PURPOSE OF THIS POLICY

Colorado State University (CSU) strives to provide a safe and secure environment for its faculty, staff, volunteers, and students, and one that promotes the acquisition of knowledge and nurtures the growth of the individual. Alcohol and drug abuse can lead to serious health problems for individuals and the community, and often plays a role in other serious risks such as accidents, violence, dating and domestic violence, and sexual assaults. The following alcohol and drug policy, with its emphasis on individual and shared responsibility, is adopted in this spirit, while at the same time fostering compliance with local, state and federal laws relating to the use of alcoholic beverages and other drugs (including, but not limited to, the Drug Free Workplace Act of 1988, referenced at the end of this policy).

APPLICATION OF THIS POLICY

This policy applies to all members of the University community who are subject to the jurisdiction and authority of the University with respect to matters of behavior and conduct. This includes, without limitation, faculty, administrative professionals, state classified staff, and all other employees (collectively, “employees”), students, affiliates, volunteers and visitors. Agents, contractors and subcontractors are subject to this policy while on University property. All University business units, wherever located, are covered by this policy. This policy is in addition to (does not supersede) section 1.19 of the Academic Faculty and Administrative Professional Manual and applicable provisions of the Student Conduct Code.

EXEMPTIONS FROM THIS POLICY

Marijuana derivatives that are or become legal under BOTH federal and state law, are prescribed or recommended by a duly licensed healthcare provider, and that have no psychotropic effects, are exempt from this policy. A Responsible Action Exemption is contained in the Student Conduct Code. Nothing in this policy extends such exemption beyond the scope of the provision in the Student Conduct Code.

This policy does not prohibit the lawful use of alcohol as part of a class curriculum (such as fermentation science or viticulture classes). Refer to C.R.S. § 18-13-122. This policy does not apply to bona fide, approved research projects utilizing alcohol or marijuana or its derivatives, or any other controlled substance, in compliance with all applicable federal and state laws and regulations and University policies.

DEFINITIONS USED IN THIS POLICY

Alcohol or alcoholic beverage: Any fermented beverage, such as wine, beer, or distilled spirit that contains ethyl alcohol (ethanol) as an intoxicating agent, and any product or substance containing alcohol.

Illicit drug: As used in this policy, the term “illicit drug” includes all of the following:

- A “controlled substance” as defined in Schedules I through V of Section 202 of the Controlled Substances Act, 21 U.S.C. 812, 21 CFR 1308.11-1308.15, or in C.R.S. §18-18-102(5), when possessed or used in violation of that Act. These include substances that have a high potential for misuse or which, if abused, may lead to severe psychological or physical dependence. Among these are heroin and other opium derivatives, methamphetamines, marijuana, cocaine, and other mind-altering drugs.
- Any prescription drug, whether or not it is a controlled substance, when used or possessed without a valid prescription, or by a person other than the individual for whom it was prescribed;
- Any non-prescription (over-the-counter) drug, when used or possessed in order to induce an altered state, rather than for the purpose for which it is normally intended;
- Any other product or substance (such as glue, paint, household chemical, plant, bath salts, etc.) that is used in order to induce psychotropic or intoxicating effects; and
- Alcohol, when consumed in a manner other than that for which it is normally produced and sold (for example, when...
a legally-produced alcoholic beverage is vaporized or administered other than by drinking).

**POLICY STATEMENT**

Colorado State University is committed to providing an academic and social environment that supports individual freedom while promoting individual responsibility, health and safety, and community welfare. To that end:

1. The University expects that those who wish to include alcohol as part of their activities will do so responsibly and lawfully. Responsible drinking includes making sound judgments about whether, when, and how much to drink, understanding the health issues related to the consumption of alcohol, and avoiding excessive or “binge” drinking or any other abuse of alcohol.

