

**Xavier University**  
**Alcohol and Other Drugs Policy**  
Revised August 2011

# Table of Contents

<b>Drug Free Schools and Communities Act.....</b>	<b>1</b>
<b>Purpose.....</b>	<b>1</b>
<b>State and Local Laws.....</b>	<b>2</b>
<b>University Policies.....</b>	<b>2</b>
<b>Authorization of University Events Where Alcohol is Served.....</b>	<b>2</b>
<b>General Guidelines.....</b>	<b>3</b>
<b>University Liquor License.....</b>	<b>4</b>
<b>Open Container Laws.....</b>	<b>5</b>
<b>Alcohol Marketing.....</b>	<b>5</b>
<b>Alcohol Purchasing.....</b>	<b>7</b>
<b>Alcohol Sales.....</b>	<b>7</b>
<b>Implementation of Student Events and Activities Where Alcohol is Available.....</b>	<b>7</b>
<b>Student Travel.....</b>	<b>9</b>
<b>Campus Dining.....</b>	<b>9</b>
<b>University-Owned Housing.....</b>	<b>9</b>
<b>Other University-Owned Property.....</b>	<b>10</b>
<b>Non-University-Owned Property.....</b>	<b>10</b>
<b>Possible Interventions for Violations of the Alcohol and Other Drug (AOD) Policy.....</b>	<b>10</b>
<b>Medical Amnesty.....</b>	<b>12</b>
<b>Anonymous Reporting Line.....</b>	<b>12</b>
<b>Policy Review and Changes.....</b>	<b>12</b>
<b>Appendix A(When is a Liquor Permit Needed).....</b>	<b>13</b>
<b>Appendix B(Checklist for Advisors).....</b>	<b>13</b>
<b>Appendix C(Guidelines for Promoting Responsible Alcohol Use).....</b>	<b>14</b>
<b>Appendix D(Definitions of Terms).....</b>	<b>15</b>

# **Xavier University**

## **Alcohol and Other Drugs Policy**

Revised August 2011

### **Preface**

#### ***DRUG-FREE SCHOOLS AND COMMUNITIES ACT OF 1989***

The Congress of the United States has established legislation that requires educational institutions to provide information to students and employees regarding illicit drugs and alcohol abuse. This legislation is commonly referred to as the Drug-Free Schools and Communities Act of 1989. Colleges and universities are asked to certify that they attempt to prevent the unlawful possession, use, and/or distribution of drugs and alcohol by students and employees.

Xavier University is committed to upholding local, state, and federal laws pertaining to the use of alcohol, illegal drugs, and the misuse/abuse of prescription drugs. Policies pertaining to substance use/abuse regarding registered students at Xavier are found in a detailed alcohol policy that can be located on the University portal and in the Student Handbook. This document addresses broader policies and guidelines pertaining to every member of the Xavier University community.

A goal of the University is to educate the Xavier community about the effects of alcohol use, misuse or abuse and the legal liability of persons who use, serve, or supply alcoholic beverages. The University provides this policy to promote the responsible and legal use of alcoholic beverages. All forms of illegal substances are prohibited.

### **Purpose**

The purpose of the University's Alcohol and Other Drugs Policy is to promote the legal and responsible use of alcohol and other drugs of abuse/misuse; to ensure compliance with state and federal laws and regulations which pertain to the University; to preserve a social environment conducive to learning and healthy living; and to promote the education of students and employees regarding alcohol and other drugs.

Students and employees who would like to receive additional information or confidential assistance may contact Health Services, Counseling Services, Psychological Services, the Division of Student Life and Leadership, or the Employee Assistance Program.

Xavier University forbids the unlawful use, possession, distribution or sale of drugs or alcohol by a student or employee anywhere on University property. Students/employees in violation of state, federal, or other local regulations with respect to illegal drugs or alcohol may be subject to University conduct procedures and/or criminal/civil prosecution.

Policies in regard to student alcohol and substance abuse can be found in the Student Handbook. Conduct procedures are in accordance with the Code of Student Conduct and University conduct processes. Employees are subject to the University Policies and Procedures in the Employee Handbook.

## **State and Local Laws**

The University will uphold the laws instituted by the State of Ohio regarding alcohol and other drugs. The current law makes it illegal for anyone under the age of 21 to order, pay for, share the cost of, attempt to purchase, possess, or consume beer, wine, or intoxicating liquor. Further, it is against the law to furnish false information as to name, age, or other identification. Additionally, it is illegal to provide, furnish, host, share or sell alcohol to any person under the age of 21. State law indicates a possible penalty of a first degree misdemeanor and fines of up to \$1,000 and/or imprisonment up to six months for underage consumption or false identification.

