higher Education Center for Alcohol and Other Drug Prevention is to assist institutions of higher education in developing alcohol and other drug (AOD) prevention programs that will foster students' academic and social development and promote campus and community safety.

How We Can Help

The Center offers an integrated array of services to help people at colleges and universities adopt effective AOD prevention strategies:

- Training and professional development activities
- Resources, referrals, and consultations
- Publication and dissemination of prevention materials
- Support for the Network of Colleges and Universities Committed to the Elimination of Drug and Alcohol Abuse
- Assessment, evaluation, and analysis activities

Read Our Newsletter

Keep up to date with the *Catalyst*. Learn about important developments in AOD prevention in higher education. To receive free copies, ask to be put on our mailing list.

Get in Touch

Additional information can be obtained by contacting:

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