

UNIVERSITY OF WISCONSIN – STEVENS POINT HEALTH STANDARDS – ALCOHOL AND OTHER DRUGS

PROMOTING OPTIMAL WELL-BEING

One of the important missions of the University of Wisconsin-Stevens Point is to assist each student in achieving the healthiest lifestyle possible. The University understands that a supportive community makes healthy choices an easier option. The University is also interested in providing an optimal environment for student growth and development.

In order to support the optimal environment and to support the wishes of the majority of the students on the campus, policies are in place to severely restrict smoking, to discourage illegal use of alcohol, and to encourage healthy food choices. As a wellness campus we are interested in increasing the opportunities for each person, be they student or employee to achieve higher levels of wellness.

UNIVERSITY OF WISCONSIN-STEVENS POINT HEALTH AND SAFETY POLICY STATEMENT

The University of Wisconsin-Stevens Point is concerned about the health and well being of its employees, students, campus guests and visitors. The University of Wisconsin-Stevens Point will provide opportunities for information sharing, training and direction setting to the campus community through the campus Environmental Health and Safety Committee and the Environmental Health and Safety Department. University Administration shall be responsible for securing resources necessary to implement this policy.

It is the policy of UW Stevens Point to devote its best efforts to comply with all applicable federal, state and local rules and regulations and appropriate operating standards applicable to the work and campus environment. The campus shall strive to continuously improve the campus environment, minimize hazardous material use and maximize resource utilization through waste minimization and recycling efforts.

All administrative and supervisory personnel are responsible for providing employees information about the hazards they work with, proper training and following safe work practices. Faculty will provide their students with the necessary information and training to perform their activities safely.

In concern with the responsibility assumed by the University, employees, students, guests and visitors accept the responsibility to bring areas of question and concern regarding health and safety concerns to the attention of the Environmental Health and Safety Department. Specifically, it is an individual's responsibility to raise questions when unsure of appropriate health and safety precautions in the teaching, learning or work environment.

SMOKING POLICY

Smoking is banned in all buildings on campus. Smokers are required to use designated areas outside of university facilities.

POLICY ON A DRUG-FREE WORKPLACE

Congress has enacted the **Drug-Free Workplace Act of 1988** which places certain responsibilities on the University as the recipient of federal grants and contracts. Pursuant to the federal requirements and in keeping with current university policy, all UW-Stevens Point employees are reminded that university rules, policies and practices prohibit the unlawful manufacture, distribution, dispensing, possession or use of controlled substances on all university property and worksites. **Any employee who engages in any of these actions on university property or the worksite or during work time may be referred to counseling or treatment, and may be subject to disciplinary action up to and including discharge.**

Employees who are convicted of any criminal drug statute violation occurring in the workplace must notify their dean, director, or department chair within 5 days of the conviction if the employees are employed by the university at the time of the conviction.

Employees who have problems with alcohol or controlled substances are encouraged to voluntarily contact their Employee Assistance Program (EAP) coordinator. Referral for treatment may be recommended if its in the best interests of the university and the employee. Voluntary contacts with the EAP coordinator may remain confidential. **Please contact the UW-Stevens Point Counseling Center at 346-3553 to speak with the UW-Stevens Point EAP coordinator.**

STANDARDS OF CONDUCT AND UNIVERSITY SANCTIONS CONCERNING ILLICIT DRUGS AND ALCOHOL

The University of Wisconsin System and University of Wisconsin-Stevens Point prohibit the unlawful possession, use, distribution, manufacture or dispensing of illicit drugs and alcohol by students and employees on university property or as part of university activities.

The use or possession of alcoholic beverages is prohibited on university premises, except in faculty and staff housing and as expressly permitted by the chief administrative officer or under institutional regulations, in

accordance with s. UWS 18.06(13)(a), Wis. Adm. Code. Without exception, alcohol consumption and procurement are governed by Wisconsin statutory age restrictions under s. UWS 18.06(13)(b), Wis. Adm. Code.

The unlawful use, possession, distribution, manufacture or dispensing of illicit drugs ("controlled substances" as defined in ch. 961, Wis. Stats.) is prohibited in accordance with s. UWS 18.10(1), Wis. Adm. Code. Violation of these provisions by a student may lead to the imposition of a disciplinary sanction, up to and including suspension or expulsion, under s. UWS 17.03(1)(b), Wis. Adm. Code. University employees are also subject to disciplinary sanctions for violation of these provisions occurring on university property or the worksite or during work time, up to and including termination from employment. Disciplinary sanctions are initiated and imposed in accordance with applicable procedural requirements and work rules, as set forth in Wisconsin statutes, administrative rules, faculty and academic staff policies, and collective bargaining agreements. Referral for prosecution under criminal law is also possible. Further, violations of ss. UWS 18.06(13) and 18.10(1), Wis. Adm. Code may result in additional penalties as allowed under ch. UWS 18, Wis. Adm. Code.