Possession of an alcoholic beverage in an open container carries a minimum fine of \$150 in both the City of Cincinnati and the City of Norwood.

## **University Policies**

The unlawful possession, use, consumption or distribution of drugs and/or alcohol by students or employees on university property or as a part of any university activity is prohibited. Violators will be prosecuted in accordance with applicable laws and ordinances and may also be subject as well to conduct procedures by the university, in conformance with the Xavier University Student Handbook for students and the University Policy and Procedure Manual for employees. Sanctions for violations may include suspension, and/or termination/dismissal, as well as compulsory attendance at drug/alcohol education programs or other appropriate disciplinary measures.

## **Authorization of University Events Where Alcohol is Served**

University Events include any events that are sponsored by Xavier University, both on and off-campus, either with University dollars or through the use of the Xavier University name. This Alcohol Policy addresses the following types of events and requires authorization for alcohol to be served at these events with the following stipulations:

***University-Sponsored Events and Activities*** - events or activities sponsored by Xavier non-student organizations, divisions, departments, and offices.

1. The decision to serve alcohol at a University-Sponsored event or activity will be at the sole discretion of the Dean of Students or the division-head to which the organizing body reports.
2. Consideration should be given to the primary audience attending the event or activity. For example, if the majority of participants are currently enrolled Xavier students, many of whom may be under the legal drinking age of 21, it would be considered prudent to not serve alcohol at the event. This should include consideration of the location of the event and whether or not it is taking place within an area which is highly travelled by students under the age of 21.
3. Trained servers will be used for the distribution and sale of alcohol in on-campus venues.

***Student Events and Activities*** - events or activities sponsored by student clubs, organizations, and departments or offices where the primary focus is programming for and with students.

1. The decision to serve alcohol at a Student event or activity will be at the sole discretion of the Dean of Students, or designee.
2. Where the majority of attendees at an event or activity are under the legal drinking age of 21, no alcohol will be served.
3. Trained servers will be used for the distribution and sale of alcohol in on-campus venues.

If there are questions related to a University-event, the final authority lies with the division head of the sponsoring office, department, division, or organization, or the President of the University.

***Non-University Event and Activities (e.g., Space Rentals for Weddings, Conferences, Productions, and Meetings)***

1. When a contractual agreement has been negotiated for the use of University space by a non-University entity, the authority to distribute or serve alcohol lies with the University representative responsible for negotiating the contract with the outside entity.
2. Trained servers (usually employees of Campus Dining Services) will be used for the distribution and sale of alcohol.
3. For non-University events and activities, Ohio State laws pertaining to the distribution and sale of alcohol will be enforced.
4. The holder of the liquor license (Campus Dining Services) will be responsible for adhering to Ohio State law and these procedures.

**General Guidelines**

All events where alcohol is sold, served, or consumed must comply with the General Guidelines and the appropriate categories of the implementation section of this policy.

1. Only beer and wine can be made available to students at University-sponsored events with the approval from the Dean of Students, or designee.
2. The consumption of alcoholic beverages may not be the focal point of any social function; other entertainment must be primarily intended and provided.
3. Advertising of any event must not reflect alcohol as the “ultimate reason” for being scheduled and terms connotating drinking to excess shall be deleted from all advertising. This includes references to alcohol in the title of an event. Drink specials are prohibited, as advertising of this nature may lure patrons to consume alcohol in excessive quantities (e.g., 2 for 1 or reduced alcoholic beverage prices for specific events). Exceptions to the advertising guidelines for use in alcohol education programs must be approved by the Dean of Students, or designee.
4. There will be no alcohol sold, served, or consumed at Xavier University sponsored events where students are present unless there is a reasonable method for enforcing the legal drinking laws of Ohio. Reasonable systems may include, but are not limited to, any or a combination of the following: wrist-bands; hand stamps; corralling; limitation of guests to those over the legal drinking age of 21; strict checking of identification by Xavier Police or non-student personnel at all entry, purchase, and service points; hiring of Xavier police; and personal knowledge by the server of a person’s age status.  
NOTE: Exceptions to this guideline is for Ryan’s Pub, Currito, and Cintas Center Concessions. In those instances, identification is required at purchase points only.
5. Any organization, University division, department, or office involved in the distribution of alcohol has the responsibility to employ reasonable measures to prevent attendees from being overly intoxicated. These measures include the organizing unit and the servers taking the responsibility to refuse alcoholic beverage service to anyone who is, or appears to be blatantly intoxicated or whose

behavior is deemed inappropriate due to over-consumption. Any organizing unit, which knowingly ignores this policy, will forfeit the right to distribute alcohol at future events.

