

Alcohol Policy Information

The Alcohol Policy is in direct compliance with the laws of the State of Ohio, Muskingum County, and the Village of New Concord, prohibiting possession or consumption of alcohol by persons under 21 years of age. Alcohol will only be allowed on campus in the areas designated in this policy. Students or groups who fail to comply with this policy will be subject to disciplinary action. Muskingum University has based the Alcohol Policy on the recognition that:

- The majority of Muskingum University students cannot legally consume alcohol;
- A number of students who are of legal age to consume alcohol choose not to do so;
- Healthy alcohol consumption is one alcoholic drink per hour; and
- Alcohol abuse is a health concern on University campuses around the country.

Given these facts, the University acknowledges the desire of those students who are of legal age to consume alcohol responsibly while also ensuring the social life of the campus does not revolve around an activity in which a majority of the students cannot participate.

Muskingum University neither forbids nor encourages members of its community regarding drinking alcoholic beverages. However, the University discourages binge drinking or unhealthy consumption of alcohol as an irresponsible act. The decision to consume alcohol or not is a value judgment on the part of each individual.

Expectations

Under no circumstance is a person of legal age permitted to provide alcoholic beverages to an individual under 21 years of age. Students and guests who are at least 21 years old are permitted to possess wine and malt beverages (beer, ale, hard lemonade, etc.). Students or guests are allowed to possess a maximum of six 12 oz. containers of malt beverage, or up to one 750ml bottle of wine on their person or in their control (room, backpack, car, etc.) for personal consumption. No liquor or other intoxicating liquid is permitted. For BYOB events, individuals may only bring the number of beers equal to the number of hours the event is being held. For example, for a four-hour event, an individual can bring four beers.

Constructive possession occurs when a student is in close proximity to prohibited items, and a student conduct conference could conclude that the prohibited items could have belonged to them. Accountability based on constructive possession often results when prohibited items are found in a residence and more than one person is present who could arguably be the owner of the prohibited items. This approach prevents students in violation from merely removing prohibited items from their personal possession upon confrontation by University officials. Practically speaking, as it relates to University students, constructive possession means that students should be aware of their surroundings and avoid situations where prohibited items may be present, even if the student does not actually intend to use or handle the prohibited items personally.

Students and guests are not permitted to drink alcoholic beverages in open or public spaces, including stairwells, porches, lawns, balconies, and/or residence hall hallways and lounges. Students who are at least 21 years old may not consume or possess alcohol in the residence of a student who is under the legal drinking age.

If a student club or organization is affiliated with a national group, it is the responsibility of the local chapter to comply with the rules and regulations of their national governing bodies. If Muskingum University policies are more stringent than the national policies, the local chapter is expected to abide by University policy.

Alcohol Risks

The safety risks resulting from the abuse of alcohol and other drugs are significant, especially for University age students. The leading cause of death for University age students is alcohol-related car crashes. The number one

reason for hospital admissions for University-age students is alcohol-related injury and overdose. University-age students represent 25% of all automobile passenger fatalities. Higher blood alcohol levels for drivers and passengers result in a higher likelihood of permanent injury or death. In addition, the statistics measuring adult drowning, death by fire, and violent crime including sexual violence, are strongly related to the abuse of alcohol and other drugs.

The general health risks related to alcohol and other drug abuse may be immediate or build for some time. Some of the physical effects of alcohol or other drug abuse can include damage to the liver, heart and pancreas; malnutrition; sexual problems; high blood pressure; brain damage, and mental impairments (including negative effects on perception, information processing, learning, judgment, reaction time, sound processing and peripheral vision); increased risk of cancer, heart attack and stroke; and infections in general.

Alcohol is the drug of choice for many students who abuse drugs. Alcohol is a central nervous system depressant that slows down respiration. Alcohol abuse/dependence can ultimately rob a person of self-control which eventually can lead to broken relationships, loss of jobs, self-esteem, self-respect, and even suicide. Alcohol problems can also lead to legal problems such as domestic violence and even criminal offenses and incarceration. Pregnant women who drink may produce a fetus with fetal alcohol syndrome or has defects of the heart or other organs.

University students who engage in alcohol/other drug abuse also report experiencing other unpleasant consequences and behaviors including hangovers, vomiting, injuries, blackouts, fights, missing classes, lower grades, damaging property, pulling fire alarms and other disciplinary problems which can result in suspension from school. Thus, alcohol/other drug abuse can contribute to academic failure and misconduct.

