

## **St. Cloud State University Alcohol and Other Drug Compliance Program**

### **I. Philosophy**

This program supports the mission of St. Cloud State University by:

***Enhancing Learning and Service:*** St. Cloud State University seeks to provide an excellent learning environment and to provide support and service to our community and the broader community. We recognize the best educational environments are free from the adverse effects of high-risk and illegal alcohol and other drug use. We recognize also that high-risk drinking among our students on or off-campus has a negative effect on academic performance and negative consequences for our community.

***Respecting Individual Freedom and Responsibility:*** The University supports the individual freedoms accorded to our community members. However, we believe that with those freedoms come responsibilities to the University and the surrounding community. At a minimum, fulfilling those responsibilities requires that individuals understand and act in accordance with university policy and applicable local, state and national laws.

***Promoting Health, Safety and Well-Being:*** The misuse and abuse of alcohol and other drugs pose a serious threat to individuals and the University's ability to fulfill its educational mission. Excessive drinking among St. Cloud State University students is potentially associated with death, sexual assault, violence, injury, property damage, and a host of other negative effects. Reducing these negative effects requires that we care for members of our community and our guests and visitors.

Every member of the university community has a stake in promoting the goals listed above. To promote a positive campus culture university employees are expected to:

- Support efforts to reduce or eliminate high-risk and illegal use of alcohol and other drugs.
- Hold students accountable for behavior that violates University policy, including referring incidents to university and/or law enforcement officials as appropriate.
- Support students' efforts to achieve healthy and productive lives by referring them to appropriate services, programs and activities.

Some employees have a greater responsibility in supporting compliance, including but not limited to, student organization advisors, Community Advisors,

Public Safety Officers, and those traveling with and/or leading students to off-campus events.

All university employees are expected to comply with the Alcohol and Other Drug Compliance Program and related policies and procedures. Including the employee policy regarding alcohol and other drugs and the MNSCU Employee Code of Conduct and Ethics (1C0.1)

## **II. St. Cloud State University Alcohol and Other Drug Policy**

St. Cloud State University Alcohol and Other Drug policy applies to all students, registered student organizations, visitors and guests on or in university owned or operated property, or engaged in on-campus and off-campus activities that are considered university activities, including events and officially sanctioned field trips, and registered student organization sponsored activities and events. Students and student organizations on travel status may be subject to further restrictions or allowances. SCSU employees should refer to the Human Resources Office/MNSCU/Collective Bargaining agreements for applicable policies.

In compliance and support of Minnesota State Colleges and Universities (MnSCU) Board policy 5.18; St. Cloud State University Alcohol and Other Drug policy prohibits the use, possession, production, manufacture, distribution, promotion, advertising, or sale of alcohol, other drugs and controlled substances, and drug paraphernalia on property owned or operated by St Cloud State University.

Although the Minnesota Medical Cannabis Law and program allows seriously ill Minnesotans to use medical marijuana to treat certain conditions, the possession and use of marijuana remains illegal under federal law, including the Drug-Free Schools and Communities Act, the Controlled Substances Act, and the Campus Security Act, and Board Policy 5.18. Therefore, the use, possession, production, manufacture, and distribution of marijuana continues to be prohibited while a student is on University owned or controlled property or at any event authorized or controlled by the University.

Additionally, it is a violation of the St. Cloud State University Alcohol and Other Drug policy to be in the presence of alcohol, other drugs, controlled substances, and /or drug paraphernalia in University owned or operated residence halls and apartments or to possess or display alcohol “trophies” or devices intended for rapid consumption of alcohol on university property.

Disruptive use of alcohol and other drugs is prohibited regardless of age or where consumed.

Violations or apparent violations of the St. Cloud State University Alcohol and Other Drug policy, local ordinances or state or federal laws may subject student(s) and/or student organizations to disciplinary action under the Student Code of Conduct in addition to criminal charges and/or legal consequences.

SCSU is required by law to provide an annual notification to all students, staff, and faculty of the policies, sanctions and risks associated with the use of alcohol and other drugs.

### III. Exceptions

Alcohol may be used for instructional purposes in the classroom or laboratory in accordance with MnSCU board Policy 5.18.