6. Alcoholic beverages must be purchased in the State of Ohio according to State Law. Alcohol cannot be purchased retail by an organization and resold to the public. This is a violation of Ohio Liquor Control laws.
7. Any individual who reports to any University activity (work, class, event, operating equipment) while intoxicated will be subject to conduct procedures in accordance with his/her University classification.
8. Individuals who attend events are responsible for their own actions and the actions of their guests. This includes financial liability for any personal or Physical Plant damage that occurs as a result of such actions. Behavior that infringes, in any way, upon the rights of others will not be excused because of behavior resulting from imprudent use of alcohol. The use of alcohol or other substances will not be excuse for harassment, sexual misconduct, or any inappropriate behavior. Any such behavior will be considered a violation of the Xavier University Alcohol and Other Drug Policy and will be dealt with as such.
9. All alcohol servers may further request proof of age. Those attending or sponsoring social events on-campus or off-campus are prohibited from furnishing their own alcohol. Those found having personal beverages or alcohol containers in their possession will be asked to dispose of the alcohol and leave the event, and containers may be confiscated.
10. Participation in alcohol drinking games is prohibited and a violation of University policy. Examples of drinking games include but are not limited to the following: beer pong, flip cup, caps, kings, jenga, quarters, or other games where binge drinking is encouraged.
11. Any instrument, vessel, or device (e.g., bong, pipe, rolling papers, etc. - this list is illustrative not exhaustive) used to consume alcohol or illegal substances in the commission of a policy violation or state law is considered contraband and is prohibited. Such items will be confiscated and conduct charges may be levied.
12. Xavier University expects that all students make healthy choices to drink legally and responsibly. Emergency procedures have been put into place that empower students to be caring citizens and seek help when they or a fellow student needs medical attention after consuming excessive amounts of alcohol or drugs. Since these emergencies are potentially life threatening, Xavier seeks to reduce barriers that would prevent students from seeking emergency medical assistance. For more information about Xavier's Medical Assistance Program (X-MAP), go to [www.xavier.edu/prevention-wellness](http://www.xavier.edu/prevention-wellness) or see the student handbook.
13. Tailgating is not permissible in any University parking lot or grounds.
14. These Guidelines apply to all individuals attending University-sponsored events whether the venue is on-campus or off-campus.

### **University Liquor License**

The liquor license most often used for the distribution and sale of alcohol at University, Student, and Non-University events and activities is held by Campus Dining Services. Student groups must use this liquor license for any and all events.

A non-profit organization with ten or more members may qualify for a temporary liquor permit. A temporary permit may also be issued to an employer of ten or more persons for a function for employees and their families, off the business property or on the business property, if beer, wine, or

liquor is sold. A permit may be issued for use at a social, recreational, charitable, fraternal, political, patriotic, or athletic function. A permit is required if a qualified organization intends to sell beer, wine, or liquor by the drink.

There are two types of temporary permits available through the Ohio Department of Liquor Control – the “F” Permit” (beer), or “F-2” Permit” (beer, wine, and/or spirituous liquor). Application for these permits must be filed a minimum of thirty (30) days prior to the event.

A licensed alcoholic beverage distributor must supply the alcohol for the event and this distributor’s name and address must be included on the F-Permit. In most instances, trained personnel from Xavier’s food service provider will check identification and serve beverages for all events where alcohol is available as it holds the liquor permit for the University.

Events requiring a temporary “F” or “F-2” permit are listed in Appendix A.

### **Open Container Laws**

Xavier University will embrace and comply with the local and state statutes prohibiting the possession of an open container of intoxicating beverage on University property and at off-campus event venues where there is no local police presence.

In any University-sponsored event where Xavier Police is present, open containers may or may not be permitted within a designated area.

### **Alcohol Marketing**

1. Entertainment or education (e.g. an art exhibit) must be the intended focus of an event. The promotion of alcohol must not encourage any form of alcohol abuse nor place emphasis on quantity and frequency of use.
2. Advertising for events that include alcohol must avoid demeaning, sexual, or discriminatory portrayals of individuals.
3. The liquor permit holder may not give away alcohol in conjunction with a University-sponsored event. There will be no discount for multiple purchases of alcoholic beverages at an on-campus or off-campus event. Only the sales of individual servings are permitted (e.g., no “all you can drink” sales are permitted).
4. No sampling of alcohol as part of campus marketing programs will be permitted with the exception of an educational, controlled, wine tasting event with all participants over the age of 21.
5. No sampling or other promotional activities will include drinking contests.
6. Alcohol marketers may support campus alcohol education programs. The extent of this involvement will be determined by the appropriate University official and must be approved by the Dean of Students, or designee.
7. Alcohol advertising on-campus or in institutional media, including that which promotes events as well as product advertising, must not portray drinking alcohol as a solution to personal or academic problems of students or as necessary to social, sexual, academic, or career success.

