



Policy Title	Alcohol and Other Drug Policy
Issue Date	October 1, 2015
Effective Date	March 4, 2016
Last Updated	March 4, 2016
Responsible Office	Office of the President
Contact Information	<p><u>For Students:</u> Division of Student Affairs, Office of the Dean of Students Phone: (470) 578-6310 Email: deanofstudents@kennesaw.edu</p> <p><u>For Employees:</u> Human Resources Phone: (470) 578-6030 Email: hr@kennesaw.edu</p> <p><u>For Information on Serving Alcohol at Campus Events:</u> Office of University Events Phone: (470) 578-6252 Email: events@kennesaw.edu</p> <p><u>For Drug/Alcohol Emergencies and Non-Emergencies:</u> Department of Public Safety and University Police Phone: (470) 578-6666 (Emergencies) Phone: (470) 578-6206 (Non-Emergencies) Email: police@kennesaw.edu (Non-Emergencies)</p>

1. Policy Purpose Statement

The purpose of the Kennesaw State University (KSU or the University) *Alcohol and Other Drug Policy (AOD)* is to provide guidance to the campus community and ensure compliance with federal and state laws and the Board of Regents (BOR) of the University System of Georgia (USG) policies and procedures.

2. Background

KSU is committed to recognizing, upholding, and enforcing the laws of the state of Georgia. As a recipient of federal funds, KSU supports and complies with the provisions of *the Drug-Free Schools and Communities Act (DFSCA) 1989 amendments*, as articulated in the *Education Department General Administrative Regulations (EDGAR) Part (§) 86, Drug Free Schools and Campuses Regulations*, and the U.S. Department of Labor *Drug-Free Workplace Act of 1988* (see below *Section 7. Associated Policies/Regulations*).

According to the National Institute of Alcohol Abuse and Alcoholism (NIH) (see below *Section 12. Appendix* for link to this information), researchers estimate that each year the following consequences occur:

- 1,825 college students between the ages of 18 and 24 die from alcohol-related unintentional injuries, including motor-vehicle crashes;
- 696,000 students between the ages of 18 and 24 are assaulted by another student who has been drinking;
- 97,000 students between the ages of 18 and 24 report experiencing alcohol-related sexual assault or date rape;
- Roughly 20 percent of college students meet the criteria for an alcohol use disorder;
- About 1 in 4 college students report academic consequences from drinking, including missing class, falling behind in class, doing poorly on exams or papers, and receiving lower grades overall.

A high percentage of campus disorderly conduct, sexual misconduct, disruptive behavior and property destruction, and academic failures on a national level is alcohol-related. The abuse of alcohol and/or other drugs can alter behavior, distort perception, impair thinking, and impede judgment. Alcohol and drug abuse might also result in various diseases, illnesses, and even death. Information about drug and alcohol education programs and assistance for KSU students, faculty, and staff is provided below in *Section 12. Appendix*.

The Georgia legislature, in response to these disturbing facts, has provided by law certain measures to reduce those dangers associated with alcohol misuse. These measures include statutory provisions that provide that no person below the age of 21 years may use, purchase, or possess alcoholic beverages. The law also prohibits serving alcoholic beverages to any intoxicated person. These considerations, among other things, are equally applicable to the use and misuse of illicit drugs. In response, federal and state laws regarding the manufacture, use, and distribution of illicit drugs have been enacted and are applicable to all full-time, part-time, and temporary employees and students. The University supports and endorses these provisions of federal and state laws and insists on strict compliance with these statutes by its students, employees, and guests and visitors to any KSU campus or affiliated location.

The University follows the policy of the BOR/USG. USG promotes and requires a drug-free work place among its employees. Per BOR policy, employees in high-risk jobs on a regular basis shall be subject to pre-employment, reasonable suspicion, post-accident, and random drug testing for evidence of use of illegal drugs. Additionally, an employee who has notified his/her supervisor that he/she has a drug-related problem and is maintaining employment may be subject to random drug testing. For information about drug and alcohol laws, regulations, and possible penalties for their violation, see below *Section 7. Associated Policies/Regulations* and *Section 12. Appendix*. Specifically, for employee-related regulations, in *Section 7* below see *BOR Policy Manual, Section 4.6.4, Alcohol and Drugs on Campus*; *BOR Policy Manual, Section 8.2.18, Voluntary Disclosure of Drug*; *BOR Policy Manual, Section 8.3.91, Grounds for Removal*; *KSU Drug Testing Policy*; and *KSU Employee Handbook*.