The Chancellor or the Chancellors office, and the President of St Cloud State University may approve the use of alcohol at specific University special events either on or off campus consistent with this policy and other MNSCU policy and procedures. Exception [Application Form and instructions](#) available from Office of Finance and Administration (AS-205).

A “Good Samaritan” exception for Code of Conduct violations will be recognized and honored when a person in violation of this policy comes to the aid of another in seeking professional help or in reporting the occurrence of a crime or more serious Code of Conduct violation; that person will not be held accountable for the violation.

### IV. Definitions

**Alcohol:** Any product, including spirits, wine, beer, or other containing one-half of one percent or more of alcohol by volume and every consumable liquid or solid containing alcohol.

**Controlled Substances:** includes, but is not limited to, any drug, substance or immediate precursor in Schedules I-V of section 152.01 (MN Statutes). This definition includes any synthetic drug, prescription drug not issued to the student, and/or any otherwise lawfully available product used for any purpose other than its intended use.

**Events:** Activities that include, but are not limited to, official meetings, practices, competitions or trips involving students, registered student organizations, or intercollegiate athletic teams.

**Medical Cannabis/Marijuana:** Pills, oil or liquid obtained directly from one of two authorized state manufacturers accompanied by required packaging and labeling used to alleviate suffering from certain qualifying conditions.

**Registered Student Organization:** Any student organization that has successfully completed the registration process outlined in the *Student Organization Guidebook* and registers each academic year with the Department of Campus Involvement.

**Student:** All persons who

- Are enrolled in one or more courses, either credit or noncredit, through the University.
- Withdraw, transfer or graduate, after an alleged violation of the Student Code of Conduct.
- Are not officially enrolled for a particular term but who have a continuing relationship with the University.
- Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid.
- Are living in a University residence hall although not enrolled in the University.

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

**University Premises, Property and Facilities:** All land, buildings, facilities, and other property in the possession of, owned, rented, leased, used, maintained, or controlled by St. Cloud State University.

## **V. Behaviors, Expectations, and Prohibitions**

**On-Campus:** The use, possession, production, manufacture, distribution, promotion, advertising, or sale of alcohol, other drugs and controlled substances, and drug paraphernalia is prohibited on campus. In addition, it is considered a violation of the Alcohol and Other Drug Policy to be in the presence of alcohol, controlled substances, illegal drugs and/or drug paraphernalia in University operated residence halls and apartments.

**Off-Campus:** As members of the university community, students are expected to behave responsibly and legally. University community members violating civil or criminal law may be subject to University student conduct procedures when that conduct occurs off-campus and adversely affects the educational, research, or service functions of the University.

Unlawful behavior by individual students or student organizations should be reported to the University. If reported, the University may take appropriate disciplinary action.

The illegal use, possession, distribution, manufacture or sale of any alcohol beverages, controlled substance, drugs and/or drug paraphernalia is prohibited for individual students or student organizations:

- at university events on or off-campus;
- on travel status when representing the University (e.g., as a member of athletic team, sports club, Student Government Association, student organizations, etc.). Further restrictions or allowances for legal and responsible use of alcohol may apply to individual students or student groups on travel status, based on the specific program's needs and direction of the faculty or staff supervisors/advisors. Student leaders, faculty, staff supervisors/advisors and coaches assume responsibility for ensuring university policies and local, state, and federal laws are followed.

***Disruptive Use:*** Disruptive use of alcohol and other drugs is prohibited. Disruptive use of alcohol and other drugs, regardless of where consumed or ingested, includes behavior that disrupts the university community, endangers the health or safety of self or others, results in damage to university or personal property, or requires the intervention of university or community resources. Examples of disruptive use include, but are not limited to, disorderly conduct, excessive noise, violence, threats, vandalism, or intoxication (regardless of age), that leads to intervention by university personnel, law enforcement personnel or medical personnel.

***Possession, Display, Advertising:*** The public display of advertising or promotion of alcoholic beverages or illegal drugs, in university buildings or any other public campus area including all university-owned housing areas is prohibited. This includes alcohol containers, banners, lighted beer/liquor signs, and large inflatable advertising.