8. Advertising and other promotional campus activities must not associate alcohol consumption with the performance of tasks that require skilled reactions such as the operation of motor vehicles or machinery.
9. Advertising that is under the auspices of Xavier University (including ads, program co-sponsorships, and give-aways) must conform to the following rules:
  - a. Only beer and wine products can be advertised.
  - b. Only the logo of a particular company or product can be used. No pictures or renditions of beverage containers (i.e., beer mugs, shot glasses, beer glasses, kegs, barrels, beer balls, etc.) are permitted nor can they be given as favors, souvenirs, or prizes at a University event or activity.
  - c. The primary focus of an event cannot be alcohol (being served or the perception of it being served). There must be another (primary) reason why students, and guests to the campus, would attend the event.
  - d. The word “beer” or “wine” can be placed on promotions when it will be offered. The typeface may not be larger or different than that used for words such as “pop” or “soda” or “food” and the alcoholic beverage may not be the first offering listed. Promotional materials must also indicate that alternative beverages and food will be offered.
  - e. The word “tailgating” (or its various forms) may not be used in promotion or advertising for any Xavier event.
  - f. An advertising promotional spot that is connected with a Xavier University student activity in any form or media (electronic, TV, radio, print, or other media) must include a message about the responsible use of alcohol. Examples are:
    - You must be 21 to consume alcoholic beverages
    - Don’t Drink and Drive!
    - Because You’re Part of a Community That Cares...Keep Alcohol Use Safe and Responsible
    - Friends Don’t Allow Friends To Drive Drunk...Appoint a Designated Driver
  - g. Promotional materials for University events and/or publications of any kind which exclude these themes are not acceptable under the provisions of these Procedures. As the University official responsible for the Alcohol and Other Drugs Policy, the Dean of Students may be consulted about events and activities where alcohol will be served (University events/activities as well as student events/activities).

An example of an appropriate promotional effort would be:

Comedy Night 10:00 p.m. to 12:00 a.m. Free Pop and Snacks Beer Available for purchase with valid ID \$2 admission at the Door Sponsored by SAC and BSA Because You’re part of a Community that Cares... Keep Alcohol Use Safe and Responsible
--

### **Alcohol Purchasing**

1. Alcoholic beverages must be purchased in the State of Ohio according to State Law.
2. Alcohol cannot be purchased from a retail organization and sold to the public.
3. The procedure for purchasing alcohol for events on-campus is as follows:
  - a. Campus Dining Services must be the provider of alcoholic beverages at events held in locations covered by the University's liquor license.
  - b. For events held in locations other than those covered by the University liquor license(s) the sponsoring person or organization may use other resources for purchasing. However, if alcohol is to be sold, the sponsoring organization must obtain the proper temporary permit for the type of alcohol to be sold, from the State of Ohio. Applications for these permits may be obtained from Xavier Police.

Refer to Appendix A for detailed information to apply for a temporary permit.

### **Alcohol Sales**

1. There will be a minimum charge of \$2.00 per serving of beer or wine.
2. Maximum serving sizes are twelve (12) ounces for beer and six (6) ounces for wine.
3. Student event proceeds from the sale of alcohol beyond the cost of purchasing the alcohol will be donated to Xavier University Alcohol and Other Drug education and prevention efforts.
4. Alcoholic beverages must be served in a transparent or translucent non-breakable cup.
5. A maximum of two servings of alcoholic beverages at a time per person will be offered for sale, with legal ID.
6. Servers of the alcoholic beverages are prohibited from drinking during the event.
7. Standard "21" warning signs must be posted behind all serving areas.
8. At an on-campus function at which alcohol is sold, the sponsors, advisors, and Xavier Police will prevent those without valid proof of their legal age from purchasing and/or consuming alcoholic beverages and will not allow alcohol to be removed from or brought into the function location, or corralled area if a combination of students who are under 21 and of-age students are in attendance at the function.
9. Open kegs must be emptied and the contents discarded at the end of the event. The contents cannot be distributed/sold to an organization/individual(s) for personal use.
10. All events, activities, or meetings sponsored by student organizations must end by 1:00 a.m. unless otherwise approved by the Dean of Students, or designee. The bar may begin serving only after the function has begun and must stop serving no later than one-half hour before the scheduled end of the function or 12:30 a.m. whichever is sooner, unless specifically exempted by the Dean of Students, or designee. Under no circumstances will alcohol be served after 12:30 a.m. or the designated half-hour prior to the function ending if proper extensions have not been obtained from the Dean of Students, or designee. Last call will take place 15 minutes prior to when alcohol will cease being served.
11. Campus Dining is the holder of the University's liquor license for most campus locations and must be the only provider of alcoholic beverages at events and activities held in those locations.