2. Persons planning events on campus should be mindful of the complexities introduced into planning an event with alcohol. Event management issues such as the provision of refreshments, management of the participants or audience, security, insurance concerns, liability of participants, protection of minors, and other factors require serious attention for any event, and all the more for an event where alcohol is served. Event organizers must fully understand the University alcohol policy and applicable laws and must manage their events accordingly. They also are expected to keep the safety and well-being of participants at the forefront of their planning and management of events. Faculty and staff members who advise students are expected to assist them in making responsible decisions about their events and to facilitate the enforcement of the University’s alcohol and drug policy.

3. Organizations may not plan events that promote or encourage the over-consumption of alcohol or the use of illicit drugs. Those planning events should remember that the vast majority of events at CSU take place without alcohol or drugs; that most members of the undergraduate community are not of legal drinking age; and that among those who are, many do not drink alcoholic beverages at all. Campus organizations that choose to plan events with alcoholic beverages are expected to maintain a reasonable balance in their programming between events with and those without the serving of alcoholic beverages, and to include and welcome non-drinking participants at every event, without exception.

4. Marijuana and its derivatives are controlled substances and, despite state law, they remain illegal under federal law and their use and possession on campus and at CSU events can put the University at risk of non-compliance with strict laws and regulations that carry severe penalties. Marijuana impairment also jeopardizes safety, health and performance in academics and employment. See the University Guidelines on Marijuana Use and Hemp Research referenced at the end of this policy.

**Drug Free Workplace Statement**

The Drug-Free Workplace Act of 1988 requires CSU, as a federal contractor and grant recipient, to certify that it will provide a drug-free workplace. As a condition of employment on such contracts and grants, employees will abide by the terms of this policy. The unlawful manufacture, distribution, dispensation, possession, use, or sale in the workplace of a controlled substance, as defined by state or federal law, is prohibited. The University will not condone criminal activity on its property, or on property under its direct control, and will take appropriate personnel action up to and including termination.

**POLICY PROVISIONS**

1. **Prohibitions on Possession, Consumption and Impairment**

The University prohibits:

- The unlawful manufacture, distribution, dispensation, possession, or use of illicit drugs (including marijuana and its derivatives) on property owned or controlled by the University, or as any part of any University activity. The possession of a medical marijuana permit does not allow for the possession, use or storage of marijuana anywhere on university property, including in the residence halls and University apartments. Medical and recreational marijuana use, possession, and distribution is also a violation of the Student Conduct Code. To learn more about the student disciplinary process related to drugs and alcohol, please visit the Conflict Resolution Center website.

- Possession, sale or use of drug paraphernalia on University property including but not limited to equipment, products, and materials that have been used or are intended to be used to cultivate, manufacture, distribute, or consume illicit drugs.

- The possession and/or consumption of alcoholic beverages by persons under the age of twenty-one and the intentional or knowing selling or furnishing of alcoholic beverages to persons under the age of twenty-one, or to persons obviously inebriated, on property owned or controlled by the University or as part of any University activity.

- The possession, sale, distribution, promotion, or consumption of alcoholic beverages or illicit drugs in a manner that constitutes a violation of federal, state or local law, including the sale, directly or indirectly, of any alcoholic beverages at a premise or by an entity not licensed for such sales on property owned or controlled by the University or as part of any University activity.

- The possession or consumption of or impairment by alcohol or drugs while in a University laboratory, mechanical shop, or other place where the risks of injury are higher than under normal circumstances because of the presence of machinery or hazardous substances or conditions.
• The possession or consumption of or impairment by alcohol or drugs when operating a University vehicle or machinery.
• The use of alcoholic beverages, controlled substances or illicit drugs by University students and employees so as to adversely affect academic or job performance or endanger the physical well-being of other persons or oneself, or which leads to damage of property or serious misconduct.
• Impairment by alcohol or drugs while performing one’s job duties or acting as a volunteer for CSU. This does not mean that employees and volunteers cannot attend functions related to their duties where alcohol is served in accordance with this policy; however, it imposes an affirmative obligation to refrain from performing one’s job duties while impaired.
• The possession or consumption of or impairment by alcohol or drugs when interacting with children while working or volunteering at the University or in any academic or CSU-sponsored recreational setting.