The possession or display of alcohol "trophies," or other forms of empty alcohol containers, is not allowed on campus. The presence of empty containers, devices designed or intended to be used for the rapid consumption of alcohol (i.e., races, games, etc.), or drug paraphernalia, is prohibited. Possessing any of these materials may be considered evidence of use, consumption, or distribution.

The following advertising and promotional activities are prohibited for any student, university employee, registered student organization, or university office, department or program:

- Using alcoholic beverages as awards or prizes in connection with university events
- Providing promotional items or advertising associated with alcohol and illegal drugs at university sponsored student events. This includes, but is not limited to, such items promoting alcohol or drug use on cups, t-shirts,

beverage can coolers, or any other items advertising or promoting alcohol or illegal drug use

- Advertising alcohol and/or illegal drugs in university controlled or affiliated publications, or on university premises, including university- affiliated websites
- Advertising that includes brand names, logos, prices, visual images or phrases that refer to consumption of alcoholic beverages and use of illegal drugs
- Use of alcohol for recruiting and student organization fund-raising activities and events
- Purchasing alcohol and other drugs with university or organization funds, including student activities fee allocations
- Consuming or transporting alcohol and other drugs in university vehicles

The University does not regulate content or advertisements in autonomous student-edited media such as student newspapers. Because of the belief that advertising alcohol perpetuates the culture of high-risk and underage drinking, the University encourages student media publications including, but not limited to, the University Chronicle to maintain internal policies which are compatible with this policy, to help promote student health and success.

## **VI. Procedures for Violations of the Alcohol and Other Drug Policy**

***Employees:*** Violations will be pursued under the MNSCU 1C0.1 Employee Code of Conduct and appropriate collective bargaining agreement procedures.

***Students, Registered Student Organizations, or Clubs:*** Violations will cause a Student Code of Conduct complaint to be filed against a student, registered student organization, or club. Based on the nature of the alleged violation a student, registered student organization, or club may also be charged with a violation of a local ordinance, state, or federal law. Proceedings under the Student Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings at the discretion of the University. Determinations made or educational sanctions imposed shall not be subject to change because civil or criminal charges arising from the same facts were dismissed, reduced, or resolved in favor of or against the student, registered student organization, or club.

Both the Title IX and Student Conduct procedures will follow these steps:

1. A complaint or other information is received.
2. The complaint is reviewed. Interim measures, including, but not limited to Summary Suspension or Alteration of Privileges may be imposed.
3. A determination is made about whether the alleged violation is processed as a Student Conduct procedure, overseen by a Student Conduct Administrator;

or a Title IX procedure, overseen by the Title IX Coordinator. The complainant and respondent will be informed.

4. Interviews are conducted and relevant documentation is obtained.
5. A decision is made as to whether a violation of the Student Code of Conduct occurred. If so, educational sanctions are imposed.

An appeal of the decision may be filed in accordance with the procedures found in [The Student Handbook](#).

## VII. Sanctions

**Individual Sanctions:** Per the [Student Code of Conduct](#), examples of conduct sanctions could include, but are not limited to:

- *Warning:* A notice in writing to the student that the student has violated University policy and that continuation or repetition of prohibited conduct may be cause for additional student conduct action.
- *University Probation:* A written reprimand specifying the violation for which the student has been held responsible. Students who are on University Probation are not considered to be in good standing with the University. According to University policies, participation in some University activities and programs may be restricted while on University Probation. University Probation is for a designated period of time and includes the probability of more severe educational sanctions if the student is found to be in violation of any University policy during the probationary period.
- *Restriction and loss of privileges:* Denial or restriction of specified privileges for a designated period of time.
- *Restriction from contact:* Restriction of contact with another individual or group.
- *Restitution:* Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- *Discretionary sanctions:* May include, but are not limited to work and written assignments, development and implementation of a program, or participation in alcohol, drug, or other education program.
- *Residence Hall Probation:* Students are placed on residence hall probation for a specific period of time. Future violations of Residential Life policy may result in suspension or removal from the residential community. Residence hall probation serves as an opportunity for the student to reflect on their roles and responsibilities within the residential community.
- *Residence Hall Re-assignment:* Required move to a different residence hall floor or building.
- *Residence Hall Contract Termination:* Required to vacate premises within a specified period of time. Students may not be present in the residence hall building or any residence hall. Students who are removed remain responsible for the full academic year's residence hall contract fees.