3. Scope (Who is Affected)

All KSU employees and students; third parties providing products/services to the University; and guests, visitors, or others visiting, working, or attending activities and events on University property or at affiliated locations are affected by this policy.

4. Exclusions or Exceptions

Exceptions to the policy of no alcohol on campus may, from time to time, be permitted at the discretion of the president, and there are other limited exceptions to this policy within the

- a. KSU residence halls by those 21 or older who do not reside in substance-free communities. See below *Section 7. Associated Policies/Regulations, KSU Student Code of Conduct, Section 5: The Codes of Conduct (the Rules), B. Residential Code of Conduct, Sections 1. Alcohol and 2. Drugs.*
- b. KSU Michael A. Leven School of Culinary Sustainability and Hospitality program courses that involve serving and tastings by those 21 or older of brews, beers, spirits, and wines for education purposes and that may be held in either state- or KSU Foundation-owned or leased properties and/or may be held at off-campus facilities and locations. Such courses require advance approval by the KSU president on a semester-by-semester basis and for inclusion in the Banner system course schedule builder for registration and before the course begins. Additionally, the program is required to maintain documented procedures for monitoring and recording an inventory of alcohol served and consumed during the president-approved courses and for checking identification to confirm attendees are 21 or older.
- c. KSU tailgating areas for sports events as approved by the KSU president and governed by the KSU Intercollegiate Athletics department's "tailgating and general rules" for those 21 or older. See below *Section 7. Associated Policies/Regulations, KSU Game Day: Tailgating General Rules).*

5. Definitions and Acronyms

Alcohol: Ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced.

Alcoholic beverages: Includes all alcohol, distilled spirits, beer, malt beverages, wine, or fortified wine.

Affiliated locations: Any land and/or property leased and/or utilized for KSU-sponsored activities and programs.

AOD: Acronym for alcohol and other drug and/or drugs.

ATOD: Acronym for alcohol, tobacco, and other drug and/or drugs.

Campus constituency: The people involved in or served by Kennesaw State University (KSU or the University), including University employees and students, and/or third parties providing products/services to the University.

Institutional funds: Includes all funds controlled, held, or administered by the University. This includes all funds to which an institution holds title, including, but not limited to, student fees, auxiliary revenues, state appropriated funds, etc.

Student Activity funds: Includes all funds collected by any campus constituency for the sole purpose of funding any student activities.

University property: All land and improvements owned, occupied, leased, or controlled by the University or the University System of Georgia. This includes, but is not limited to, buildings, offices, meeting rooms, residence halls (including private rooms), parking garages, parking lots, athletic fields, stadium seating areas, and other property or locations affiliated with KSU.

Visitors and third parties: contractors and subcontractors, spectators, and guests, visitors, or others visiting, working, or attending activities and events on University property or at affiliated locations.

6. Policy

KSU expressly prohibits the use, misuse, possession, sale, or distribution of illicit drugs and alcoholic beverages on University property or at KSU-affiliated locations by any campus constituency. Alcoholic beverages may be served at off-campus activities to adults of legal drinking age for the state in which the activity is being held, providing that a responsible club or organization representative acknowledges responsibility for monitoring alcohol consumption. The University president or his/her designee may, from time to time, permit and approve other exceptions to the *KSU Alcohol and Other Drug Policy*. Student Activity funds or institutional funds may not be used for the purchase of alcoholic beverages. KSU is committed to recognizing, upholding, and enforcing the laws of the state of Georgia, which are hereby incorporated into the *KSU Alcohol and Other Drug Policy* (see below *Section 7. Associated Policies/Regulations* and *Section 12. Appendix for more information*).

a. Procedures

Procedures and guidelines related to the *KSU Alcohol and Other Drug Policy* are the shared responsibility of various KSU divisions/departments, including, but not limited to, those listed below. These divisions/departments are responsible for managing and publishing on their websites and/or communicating to campus the procedures, guidelines and/or forms related to this policy (see below *Section 7. Associated Policies/Regulations*; *Section 8. Procedures Associate with this Policy*; *Section 9. Forms Associated with this Policy*; and *Section 12. Appendix*).