### **Implementation of Student Events and Activities Where Alcohol is Available**

1. The Dean of Students, or designee, may authorize the service, sale, or consumption of alcoholic beverages at or by recognized Xavier student organization-sponsored events, activities, or meetings. In all cases, the following guidelines, along with the general policies

previously stated, will be followed. An organization which does not comply with any part of this Alcohol Policy will be subject to conduct procedures and may lose, or have their organization status suspended.

2. The members of the organization, the advisor, and Xavier Police are responsible for taking reasonable means to uphold the law and all University policies with respect to social functions.
3. The organization's designated advisor (or another non-student approved by the Dean of Students, or designee) must be present before, during, and after the serving of alcohol at the event, activity, or meeting.
4. Campus Dining Services must be the provider of alcoholic beverages at events held in locations covered by the University's liquor license.
5. Security will be required at on-campus events where alcohol is served or sold unless specifically exempted by the Dean of Students, or designee and the Chief of Xavier Police, or designee. Security will be required at off-campus events or activities where alcohol is served or sold and where Xavier University would have jurisdiction unless specifically exempted by the Dean of Students, or designee and the Chief of Xavier Police, or designee. The sponsoring organization will bear the cost of employing police officers for the event or activity. For an event or activity where alcohol is present, the number of police officers required will be determined by the Dean of Students, or designee and the Chief of Xavier Police, or designee.
6. At events, activities, or meetings sponsored by student organizations at which alcohol is served, the sponsors and advisor(s) of the function must adhere to the following guidelines:
  - Only beer and wine may be sold unless otherwise approved by the Dean of Students, or designee;
  - University resources can only be used to purchase wholesale alcohol to be resold at events approved by the Dean of Students, or designee;
  - All alcoholic beverages must be purchased;
  - Restrict and confiscate contraband alcohol/containers from entering into the event, activity, or meeting;
  - Alcohol cannot be removed from the event;
  - Visible intoxication may prevent entrance or participation whereas student(s) ejected or denied entrance may be subject to University conduct procedures.
  - It is the responsibility of the event organizer(s) to inform off-campus establishments of University policies regarding the serving of alcohol.
7. No consumption of alcoholic beverages will be permitted in vehicles which transport students to and from an off-campus event, activity, or meeting sponsored by Xavier University or a Xavier student club or organization.
8. When University dollars are being used to support transportation to an event where there is potential of alcohol consumption (i.e. transportation to an event, activity, or entertainment opportunities), a University representative or authorized security must be present on buses/vehicles.
9. All events, activities, or meetings sponsored by student organizations must end by 1:00 a.m. unless otherwise approved by the Dean of Students, or designee. The bar may begin serving only after the function has begun and must stop serving no later than one-half hour before the scheduled end of the function or 12:30 a.m. whichever is sooner, unless specifically exempted by the Dean of Students, or designee. Under no circumstances will

alcohol be served after 12:30 a.m. or the designated half-hour prior to the function ending if proper extensions have not been obtained from the Dean of Students, or designee. Last call will take place 15 minutes prior to when alcohol will cease being served.

10. When sponsors and/or advisors of an event, activity, or meeting at which alcohol is being served become aware that a person who is either intoxicated or disorderly or not of legal drinking age (21) is consuming or is in possession of an alcoholic beverage, they (with a Xavier Police Officer, when necessary) are required to confront the violator and take action to uphold the University's Alcohol Policy. Such action may include confiscating the alcoholic beverage, having the violator leave the function, issuing a fine, or referring the violator for University conduct procedures.

### **Student Travel**

1. All student activities and competitions held on-campus or off-campus will be considered student functions and will be covered by the guidelines in the previous section, *Implementation of Student Events and Activities where Alcohol is Available* of this Alcohol Policy with the initial approval for the sale or consumption of alcohol given by the Dean of Students, or designee.
2. Those attending, participating in, or sponsoring intramural or club sport functions are prohibited from bringing their own alcoholic beverages to those functions.

### **Campus Dining**

1. In licensed facilities, the management and staff will restrict those without proof of their age from purchasing, consuming, or possessing beer or other alcoholic beverages. Furthermore, the management will prohibit a person from entering or leaving the specified event venue with alcohol in his/her possession. During events or activities sponsored by a student organization, the guidelines listed under the section of this Alcohol Policy entitled *Implementation of Student Events and Activities where Alcohol is Available* must be followed.
2. The guidelines listed in the sections entitled *Alcohol Purchasing* and *Alcohol Sales* will apply to all food vendors unless otherwise approved by the appropriate University official (Dean of Students, or designee, division-head, or President).

