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SR-89-90-123 (SCW/FPC)

Marshall University

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STUDENT CONDUCT AND WELFARE COMMITTEE &
FACULTY PERSONNEL COMMITTEE

Recommendation

SR-89-90-123 (SCW/FPC)

That the attached Substance Abuse Policy be adopted as an official policy of the University.

FACULTY SENATE PRESIDENT:

APPROVED BY SENATE: Kathryn O'Leary DATE: 5/17/90

DISAPPROVED BY SENATE: _____ DATE: _____

UNIVERSITY PRESIDENT:

APPROVED: David Fitzgerald DATE: 6/12/90

DISAPPROVED: _____ DATE: _____

COMMENTS:

SR-89-90-123 (SCW/FPC)

MARSHALL UNIVERSITY
SUBSTANCE USE AND ABUSE POLICY

I. INTRODUCTION

The purpose of this policy is to serve as a guide for the campus community in the use and abuse of controlled substances. Alcohol abuse or the use of illegal drugs is incompatible with the educational mission of Marshall University. The role of the university in pursuit, creation, and dissemination of knowledge requires that all members of the university community function at their optimal level. The illegal use or abuse of drugs and/or alcohol has a clear and adverse effect on the educational environment. Accordingly, Marshall University is committed to promoting the responsible use of alcohol and preventing the use of illegal drugs.

Consistent with its mission, Marshall University will utilize educational strategies as the primary approach to substance abuse. However, all members of the university community should know that any violations of local, state, or federal laws will be subject to prosecution to the fullest extent of the law and of university policy.

Those persons who are currently involved in the abuse of alcohol or the use of illegal drugs and who seek assistance in overcoming these addictions through a viable and recognized treatment program will be supported in these efforts.

II. DEFINITIONS

Alcoholic beverages includes those beverages defined under the State of West Virginia Code, Section 60-7-12a as nonintoxicating beer, and under 60-8-20a as wine and other alcoholic liquors. In plain language this means beer, wine, wine coolers, and all other liquors.

Illegal drugs include those substances defined under Schedule I of the West Virginia Uniform Controlled Substances Act (60A-2-204). These include any opiates, opiate derivatives, and hallucinogenics such as marijuana and LSD. Also included are substances listed under Schedule II of the act which includes substances with a high potential for abuse but which may have a recognized medical use.

III. ALCOHOL

West Virginia state law prohibits the purchase of alcoholic beverages by persons under the age of 21, and also prohibits any person not related by blood or marriage from providing alcoholic beverages to persons under age 21. In order to stand consistent with this statute the university is compelled to carefully monitor and control the use of legal alcoholic beverages on campus or by organizations under the support of Marshall University. All

organizations affiliated with the university must take positive action to insure that minors are not served alcohol.

Many campus based constituencies include persons who are legally able to purchase and consume alcoholic beverages. These include faculty, staff, students, alumni, visitors to campus, community groups, conference or workshop participants, or others here for purposes related to university functions. For these groups the responsible use of alcohol must be the guiding principle.

State law also prevents the sale and consumption of alcoholic beverages on campus, except in specifically designated (1) locations. For this reason and others many campus affiliated organizations choose to hold social functions at off-campus locations. Again, for these organizations positive actions must be taken to promote the responsible use of alcohol. These actions are required:

- * Positive actions to insure that no persons under age 21 are served alcoholic beverages.
- * No social event shall include any form of "drinking game".
- * Alcohol should not be used as an inducement to participate in a campus event. Promotional materials for any event shall not make references to the amount of alcoholic beverages (such as number of kegs) available.
- * Direct access to alcoholic beverages should be limited to those persons designated as servers.
- * Alternative non-alcoholic beverages must be available.
- * Food as well as drink must be served.
- * Early cut-off of drinks must be observed, preferably one hour prior to the end of the event.
- * No alcohol should be served to those persons obviously intoxicated.

(1) Alcoholic beverages (beer and wine coolers) may be legally sold and consumed with the approval of the President in designated and licensed areas of the Marshall University campus. Beer only may be consumed in the residence halls by residents and guests age 21 or older in sleeping quarters only in areas so designated by the Housing Office and the Office of Residence Life. Private residences on campus property, such as apartments within the residence halls and at the Married Student Housing unit, are not subject to these limitations.

IV. ILLEGAL DRUGS

Consistent with its educational mission, the university will utilize educational strategies as the primary activity aimed at preventing drug abuse and the use of illegal drugs. A strong program focusing on drug abuse will be conducted with the intent of informing all members of the university community of the resources available to help resolve abuse problems. Those members of the university community who voluntarily seek assistance for abuse concerns or drug addiction through a recognized treatment program, either through the services of Marshall University or through

community resources, will be assured that applicable standards of confidentiality will be maintained. Students who voluntarily seek such treatment may be eligible for a medical withdrawal from the university without academic penalty.

Members of the Marshall University community are responsible for knowing and complying with provisions of West Virginia law that define as crimes the possession, sale, delivery, or manufacture of those drugs known as "controlled substances". Any member of the University community who violates that law is subject both to prosecution and punishment by civil authorities and by the University.

Sanctions will be imposed by the University consistent with procedural safeguards applicable to disciplinary actions against the involved parties. Penalties imposed may range from written warnings with probationary status to expulsions from enrollment and termination of employment.

V. GOVERNING POLICIES FOR SPECIFIC COMMUNITIES

Students

The Marshall University Student Code of Conduct, as administered by the University Judicial System, governs the procedures to be followed in case of violation of this policy by enrolled students.

Faculty

Violations of university policy and/or state laws committed by members of the University faculty shall be adjudicated within the guidelines of WV BOR Policy Bulletin 36.

Staff and Administrative personnel

Violations of university policy and/or state laws committed by members of the university staff or administration shall be subject to sanctions as outlined above. Procedures for adjudicating such violations shall be consistent with WV BOR Policy Bulletin 52, and the Classified Employees Handbook, Section 10.

Alumni, Other Groups

Alumni of the university, when gathered at a university sponsored, sanctioned, organized, or affiliated event should be subject to the same standards of behavior as students and staff of the institution. The university will make every effort to insure compliance with these guidelines. Affiliated groups, including visitors to campus, participants in seminars on campus, camp or conference participants, or other persons benefiting from university affairs or services will also be expected to conform to these standards.

July, 1989