- i. Office of the President: The University president or his/her designee is responsible for approving any exceptions to any campus constituency serving alcoholic beverages on University property or at affiliated locations.
- ii. Office of University Events: This office oversees requests to serve alcohol at events on University property or affiliated locations and coordinates obtaining authorization and signature from the University president.
- iii. Human Resources and Administrative Services: This department is responsible for managing procedures and guidelines related to this policy with respect to KSU employees, including determination of sanctions for violations and providing

- information to employees regarding alcohol and other drug education and assistance programs.
- iv. Division of Student Affairs. The vice president for Student Affairs is responsible for managing procedures and guidelines related to this policy with respect to KSU students and student organizations, including determination of sanctions for violations and providing information to students and student organizations regarding alcohol and other drug education and assistance programs. This includes, but is not limited to, the following departments within this division:
 - 1) Office of the Dean of Students: The dean of students is responsible for oversight and distribution of policies and compliance standards related to alcohol and other drugs, including ensuring that the *KSU AOD Policy* is distributed annually to each student and employee.
 - 2) Department of Student Conduct and Academic Integrity: This department oversees conduct cases against KSU students involving allegations of academic and disciplinary misconduct.
 - 3) Department of Student Involvement: This department is responsible for informing all student organizations and current student leaders and advisors about related requirements and acknowledgements of *KSU AOD Policy* and related procedures. Violation of this policy by any student organization or student leaders associated with student organizations must be reported to the Department of Student Involvement as soon as possible, preferably within 24 hours of the alleged violation. The Department of Student Involvement sends reports to *Student Conduct and Academic Integrity (SCAI)* for possible disciplinary action.
 - v. Alcohol Tobacco and Other Drug (ATOD) Education and Prevention Coalition: The coalition is a cross-functional team of faculty, staff, students, administrators, and community members. The coalition is responsible for championing educational and policy initiatives in service to the University and surrounding community.
 - vi. Department of Public Safety and University Police (DPS): DPS is responsible for responding to reports to the department of alcohol and other drug use on University property or at affiliated locations. The DPS also communicates any report of alcohol and other drug use
 - 1) by KSU students or student organizations, whether at an activity or on an individual basis, to the dean of Students or his/her designee, who is responsible for referring the report and alleged violation to SCAI for appropriate adjudication, according to established University non-academic disciplinary procedures.
 - 2) by KSU employees, to Human Resources to determine and coordinate any necessary resolution for the alleged violation.

7. Associated Policies/Regulations

- a. BOR Policy Manual, Section 4.6.4, Alcohol and Drugs on Campus
- b. BOR Policy Manual, Section 8.2.18, Voluntary Disclosure of Drug
- c. BOR Policy Manual, Section 8.3.91, Grounds for Removal
- d. U.S. Department of Labor, Drug-Free Workplace Act of 1988
- e. KSU Division of Student Affairs Commonly Visited Policies and Procedures
- f. KSU Drug Testing Policy
- g. KSU Employee Handbook