2. Legal Requirements

Colorado law, including C.R.S. § 12-47-901, et seq., applies to the possession and use of alcohol on CSU campuses and will be enforced.

3. Permissible Activities that May Include Alcoholic Beverages

CSU permits the lawful use of alcohol at events and in connection with activities on CSU property, when certain circumstances and conditions are present. These include:
• When the activity takes place in a licensed restaurant, bar or other premises, such as the football stadium or Moby Courtside Club, in the Lory Student Center, or at a licensed off-campus establishment.
• When the activity takes place in another location on campus and is catered by the Lory Student Center or by an approved University vendor or University representative who has obtained the necessary permissions to serve alcohol through the approval process of the Office of Risk Management and Insurance (RMI) and the CSU Police Department (CSUPD).
• When the activity takes place on campus and is organized by a non-University group that has obtained the necessary special event permit from the City of Fort Collins or Larimer County, and RMI and CSUPD have approved it.
• When tailgating at the stadium in accordance with the stadium policies (see References, below).

4. Conditions for Permissible Activities that May Include Alcoholic Beverages

No matter which of the above circumstances exist, the following conditions apply:
• The organization scheduling the event will enforce all City and State regulations regarding alcohol consumption, including appropriate identification checks. Persons must be twenty-one years of age to consume alcoholic beverages and a valid form of government-issued identification is required. If alcohol is approved and minors are permitted to be present, adequate steps must be taken to ensure that they are not allowed to consume alcoholic beverages. Violation of campus policies may result in cancellation of the event or future events, and/or other appropriate University disciplinary action. The University reserves the right to cancel or terminate any event where it is observed or reported that such regulations and this policy are not being followed.
• There must be a responsible organization acting as the event sponsor. This may be a College or Department of the University, a guest organization hosted by Conference Services, or other responsible entity. Student organizations may host an event including the service or consumption of alcohol provided that they comply with this policy and have the written approval of the organization’s staff or faculty advisor and the SLICE office director or designee. Recognized fraternities and sororities wishing to serve alcohol are governed by the Greek Community Joint Policy on Risk Management.
• The person acting for the sponsor organization must acknowledge responsibility for any damages or extraordinary cleaning costs caused by the organization’s use of the facility. Police must be called if disorderly conduct arises, property damage or injury to persons occurs or is threatened or appears imminent, or any violation of the law (see above) is observed.
• Programmers of social events must emphasize the quality of the event and not the service of alcohol. Consumption of alcoholic beverages is not to be the focus of the event, and contests involving the consumption of alcohol are prohibited. Non-alcoholic beverages and food must be available during the entire time alcohol is served.
• Serving of alcohol at any event will include a beginning and ending time designated on the Alcoholic Beverage Request Form. Service of alcohol must be discontinued for a reasonable period of time prior to the anticipated end of the event.
• There must be a responsible person acting as bartender. No “bring your own alcohol” or self-service is permitted.
• Alcoholic beverages must be served and consumed only in the area designated for your event. It is not permissible for individuals to take alcoholic beverages from that area.

5. Requests for Permission to Serve Alcohol at Events

Permission to serve alcohol at any event occurring on University property, other than in an approved activity in a licensed premise such as the Lory Student Center, must be obtained from the Office of Risk Management and Insurance (RMI), which considers such requests in conjunction with the CSU Police Department (CSUPD). Organizations requesting alcoholic beverage service for an event must complete an
Alcoholic Beverage Request Form fifteen (15) working days prior to the event. Requests for permission to serve alcohol at an event may be denied on any reasonable grounds including, but not limited to: (i) the approval would not be in compliance with this policy or established University guidelines; (ii) the proposed location is inappropriate; or (iii) the failure of the applicant, in a past event, to satisfactorily comply with applicable policies, laws or regulations. RMI and CSUPD have the authority to approve, disapprove, or place conditions or restrictions on all events involving alcohol, and may also provide guidelines and procedures in support of this policy. For information and assistance about obtaining approvals, contact the Office of Risk Management and Insurance.