Alcohol Misconduct includes, but is not limited to:

Underage possession or constructive possession of alcohol- Students who are under the age of 21 cannot possess, distribute, or consume alcohol. Constructive possession occurs when multiple students are present in a space with a prohibited item that could reasonably belong to any of the students, but no student claims responsibility for the item.

Unauthorized possession of alcohol- Students and guests who are at least 21 years old are permitted to possess wine and malt beverages (beer, ale, hard lemonade, etc.). Students or guests are allowed to possess a maximum of six 12 oz. containers of malt beverage, or up to one 750ml bottle of wine on their person or in their control (room, backpack, car, etc.) for personal consumption. No liquor or other intoxicating substance is permitted.

Public consumption of alcohol- Students and guests who are at least 21 years old are not permitted to drink alcoholic beverages in open or public spaces, including stairwells, porches, lawns, balconies, and residence hall hallways and lounges.

Intoxication- Students who choose to consume alcohol are expected to do so in a responsible manner. Intoxication presents a threat to oneself and potentially others and is not permitted. Intoxication may be determined through various means, including field sobriety tests conducted by University Police, and physical signs of intoxication (slurring speech, alcoholic odor, etc.).

Providing alcohol to underage persons- Students who are over the age of 21 are not permitted to provide alcohol to an individual under 21 years of age. Providing alcohol to underage persons could occur constructively when, for example, a single of age student is present with multiple underage persons in the presence of multiple open containers of alcohol.

Driving under the influence- The University prohibits the operation of a motor vehicle while intoxicated or impaired.

For purposes of this policy, "driving under the influence" is defined as a situation in which the operator of any

motorized vehicle is determined by admission, by testing for blood alcohol content, or by commonly accepted behavioral observations (e.g., slurred speech, staggering, etc.), to be driving such vehicle after having consumed alcoholic beverages or ingested other drugs or legally controlled substances to a degree that has altered, inhibited or impaired the student's ability to think and/or act.

Drinking games- Drinking games of any kind are not permitted on campus, including those without alcohol present.

Common source- Students may not possess alcohol in a common source, including punch bowls, kegs, and so on. If a clear possessor is not able to be determined, the students responsible for the space may be held accountable.

Consumption in an unauthorized location or at an unauthorized event- Students who are of legal age to consume alcohol may not consume or possess alcohol in the residence where all assigned occupants are under the legal drinking age, any public space unless expressly allowed, or at any event that prohibits alcohol.

Possession of alcohol paraphernalia- Students may not possess alcohol paraphernalia used to ingest alcohol at an increased rate, including funnels, beer bong, drinking game items, etc. Shot glasses, flasks, beer mugs, wine glasses, etc. are only permitted when they are empty and dry.

Alcohol displays- Students may not display alcohol containers, empty or full (beer can pyramids, liquor bottles, all or any part of cardboard cases, etc.).

Alcohol Policy Enforcement Outcomes

Violations of the Alcohol Policy may result in the following minimum action plans (disciplinary sanction(s)), or some combination of these sanction(s), or additional sanctions as determined by the Student Conduct Officer through the Student Code of Conduct process:

- Non-Disruptive Violations
 - Written warning, probation or other status sanction
 - Educational assignment and restorative component
- Disruptive or Repetitive Violation
 - Restorative assignment
 - Participation in substance abuse counseling assessment, follow-up substance abuse treatment plan inclusive of individual and/or group therapy as determined appropriate
 - Parental contact letter detailing incident written by the student (if under 21)
 - Minimum of one-semester conduct probation (may be suspension or deferred suspension based upon specific situation)

Organization and Event Violations

If an individual is not wearing a wristband at an event or is underage and caught drinking alcohol at a social event, that individual will face sanction(s) in accordance with the guidelines above as well as being prohibited from attending another event where alcohol is present for a minimum of 90 academic school year days.

Sanction(s) for a recognized student club, organization or group that is found to be responsible for hosting a registered event that violates the alcohol policy is minimally a period of social probation during which the organization or group may not have an event where alcohol is present on campus for a minimum of 3 months to be served immediately during the current or subsequent academic year.

Sanctions for an unregistered event or for subsequent registered event offenses during a calendar year or while on probation may result in suspension or revocation of the group's charter and they may be prevented from hosting an event on campus for a minimum of six months to be served immediately during the current or subsequent academic year, as appropriate. Sanctions are to be served during months that are in the academic year and may be

carried over to the following academic year. (For example, a sanction of three months set in April will apply for 90 school days in April, May, August, and September.)

If the offense involves other violations of the Student Code of Conduct, additional action plans (disciplinary sanctions) may be imposed.