### **University-Owned Housing**

1. In University-owned housing students who are of legal drinking age may possess or consume a legal alcoholic beverage in the privacy of their rooms/apartments. In the event one roommate is of legal drinking age and another is not, each must observe the law as it pertains to him/her. No alcoholic beverages are permitted in any residence hall or apartment where all residents are under the legal drinking age. If a student 21 years of age or older provides, furnishes, shares, or sells alcohol to a student under 21 years of age, both (or all) parties will be held responsible.
2. Kegs, beer balls, and other large amounts of alcohol (binge drinking: 5 or more servings per person compared with the number of people in a room) are not permitted in University-owned housing.
3. Displays of empty alcoholic beverage containers (cans, bottles, kegs, beer balls) are not permitted in University-owned housing and are considered to be acceptable evidence of consumption. This applies to containers used for decorative purposes as well (i.e., wine bottles used as vases.) This applies to all students, regardless of age.

4. Open containers of alcohol in public areas violates state law. The Dean of Students cannot authorize the consumption or possession of open alcohol containers outside of the context of a student event. :
  - o The corridors, lounges, laundry rooms, and kitchens of University-owned housing;
  - o Outside areas adjacent to University-owned housing or apartment buildings (e.g., Husman-Kuhlman courtyard area, Greenspace, Buenger Hall courtyard, Manor House courtyard, and the Village gazebo area.)
5. Alcohol consumption is permitted in University-owned housing during a private gathering where all in attendance are of legal drinking age and the number of guests does not exceed the Student Handbook regulations for visitation.
6. All residents and guests present in a room where a violation of Policy is occurring will be documented, are considered responsible for the behavior, and face conduct charges, as outlined in the Xavier University Student Handbook Complicity Statement (e.g., if underage consumption of alcohol or other illegal substances is occurring, all will be held responsible for the violation.)

### **Other University-Owned Property**

1. Open containers, kegs, beer balls and large amounts of alcohol (binge drinking: 5 or more servings per person) are not permitted in vehicles parked on University-owned property.
2. Xavier University will comply with the local, city, and state ordinances prohibiting the possession of an open container of beer or intoxicating beverage in a public area. This includes: parking lots, sidewalks, recreational facilities, and grounds all around buildings, classrooms and all common areas (i.e. hallways, lobbies, lounges, and stairwells.)

### **Non-University-Owned Property**

1. Students living off-campus in non-University-owned housing are expected to abide by the laws of the state of Ohio and the Xavier University Standards for Off-Campus Living and the Code of Student Conduct found in the Student Handbook.
2. Students living in non-University-owned property are expected to respect the rights, privacy, and property of others in the neighborhoods in which they live. Students are expected to maintain their residence in an appropriate manner (e.g. trash-free, no old or battered furniture outside, no empty beer kegs, etc.)
3. Students must ensure that music, voices, using foul language and profanity, and other noises do not disturb the normal life of the community. The permanent residents of those neighborhoods frequently have small children or are elderly requiring a quality, peaceful living environment.
4. Students can and may be liable for the actions of their guests.

### **Possible Interventions for Violations of the Alcohol and Other Drug (AOD) Policy**

In addition to possible sanctions of fines and/or imprisonment stated in the Ohio State Alcohol and Drug Laws, violators of this Alcohol and Other Drug Policy may also be subject to interventions on the part of the University. (See chart on page 11)

## First Offense

### Objective

- Provide curriculum based education geared toward increasing student's knowledge of their alcohol/substance misuse issues.

- Reduce risk for future AOD related problems.

### Program

Students will participate in a 90-minute educational group (i.e., **CHOICES** or similar program).

There is a **\$25** registration fee for all mandated students.

There are additional fees and consequences for failure to complete the program.

*\*see referral card for enrollment instructions*

## Second Offense

### Objective

-Provide brief motivational intervention that increases coping skills, knowledge and insight necessary to decrease further AOD abuse.

-Minimize severity and frequency of AOD related consequences.

### Program

Students will participate in 2 individual therapy sessions (i.e., **BASICS** or similar curriculum).

There is a **\$50** registration fee for all mandated students.

There are additional fees and consequences for failure to complete the program.

*\*see referral card for enrollment instructions*

## Third Offense

### Objective

-Provide treatment services for students who continue to show maladaptive patterns of alcohol or other drug abuse.

-Reduce maladaptive AOD abuse patterns and prevent long-term impairment.