- h. KSU Game Day: Tailgating General Rules
- i. KSU Parental Notification Policy: Drug and Alcohol Violations
- j. KSU Student Code of Conduct, Section 5: The Codes of Conduct (the Rules), A. Student Conduct, Sections 34. Alcohol, 35. Drugs, 36. Prescription Medication.
- k. KSU Student Code of Conduct, Section 5: The Codes of Conduct (the Rules), B. Residential Code of Conduct, Sections 1. Alcohol and 2. Drugs.
- l. KSU Student Handbook
- m. NCAA Drug Policies Brochure: For Your Health and Safety
- n. NCAA Understanding the NCAA's Drug Testing Policies
- o. Official Code of Georgia Annotated (O.C.G.A.) Title 3. Alcoholic Beverages, Chapter 1 General Provisions, Article 2. Definitions (O.C.G.A. § 3-1-2)
- p. Official Code of Georgia Annotated (O.C.G.A.) Title 3. Alcoholic Beverages, Chapter 2 State Administration and Enforcement, Article 2. Enforcement, Section 36 Arrest and prosecution of violators of title (O.C.G.A. § 3-2-36)
- q. Official Code of Georgia Annotated (O.C.G.A.) Title 3. Alcoholic Beverages, Chapter 3 Regulation of Alcoholic Beverages Generally, Article 2. Prohibited Acts, Section 21. Sales of alcoholic beverages near churches, school buildings, or other sites (O.C.G.A. § 3-3-21)
- r. Official Code of Georgia Annotated (O.C.G.A.) Title 3. Alcoholic Beverages, Chapter 3 Regulation of Alcoholic Beverages Generally, Article 2. Prohibited Acts, Section 22. Sale or furnishing of alcoholic beverages to intoxicated persons (O.C.G.A. § 3-3-22)
- s. Official Code of Georgia Annotated (O.C.G.A.) Title 3. Alcoholic Beverages, Chapter 3 Regulation of Alcoholic Beverages Generally, Article 2. Prohibited Acts, Section 23. Furnishing to, purchase of, or possession by persons under 21 years of age... (O.C.G.A. § 3-3-23)
- t. Official Code of Georgia Annotated (O.C.G.A.) Title 3. Alcoholic Beverages, Chapter 3 Regulation of Alcoholic Beverages Generally, Article 2. Prohibited Acts, Section 23.1 Procedure and penalties upon violation of Code Section 3-3-23 (O.C.G.A. § 3-3-23.1)
- u. Title IV – 21st Century Schools, Part A - Safe and Drug-Free Schools and Communities
- v. U.S. Code of Federal Regulations (CFR), Title 34, Subtitle A, Chapter 1, § 86, Drug and Alcohol Abuse Prevention
- w. U.S. Code of Federal Regulations (CFR), Title 41, Subtitle IV, Chapter 81, § 8102 - Drug-free workplace requirements for Federal contractors
- x. U.S. Department of Education, Office of Safe and Drug-Free Schools, Higher Education Center for Alcohol and Other Drug Abuse and Violence Preventions, *Complying with the Drug-Free Schools and Campus Regulations [EDGAR Part 86], A Guide for College Administrators*, Washington, D.C., 2006

8. Procedures Associated with this Policy

- a. USG Human Resources Administrative Practice Manual: Safety & Security, Drug Testing
- b. KSU Center for Health Promotion and Wellness
- c. KSU Center for Young Adult Addition and Recovery
- d. KSU Employee Assistance Program (EAP)
- e. KSU Alcohol Tobacco and Other Drug (ATOD) Education and Prevention Coalition
- f. KSU Division of Student Affairs Commonly Visited Policies and Procedures
- g. KSU University Events Alcohol Procedures

9. Forms Associated with this Policy

- a. KSU University Events Alcohol Authorization Form

10. Violations

Faculty, staff, students, visitors, and third parties are expected to adhere to the policies of the University and observe the basic standards of good conduct; meet appropriate standards of performance; and observe all local, state and federal laws relative to unlawful use of illicit drugs and alcohol. Penalties for violations of these standards range from warnings and probation to expulsion, loss of academic credit, suspension, temporary or permanent suspension and withdrawal of organization recognition, referral to the legal system for prosecution, demotion, and termination of employment. Individuals in violation of this policy are subject to a range of sanctions, including but not limited to, disciplinary action and dismissal from the University as follows:

- a. Any faculty or staff member, administrator, or other employee who violates the *KSU Alcohol and Other Drug Policy* shall be subject to disciplinary action up to and including the possibility of dismissal and referral to the appropriate federal, state, or local authorities for prosecution.
- b. Any student or student organization that violates the *KSU Alcohol and Other Drug Policy* shall be subject to disciplinary action in accordance with the *KSU Student Code of Conduct* up to and including educational sanctions, possible loss of on-campus housing, suspension and/or expulsion from the University, and referral to the appropriate federal, state, or local authorities for prosecution in the courts. Any student organization shall be subject to disciplinary action up to and including educational sanctions, suspension and/or revocation of its registration with Student Involvement, and referral to the appropriate federal, state, or local authorities for prosecution.
- c. Any student who is a member of a University athletic team may face additional sanctions when there is an alcohol or other drug (AOD) violation, in addition to any criminal prosecution or University *Student Code of Conduct* sanction, based on rules established by the National Collegiate Athletic Association (NCAA), athletics department, and/or the team.
- d. Any visitor or third party who is visiting, working, or attending activities and events on University property or at affiliated locations and who violates the *KSU Alcohol and Other Drug Policy* shall be subject to disciplinary action that could include being charged with criminal trespass from the University and/or referral to the appropriate federal, state, or local authorities for prosecution. Student and employee hosts of visitors and/or third parties may also be held responsible for the actions of their guests while involved in University activities.