- *Suspension:* Denial of the privilege of enrollment at the University for a specified period of time after which the student may be eligible to return. Conditions for re-enrollment may be specified. Suspensions lasting more than ten days will be listed on the student's academic transcript.
- *Expulsion:* Permanent denial of the privilege of enrollment at the University. Expulsions will be listed on the student's academic transcript.
- *Revocation of admission and/or degree:* Admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- *Withholding degree:* The University may withhold awarding a degree otherwise earned until the completion of the process set forth in the Student Code of Conduct, including the completion of all educational sanctions.

***Registered Student Organizations or Club Sanctions:*** In addition to any of the individual sanctions listed above, student organizations and/or clubs may also be subject to:

- Loss of registration as a registered student organization or club. The Department of Campus Involvement or other appropriate office shall notify any national, regional or state governing body with whom the organization is associated or which sponsors social, academic, or sports events when such action is taken. Loss of registration includes loss of all student activity fees and University funding and all rights and privileges accorded to registered student organizations.
- Loss or withdrawal of all student activity fee funding and/or any other selected rights and privileges accorded to registered student organizations or club for a specified period of time.

## VIII. Additional Information and Resources

***Prevention, counseling, treatment services, and referrals:*** The University recognizes that chemical abuse and chemical dependency impact academic and personal success. This policy is not designed to discourage people from seeking counseling or rehabilitation. All information about those individuals who voluntarily seek drug or alcohol counseling or rehabilitation services will remain confidential. Seeking counseling or rehabilitation will not be used as a basis for student conduct action or be used against an individual in any way.

SCSU provides many varied programs to help individuals experiencing problems. Counseling is free and confidential to all SCSU students. Assistance with alcohol and drug issues can be received on campus at:

Counseling and Psychological Services  
[www.stcloudstate.edu/counseling](http://www.stcloudstate.edu/counseling)



103 Stewart Hall  
(320) 308-3171

[Confidential online alcohol and marijuana screening](#) is available through the Counseling & Psychological Services website

Health Services  
<http://www.stcloudstate.edu/healthservices>  
Health Services  
(320) 308-3191

U-Choose  
<http://www.stcloudstate.edu/U-Choose>  
247 Atwood Memorial Center  
(320) 308-6175

SCSU Recovery Community  
<http://www.stcloudstate.edu/reslife/reshalls/RecoveryCommunity.asp>  
214 Atwood Memorial Center  
(320) 308-6119

Note: For additional information or referrals please call Counseling & Psychological Services (320) 308-3171 or Student Health Services (320) 308-3191.

**Health risks:** The use and abuse of alcohol and other drugs can cause a number of problematic changes in behavior and physiology. Alcohol or substance dependence occurs when a person continues their use despite recurrent social, interpersonal, physical and/or legal consequences. For basic information about the health risks associated with alcohol and/or other drugs please visit:  
<http://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs/health-effects>

***Other relevant documents and resources:***

- Minnesota State Colleges and Universities (MNSCU) [Board Policy 5.18](#)
- Minnesota State Colleges and Universities (MNSCU) [Board Procedure 1C.01 Employee Code of Conduct](#)
- Minnesota State Colleges and Universities (MNSCU) [Board Policy 3.6 Student Conduct](#)
- [Code of Ordinances for St Cloud, MN](#)
- [Minnesota Laws](#) related to alcohol and drugs (search by keywords or phrases)
- Summary and statistics prepared by the [National Institute for Alcohol Abuse and Alcoholism](#)
- Federal Laws:

- [Drug Free Workplace Act of 1988](#)
- [Public Law 100-690](#)
- [Drug-Free Schools and Communities Act Amendments of 1989](#)
- [Public Law 101-226](#)
- [Notice of Federal Student Financial Aid Penalties for Drug Violations](#)