### Program

Students will participate in 8 individual or group therapy sessions (i.e., **Alcohol Skills Training Program** or similar curriculum).

There is a **\$75** registration fee for all mandated students.

There are additional fees and consequences for failure to complete the program.

*\*see referral card for enrollment instructions*

## Fourth Offense

### Objective

-Provide an individualized therapeutic plan of care for those students' who have not responded to previous AOD interventions and continue to make harmful choices regarding alcohol or other drugs.

### Program

Students will be placed on probation and participate in a disciplinary hearing with the Dean of Students, Judicial Officer and other appropriate staff to outline the conditions of probation.

The Dean of Students is responsible for finalizing and approving the conditions of probation and determining the consequences for non-compliance.

If the student fails to comply with *any* of the conditions outlined in his or her probation, suspension or expulsion may occur.

- If the violation occurs at a University event, the University official present at the event and/or the advisor/administrator in charge of the group who sponsored the event, activity, or meeting will document the situation and refer the student to the Dean of Students, or designee for a conduct hearing. Progressive conduct charges will be assigned, if found responsible.
- When a violation occurs that is serious enough to warrant a formal conduct hearing, the procedures outlined in the Code of Student Conduct found in the current Student Handbook will be followed (the on-line version of the Student Handbook is the official version.)

### **Medical Amnesty**

Medical Amnesty encourages students to seek medical attention for themselves or a fellow student suffering from an alcohol or other drug overdose or medical emergency. This policy encourages students to call for medical assistance by removing the threat of University conduct repercussions. However, the student in need will still participate in mandated substance abuse education services.

*The health protection strategies will not shield students from conduct procedures when other rules or codes of conduct have been violated.* Students will still be subject to legal consequences for violating other university codes of conduct and state/federal laws. Without such policies, students may be reluctant to call for help, fearing they, or the fellow student will get into serious trouble.

### **Anonymous Reporting Line**

Students who are concerned about an out of control party or person in need of medical help can call the anonymous crisis line (513-745-1000). The number will link them to Xavier Police and they will not have to disclose their identity.

### **Policy Review and Changes**

The University reviews its policies and procedures on a continuing basis in order to operate in an efficient manner and to comply with the applicable local, state, and federal laws and regulations. Policies contained in this document are in effect as of this publication date and are subject to change as deemed necessary by the University.

## APPENDIX A

### When Is a Liquor Permit Needed?

**A liquor permit is required** each time a campus organization intends to purchase beer or wine for sale by the drink or through the use of an entrance fee, cover charge, etc.

**No liquor permit is required** if an individual or organization intends to purchase beer or wine for use at a private function for invited guests for which no admission fee is charged or liquor is sold.

A temporary permit grants permission from the State of Ohio to a qualified group of citizens to handle or sell beer or wine for a prescribed period of time (two, three or five days).

A non-profit organization with ten or more members may qualify for a temporary permit.

Examples are: charitable organizations, labor unions and fraternal or social groups. A permit may be issued for use at a social, recreational, charitable, fraternal, political, patriotic or athletic event. A temporary permit will not be authorized by University personnel for a University event on campus or off-campus except in rare instances with approval from a division head or the President.

### What kinds of temporary permits are available?

- a) An "F" permit is a five day privilege for Special Functions. It is valid for the sale of beer only, until 1:00 a.m. – filing fee is \$40.00. The application must be filed at least thirty (30) days prior to the date of the function. No more than two such permits may be issued to the same applicant in any thirty (30) day period.
- b) An F-2 permit is a two day privilege for Special Functions. It is valid for the sale of beer, wine, and/or spirituous liquor until 1:00 a.m. – filing fee is \$150.00. The application should be filed thirty (30) days prior to the event. No more than two F2 permits may be issued to any applicant within a calendar year.

"F" and "F-2" permit applications are available through Xavier Police.

## APPENDIX B

### Checklist for Advisors Whose Organization Plans to Sponsor an Event Involving

**Alcohol** (The advisor must be a University employee or other non-student approved by the Dean of Students, or designee)

1. The event must be approved by the Dean of Students, or designee, and the Chief of Xavier Police, or designee, at least two weeks prior to the scheduled date. Failure to do so may result in cancellation of the event.
2. A room/event reservation form must be completed and submitted to the Gallagher Student Center at least two weeks prior to the scheduled date. Failure to do so may result in cancellation of the event. All appropriate signatures must be obtained.
3. A meeting to discuss the logistics of operating an event with the Dean of Students, or designee, and others, as appropriate, must be scheduled at least five (5) business days prior to the event.
4. A representative of the club must obtain wristbands (and/or hand stamps), cash boxes, tickets, etc. at least 72 hours prior to the scheduled event. If the event will be held in locations covered by the University liquor license, alcoholic beverages must be purchased from and served by Campus Dining.
5. If the contracted campus dining service is used, either on or off-campus, the organization need not apply for a permit.
6. If the campus contract dining service is not supplying the alcohol, a temporary "F" Permit is required and must be filed with the State of Ohio at least 30 days prior to the date of the event. These applications are available through the Xavier Police department.