Additional information and detailed sanctions are defined in the *KSU Student Handbook*, *KSU Student Code of Conduct*, *BOR Policy Manual*, and *KSU Employee Handbook* (see above *Section 7. Associated Policies/Regulations* and *Section 8. Procedures Associated*; and below *Section 12. Appendix for additional information*).

11. Review Schedule

This policy is reviewed annually by the vice president for Student Affairs, the associate vice president and dean of students, the assistant vice president of Human Resources, and the director of University Events and/or their designee(s); as well as the Alcohol, Tobacco, and Other Drug (ATOD) Education and Prevention Coalition.

12. Appendix

While *Section 7. Associated Policies/Regulations* and *Section 8. Procedures Associated* included above provide links to detailed information and resources related to this policy, the following summary information is provided to avoid overlooking any aspect of communicating to the campus constituency regarding state laws and regulations, as well as the provisions of the *Drug-Free Schools and Communities Act (DFSCA) 1989 amendments*, as articulated in the *Education Department General Administrative Regulations (EDGAR) Part (§) 86, Drug Free Schools and Campuses Regulations* and the U.S. Department of Labor *Drug-Free Workplace Act of 1988*.

- a. National Institute of Health (NIH), National Institute of Alcohol Abuse and Alcoholism, Alcohol Facts and Statistics:

This link provides additional details on the statistics quoted in Section 2.

- b. KSU Alcohol and Other Drug Education and Assistance Programs

Several campus offices provide assistance and/or act as a referring agency for the University and to provide AOD education and assistance to students and employees. These include, but are not limited to, the following:

- 1) Alcohol, Tobacco and Other Drug (ATOD) Education and Prevention Coalition
This University coalition is composed of students, alumni, faculty, and staff representing diverse constituencies from across the University and external members of the community. The coalition provides many ATOD services, including assistance in writing ATOD campus policies, conducting research and grant writing, assessing environmental issues, and establishing ATOD educational programs. The coalition also coordinates, plans, assesses, and educates the internal and external communities about ATOD-related issues.

Contact Information:

ATOD Education and Prevention Coalitions

Phone: 470-578-2538

Email: recovery@kennesaw.edu

- 2) Counseling and Psychological Services (CPS)
CPS has professional counselors available to work with students who have mental health problems and issues associated with alcohol and/or drug misuse. CPS has counselors who are designated substance use specialists and have been certified in Prime for Life.

Contact Information:

Counseling and Psychological Services (CPS)

Phone: (470) 578-6600

Email: jgunn@kennesaw.edu

3) Center for Young Adult Addiction and Recovery (CYAAR)

The CYAAR has licensed professional counselors who specialize in addiction education, prevention, counseling, and recovery. The CYAAR provides a centralized office for ATOD education and addiction prevention programs through outreach to high-risk populations, invitation by faculty and staff, and through individual counseling. The counselors specializing in substance use and addiction teach alcohol and other drug classes for students found responsible for alcohol and/or other drug-related code of conduct violations as mandated by the Department of Student Conduct and Academic Integrity. CPS and the CYARR also perform in-house evaluations for alcohol and drug use. The CYAAR maintains a list of referral agencies for off-campus assistance when such assistance is more appropriate. CPS and CYAAR services are available to all enrolled students.