Even if the above circumstances and conditions for permissible activities would allow for alcohol to be served or consumed at an event, permission will be denied unless the circumstances clearly show that there is a bona fide business or development purpose for including alcohol at the event. Normal, everyday work and academic activities and gatherings are rarely, if ever, appropriate occasions for including alcohol. Examples of appropriate events that might include alcohol include:

- A banquet to honor University employees for their service and contributions to the institution.
- A retirement celebration hosted by the retiree’s department and catered by the Lory Student Center.
- An annual meeting of faculty with recent graduates and alumni to honor exceptional academic achievements, catered by the Lory Student Center.
- Periodic departmental organized events designed to promote esprit de corps and good communication among faculty and/or staff.
- A social event for a conference or symposium hosted by Conference & Event Services.

Examples of events and circumstances where it is inappropriate to include alcohol include:

- Any gathering or occasion where proper permission to serve alcohol has not been obtained in advance.
- An informal get-together to study, grade papers or review research in a classroom, soft teaching space, or laboratory.
- A staff luncheon held in the department’s offices or conference room in an academic or administrative building on campus.
- An after-hours social event on campus where underage students are the majority, or when adequate measures are not in place to prevent service to minors.

6. Rules and Restrictions on Drugs

The University recognizes the dangers of drug abuse and, accordingly, strictly prohibits the possession, use, manufacture, or distribution of illicit drugs on University premises or as part of any University activity. Persons who violate the University's policies concerning illicit drugs face discipline in accordance with the applicable policies and procedures of the University (including, for faculty, section E.15 of the Academic Faculty and Administrative Professional Manual, for all other employees, as set forth in the Human Resources Manual, and, for students, the Student Conduct Code). Moreover, all students and employees should be aware that, in addition to University sanctions, they may be subject to criminal prosecution under federal and state laws that specify severe penalties, including fines and imprisonment, for drug-related criminal offenses.

7. Employment Conditions Relating to Drugs and Alcohol

The University has the right to expect that all employees will perform their jobs effectively. The University has a responsibility to the citizens of Colorado, its employees and its students to require that job performance and job conduct standards be met. The University may properly intervene when the use of alcohol or drugs affects job performance and conduct. Persons covered by this policy may not report to work or be at work while impaired by alcohol or drugs, even those lawfully prescribed, as determined under a reasonable suspicion standard.

A supervisor or department head may determine by reasonable suspicion that an employee, volunteer or other person covered by this policy is impaired by observing the person’s behavior, appearance, and/or odor. See the Reasonable Suspicion of Impairment Checklist and related Procedures for steps to take when making this determination. The objective indicators should be clearly documented on the Checklist, in accordance with the Procedures for Impaired Performance.

Anyone may report suspected impairment of an employee, volunteer or other person covered by this policy to the appropriate supervisor or department head. If the person suspected of impairment is the reporting person’s supervisor or senior authority, the person reporting should advise the next level administrator.

An employee who is suspected of being impaired while at work will have the right to be tested for drugs and alcohol at a testing facility designated by the University. Those with a documented incident of impairment (including a decision not to be tested, which will give rise to a presumption of impairment) will be subject to appropriate disciplinary measures in accordance with the applicable University policies and procedures.

If impairment is suspected, the employee will be placed on Leave without Pay for the balance of the work shift, required to leave the workplace, and may not return to work until the next day that the employee is scheduled to work. If the employee opts to be tested for drugs and alcohol, the employee will be placed on Administrative Leave with pay for the balance of the work shift.