7. The advisor must be present at the event. They should be in attendance at least 30 minutes prior to the beginning of the event and remain at the event at least 15 minutes after the event ends.
8. The advisor should oversee the entire event. The student members of the club must follow all university alcohol and event guidelines and policies. The advisor must oversee that the sponsoring organization cleans and restores the facility to the condition it was found in or instructed by the facility's manager.
9. All proceeds/revenues generated by the event, other than alcohol sales (see Alcohol sales p. 6, #2) must be deposited into the clubs' account in the bursar's office.
10. All events sponsored by the student organizations must end by 1:00 a.m., unless otherwise approved by the Dean of Students, or designee. The bar may begin serving only after the function has begun and must stop serving no later than one half hour before the scheduled end of the function or 12:30 a.m., whichever is sooner, unless specifically exempted by the Dean of Students, or designee. Last call must be announced forty-five minutes prior to the conclusion of the event.

## APPENDIX C

### Guidelines for Promoting Responsible Alcohol Use

1. The safest option is not to drink; by law, it is your only option if you are under 21.
2. Recognize another's right to drink or not to drink.
3. Be cautious about drinking on dates or where physical intimacy is a possibility.
4. Use the "buddy system" to watch out for each other.
5. Avoid drinking in high-risk situations. (swimming, operating machinery, playing sports)
6. Use alcohol cautiously in connection with any medication or other drugs. Example: Antihistamines and alcohol can induce excessive sedation, so it would be best to avoid this combination.
7. Eat high-protein foods such as cheese and meats **before** and while you drink (they stay in the stomach longer and delay the absorption of alcohol).
8. Have an exit plan in mind before attending an event where alcohol is served.
9. Avoid drinking games.
10. Keep track of how much you drink by counting "standard drinks." (a standard drink is 12 oz of beer, 8 oz of malt liquor, 4 oz of wine, 10 oz wine cooler, 1.25 oz shot of 80-proof liquor)
11. The National Institute of Health has established that "low-risk" drinking limits are:
  - Men = No more than 4 drinks on any single day and no more than 14 drinks during the week.
  - Women = No more than 3 drinks on any single day and no more than 7 drinks per week.

**To stay at low-risk levels keep within both the single day and weekly drinking limits**

  - **Low-risk** drinking does not mean "**no-risk**". Even when drinking within the low-risk guidelines, drinkers can still have problems especially if they drink too quickly, are under the age of 21, taking medications or have existing health problems. Choose a "designated driver" for the evening (a person who will drive and remain sober during the party).
12. Sip your drink, and do not consume more than one drink per hour.
13. Never leave a drink unattended, even for just a moment.
14. Arrange cab rides, rides with the "designated driver" or invite intoxicated friends to sleep over.
15. Plan activities so that drinking is not the focal point of the party.
16. Stop serving alcohol 30 minutes before your party is over. Only time will make your guests sober. Fresh air, coffee, cold showers, etc. do not affect a person's blood alcohol level and do nothing to decrease a person's level of intoxication.
17. Be aware of signs of alcohol poisoning:
  - bluish, pale skin color
  - cold and clammy skin
  - shallow, slow, or irregular breathing
  - vomiting
  - inability to arouse the person after they have passed out
  - mental confusion, stupor, coma

## APPENDIX D

### Definitions of Terms throughout this Policy

- 1. Corralled area:** An area roped or taped off separately, or separate room within an event in which only those 21 or older are permitted to enter.
- 2. Drinking games:** Games, such as beer pong, flip cup, caps, kings, jenga, quarters, etc. where binge drinking is encouraged.
- 3. Medical Amnesty:** Allows a student to avoid campus judicial repercussions when seeking medical assistance for themselves or another student, for an alcohol or other drug overdose medical emergency. Some restrictions apply.
- 4. Tailgating:** A social event held in parking lots or other University grounds, involving alcohol consumption and/or grilling of food.

#### **Alcohol and Other Drugs Policy Review Committee**

Dr. Luther Smith (chairperson)

Cindy Bihl

Lt. Bill Smith

Fay Coleman

Dr. Shelley Madison Allen

Dr. Sue Kenford

Morgan Zuziak

Chief Mike Couch