The CYAAR is home to multiple on-campus 12-step meetings per week, weekly Al-Anon meetings, and a Celebration Recovery meeting where students in recovery share their story with others. The CYAAR has developed an education workshop, Trends in Addiction, Abuse, Use, and Treatment, which has been presented in multiple major settings and has trained peer educators to present about ATOD issues to a variety of classes. The CYAAR educates and trains ATOD peer educators who in turn present to the general campus population upon request.

Contact Information:

Center for Young Adult Addiction and Recovery (CYAAR)

Phone: (470) 578-2538

Email: recovery@kennesaw.edu

4) Human Resources and Administrative Services (HR)

HR coordinates all employee-related action related to AOD violations. The Drug-Free Workplace coordinator is the assistant vice president of Human Resources. For more information on the Employee Assistance Programs (EAP) relating to drug and alcohol, a link is provided in *Section 8. Procedures Associated with this Policy*.

5) Center for Health Promotion and Wellness

The Center for Health Promotion and Wellness improves the health and well-being of students and employees through awareness and education. The center encourages students and employees to assume more responsibility for their health and well-being. The center's primary goal is to enhance and provide a balance in the intellectual, emotional, physical, social, environmental, and spiritual development of the whole person. The center also strives to provide an environment that is supportive of positive health practices. Programming focuses on helping students and employees reduce lifestyle risk factors. The Center for Health Promotion and

Wellness participates each year in *National Collegiate Alcohol Awareness Week* in October, sponsoring many interactive programs designed to educate students, faculty, and staff on issues associated with alcohol use and misuse. The center also has received *Young Adult Program* grants from the Georgia Governor's Office of Highway Safety since 2008. This grant is used to promote education and awareness to young adults about safety issues, such as but not limited to, underage drinking, impaired driving, destructive decisions, and other high-risk behaviors to decrease crashes, injuries, and fatalities in young adult drivers and passengers.

Contact Information:

Center for Health Promotion and Wellness
Phone: (470) 578-6394
Email: wellctr@kennesaw.edu

6) Student Health Services (WellStar)

Student Health Services has multiple locations to serve student health needs. Alcohol and/or drug use is inquired about individually during most patient visits. Individual consultation regarding use of alcohol and drugs is done in both a preventive visit setting and in acute visits deemed to be alcohol/drug related. Referrals are made to CPS if medication management is needed. Student Health Services also refers and works closely with CPS, CYAAR, and the Center for Health Promotion and Wellness.

Contact Information:

Student Health Services (WellStar)
Phone: (470) 578-6644

7) Residence Life

Residence Life has multiple locations across the various residential communities. It provides ATOD education to residential students on a continuing basis throughout the year through programs presented in both small and large group settings. Residence Life staff also actively monitor the KSU residential communities.

Contact Information:

Residence Life
Phone (470) 578-4388
Email: reslife@kennesaw.edu

c. State Regulations

State regulations incorporated in this KSU policy regarding the use, sale, or possession of intoxicating beverages are listed with links to the full Official Code of Georgia Annotated (O.C.G.A.) in *Section 7. Associated Policies/ Regulations*. Summaries of these regulations include, but are not limited, to the following:

1. O.C.G.A. § 3-1-2: Defines "alcoholic beverages" to mean all alcohol, distilled spirits, beer, malt beverages, wine, or fortified wine.

2. O.C.G.A. § 3-2-36: Provides for criminal process against any person who violates the law in counties and municipalities where the sale of alcoholic beverages is not authorized or where alcoholic beverages are being sold contrary to law.
3. O.C.G.A. § 3-3-21: Provides that no person knowingly or intentionally may sell or offer to sell any wine or malt beverages within 100 yards of any school building, school grounds, or college campus. Provides further that distilled spirits may not be sold within 200 yards of a school building, educational building, school grounds, or college campus.
4. O.C.G.A. § 3-3-22: States that no alcoholic beverage shall be sold, bartered, exchanged, given, provided, or furnished to any person who is in a state of noticeable intoxication.
5. O.C.G.A. § 3-3-23: Prohibits the furnishing to, purchasing of, or possession of alcoholic beverages by persons under 21 years of age.
6. O.C.G.A. § 3-3-23.1: Provides that any person furnishing or possessing alcoholic beverages in violation of the previous Code Section shall be guilty of a misdemeanor. Establishes procedures for arrest by law enforcement officers.