Employees who are convicted of any criminal drug statute violation occurring in the workplace must notify their dean, director or department chair within 5 days of the conviction if the employees are employed by the university at the time of the conviction. [Revised 1/97]

FEDERAL AND STATE OF WISCONSIN LEGAL SANCTIONS

WISCONSIN

The Uniform Controlled Substances Act, Chapter 961 of the Wisconsin Statutes, regulates controlled substances and outlines specific penalties for the violation of the regulations. A first-time conviction for possession of a controlled substance can result in a sentence of up to one year in prison and a fine of up to \$5,000. Sec. 961.41(3g), Stats. A person convicted of manufacturing a controlled substance, delivering a controlled substance, or possessing a controlled substance with an intent to manufacture or deliver, can be imprisoned for up to 30 years and fined up to \$1,000,000. Secs. 961.41(1) and (1m), Stats. Penalties vary according to the type of drug involved, the amount of drug confiscated, the number of previous convictions, and the presence of any aggravating factors. The distribution of a controlled substance to a minor can lead to the doubling of an authorized sentence term. Section 961.46, Stats.

Wisconsin has formidable legal sanctions that restrict the use of alcohol in various situations. It is illegal to procure for, sell, dispense or give away alcohol to anyone who has not reached the legal drinking age of 21 years. Sec. 125.07(1)(a)(1), Stats. Every adult has a legal obligation to prevent the illegal consumption of alcohol on premises owned by the adult or under the adult's control. Sec. 125.07(1)(a)(3), Stats. A first-time violator of either of the above subsections can be fined up to \$500. It is against the law for an underage person to procure or attempt to procure an alcoholic beverage, to falsely represent his or her age for the purpose of obtaining alcohol, to enter premises licensed to sell alcohol, or to consume or possess alcohol on licensed premises. Sec. 125.07(4)(a), Stats. A first-time underage violator of section 125.07(4)(bs), Stats., can be fined up to \$500, ordered to participate in a supervised work program, and have their driver's license suspended. [Revised 1/97]

FEDERAL

Pursuant to federal law, the United States Sentencing Guidelines establish mandatory minimum penalties for categories of drug offenses and provide for penalty enhancements in specific cases. Under these federal guidelines, courts can sentence a person for up to 6 years for unlawful possession of a controlled substance, including the distribution of a small amount (less than 250 grams) of marijuana; a sentence of life imprisonment can result from a conviction of possession of a controlled substance that results in death or bodily injury; and, possession of more than 5 grams of cocaine can trigger an intent to distribute penalty of 10-16 years in prison.

Federal Penalties and Sanctions for Illegal Possession of Controlled Substances

21 U.S.C. 844(a)

1st conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both. After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000 or both. After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000 or both, if: (a) 1st conviction and the amount of crack possessed exceeds 5 grams; (b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams; or (c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

21 U.S.C. 853(a)(2) and 881(a)(7)

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack, above.)

21 U.S.C. 881(a)(4)

Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21 U.S.C. 844a

Civil fine of up to \$10,000.

21 U.S.C. 862

Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

18 U.S.C. 922(g)

Ineligible to purchase, receive, or transport a firearm.

Miscellaneous

Revocation of certain Federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies.

Federal Penalties for Illegal Trafficking of Controlled Substances

The Controlled Substances Act (CSA), Title II of the Comprehensive Drug Abuse Prevention and Control Act of 1970, is a consolidation of numerous federal laws regulating the manufacture and distribution of controlled substances. The CSA places all controlled substances into one of five schedules, depending upon the substance's medical use, potential for abuse, and safety or dependence liability. The CSA provides penalties for the unlawful manufacturing and distribution of controlled substances. The charts on pages 8-9 of the U.S. Department of Justice publication, *Drugs of Abuse*, 1996 Edition, provide an overview of the penalties for trafficking of controlled substances. [Revised 1/97]

UWSP ALCOHOL POLICY

The current alcohol policies at the University of Wisconsin-Stevens Point are as follows:

PHILOSOPHY

The University of Wisconsin-Stevens Point will continue to establish and implement alcohol policies and procedures which

- a.) stress low risk drinking behaviors;
- b.) educate students, faculty, and staff about the use and abuse of alcohol, the need to make informed choices, and the consequences of alcohol abuse;
- c.) demonstrate its belief that individuals deserve trust and acceptance unless they show by their behavior that they require assistance; and
- d.) foster cooperative relationships among students, faculty, and staff.

The University shall make every effort to provide adequate resources to promote alcohol education programming.

ALCOHOL CONSUMPTION ON CAMPUS

- 1.) Alcoholic beverage consumption is permitted on campus only for individuals of legal drinking age and only in
 - a) staff housing;
 - b) areas of the University Centers where alcohol beverages are sold and consumption is permitted under the policies of the Centers; and
 - c) residence hall rooms, and such lounges as may be designated under residence hall policies; and in accordance with state statutes;

provisions of Chapter UWS 18 of the Wisconsin Administrative Code, Rules of the Board of Regents of the University of Wisconsin System, "Conduct on University Lands"; this policy; and/or any subordinate policies developed by units or subunits of the University (e.g., University Centers).