It is a condition of employment that each University employee, volunteer, or other person covered by this policy will abide by its terms. In addition, each employee must notify the University’s Executive Director of the Department of Human Resources, in writing, no later than five days after conviction.
for a violation of any criminal alcohol or drug statute. A "conviction" is a finding of guilt (including a plea of no contest or nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the criminal drug statutes. As used herein, "criminal statute" includes any state, federal or local law concerning the manufacture, distribution, dispensation, possession, or use of any controlled substance or illicit drug, or alcohol.

Job security or promotional opportunities will not be jeopardized on the basis that an employee with a substance abuse problem seeks and engages in treatment. However, poor performance or behavior is not excused by seeking such treatment. Information revealed by the employee while receiving professional services will remain confidential and separate from University employee records. All record-keeping and access procedures will comply with federal law governing the confidentiality of health and medical information.

8. Drug and Alcohol Impairment under the Student Conduct Code

All CSU students are required to comply with the CSU Student Conduct Code, sections 16 and 17, which prohibit the use, possession, manufacturing, or distribution of illegal drugs (including prescription drugs used in a manner other than as prescribed) and alcoholic beverages (except as expressly permitted by law or University policy). The Code applies to students on and off campus. These sections of the Conduct Code mean that students may not use drugs or alcohol so as to be impaired in class or at a University-sanctioned activity. Whenever there are reasonable grounds to suspect that a student may be drug- or alcohol-impaired during such activities, a report should be made to the Conflict Resolution Center. Depending upon the level of impairment, a student can be sent home from an activity, sent to receive medical attention, or, if disruptive, dealt with by law enforcement. If a conduct violation is found, the student may be subject to discipline under the Code.

COMPLIANCE WITH THIS POLICY

The University may impose sanctions for violation of this policy, which may include disciplinary action in accordance with applicable laws and the policies and procedures of the University. Grievance and appeal procedures affording due process to those subjected to disciplinary action are set forth in the Academic Faculty and Administrative Professional Manual, Human Resources Manual, and Student Conduct Code, as applicable.

It is also a violation of this policy to: (1) Retaliate against any person for reporting suspected impairment or taking any other action under this policy, even if such action ultimately proves to be unwarranted; or (2) Knowingly make a false report of impairment against another. Such violations will be taken seriously and may result in disciplinary action.

FORMS AND TOOLS

- Reasonable Suspicion of Impairment Checklist for Supervisors
- Procedures for Reasonable Suspicion of Impairment
- Office of Risk Management & Insurance Reasonable Suspicion Alcohol/Drug Testing Information

Helpful Guidance and Resources

- CSU Health Network, Alcohol and Other Drugs: http://health.colostate.edu/resources/alcohol-other-drugs/
- CSU Employee Assistance Program: http://www.ombudsandeap.colostate.edu/eap.aspx
- Substance Abuse and Mental Health Services Administration: http://www.samhsa.gov/
- Colorado Department of Human Services, access to treatment facilities: http://www.colorado.gov/cs/Satellite/CDHS-BehavioralHealth/CBON/1251587182404
- National Institute on Alcohol Abuse and Alcoholism, Rethinking Drinking: http://rethinkingdrinking.niaaa.nih.gov/default.asp

REFERENCES

- Board of Governors of the CSU System: Alcohol and Drug Policy
- Colorado alcohol laws: C.R.S. §12-47-901, et seq.
- University Guidelines on Marijuana Use and Hemp Research: http://www.colostate.edu/announcements/amendment64.aspx
- State of Colorado, Department of Personnel and Administration, Universal Policy for all state employers, Impairment in the Workplace: https://coloradoc2.prod.acquia-sites.com/sites/default/files/Impairment%20in%20the%20Workplace_0.pdf
- CSU Residence Halls Drugs and Alcohol Policy
- Lory Student Center Alcoholic Beverages Policy
- Greek Life-Information About Alcohol Concerns
- Off-Campus Life Party Registration
- Alcoholic Beverages: Guidelines for Serving at a University Function
- Stadium Policies
- Special Events Support
- CSU Student Conduct Code
- Alcohol and Drug Testing (Commercial Drivers) Policy