- 2.) Any subordinate policies developed by units or subunits shall conform to the provisions of this policy. Subordinate policies may be more stringent or limiting than this policy but may not grant rights or privileges beyond the limits of this policy.
- 3.) The Residential Living Alcohol Policy may be found in the Residential Living Handbook.

PREVENTION

The mission of the alcohol education program is to provide resources, information, and programs on issues surrounding alcohol use/abuse for the University of Wisconsin-Stevens Point community. Through these educational/preventive measures, the University shall encourage students and personnel to develop positive habits and attitudes, make healthy choices, and respect state laws and campus policies with regard to alcohol use or non-use.

Educational Policies: Under the direction and leadership of the Alcohol Education Program Coordinator and, for classified and unclassified personnel, the Employee Assistance Program Coordinator, the University shall:

- 1.) Encourage healthy behaviors concerning alcohol consumption for all members of the university community.
- 2.) Encourage appropriate role modeling behavior with regard to alcohol consumption.

- 3.) Provide information to members of the university community on
 - a) personal and institutional liability concerning inappropriate alcohol use, providing alcohol to under-age drinkers, and serving intoxicated individuals; and
 - b) other potential consequences of unacceptable or high risk drinking behaviors.

Programming: Student Development/Student Affairs shall:

- 1.) Establish a permanent review committee of students and staff to assess and prioritize student programming options.
- 2.) Increase programs, activities, and opportunities which
 - a) encourage students to engage in healthy behaviors;
 - b) involve students in planning and implementation;
 - c) offer students numerous and diverse alternatives (e.g., late night entertainment, nightly movies, dances, entertainers, food service) to events which do not have alcohol as a primary focus; and
 - d) provide a greater diversity of programs in residence halls and north campus dining centers.

INTERVENTION

Identification and Referral

- 1.) Residence Hall Directors, Community Advisors, Student Managers, and Protective Services personnel who believe that a resident or guest exhibits symptoms of abusive drinking, or that an underage individual is drinking, shall:
 - a) confront the individual under procedures developed by Residential Living; and
 - b) take other appropriate action to assure compliance with institutional policies and procedures.
- 2.) Individuals supervising a student group or organization or a university-sponsored event, or advisors who believe that an individual exhibits symptoms of abusive drinking, shall:
 - a) confront the individual, or
 - b) as appropriate, either refer the individual to the Office of Student Rights and Responsibilities for disciplinary action or refer the individual to the Alcohol Education Program Coordinator for assistance.
- 3.) Students and staff who believe that an individual exhibits symptoms of abusive drinking are strongly encouraged to:
 - a) confront the individual, or
 - b) call the Employee Assistance Program Coordinator for help in dealing with classified or unclassified staff who may be abusive drinkers, or
 - c) call the Alcohol Education Program Coordinator for help in dealing with students who may be abusive drinkers.
- 4.) The Office of Student Rights and Responsibilities shall consider an alcohol abuse assessment for any student referred to Rights and Responsibilities for an incident in which alcohol was involved.

Self-referral: Individuals who exhibit symptoms of abusive drinking or who are concerned about their own drinking behavior are encouraged to contact the Employee Assistance Coordinator or the Alcohol Education Program Coordinator.

Incapacitation

- 1.) Individuals dealing with someone who is unconscious or who exhibits other symptoms of a medical emergency shall immediately call an ambulance.
- 2.) Individuals dealing with someone whom they believe to be incapacitated shall contact City of Stevens Point Police Department for assistance either directly or through appropriate channels, according to unit procedures.
- 3.) Individuals who refer an unconscious or incapacitated individual from a residence hall shall inform the residence hall director as soon as practicable.
- 4.) Individuals who refer an unconscious or incapacitated individual from campus locations other than residence halls shall inform Protective Services as soon as practicable.

ASSESSMENT AND TREATMENT

Assessment: The Counseling Center provides alcohol screening for students and staff. Alcohol assessments are provided by community AODA agencies.

Treatment: AODA treatment is provided by certified AODA community agencies.

Referral: The Counseling Center shall refer to the appropriate agencies staff and students beyond the treatment scope of the Center.

UWSP AOD CAMPUS ADVERTISING POLICY

When, in conjunction with co-sponsored activities, university organizations or departments allow advertising by a firm that promotes alcohol and/or other drugs, every effort shall be made to ensure that the AOD promotions:

- 1.) discourage misuse or abusive practice language in their message, and/or encourage responsible use;
- 2.) provide proper balance in the sizing of product logos/advertisements vs. educational messages;
- 3.) limit the number and sizes of advertisements at each event, depending on the size of program venue.

Advice and suggestions shall be available from UWSP's coordinator of AODA programs.

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