



Minot State University
Drug-Free Schools and Campuses Regulations [EDGAR Part 86]
Biennial Review: 2022

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December 2022

Alcohol and other Drug Prevention Certification Signed by Chief Executive Officer

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I. Introduction / Overview

Minot State University is committed to an environment that supports the academic success and health of our staff and students and has an Alcohol, Tobacco, and Other Drug (ATOD) Committee that serves to provide the campus with activities and services designed to encourage a healthy and drug-free lifestyle.

In keeping with the requirements of the Drug-Free Schools and Campuses Regulations [EDGAR Part 86], Minot State University has an Alcohol / Drug Abuse Prevention Policy that describes standards of conduct that clearly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on Minot State University property or as part of any Minot State University sponsored activities. The policy includes the following:

1. A description of legal sanctions under federal, state, or local law for the unlawful possession use or distribution of illicit drugs and alcohol.
2. A clear statement of disciplinary sanctions Minot State University will impose on students and employees for violations of the standards of conduct.
3. A description of the health risks associated with the use of illicit drugs and the abuse of alcohol.
4. A description of the drug and alcohol counseling and treatment resources available to students and employees.

As outlined in the “Complying with the Drug-Free Schools and Campuses Regulations” (EDGAR Part 86), the policy is distributed to all students and employees as part of our Drug-Free Campus Program.

II. Biennial Review Process

This Review covers the period of 2020-2022. Specifically, it is the spring of 2020 semester through the fall 2022. The Biennial Review preparer is Nancy Mickelson, MSU Campus Counselor. A copy of the Biennial Review is on file in the MSU Counseling Center and can be made available upon request.

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III. Annual Policy Notification Process

A. Content of Alcohol/Drug Abuse Prevention Statement:

The annual distribution to each employee, and to each student who is taking one or more classes of any kind of academic credit except for continuing education units, regardless of the length of the student's program of study, of:

- Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities.
- A description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol
- A description of the health risks associated with the use of illicit drugs and the abuse of alcohol
- A description of any alcohol or other drug counseling, treatment or rehabilitation or re-entry programs that are available to employees or students
- A clear statement that the institution will impose disciplinary sanctions on students and employees (consistent with State and Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

B. Notification Process for Employees and Students (Edgar86)Federal Drug Free Campus Policy

Minot State University Alcohol and Other Drug Policy Distribution Rationale&Plan

POLICY DISTRIBUTION AND NOTIFICATION INTRODUCTION:

In accordance with the 1989 amendments to the Drug-Free Schools and Communities Act, as articulated in the Education Department General Administrative Regulations (EDGAR) Part 86 (Drug Free Schools and Campuses Regulations) each year Minot State University attempts to ensure every student, faculty member and staff person is informed about Minot States University's alcohol and other drug policies.

EXPLAIN YOUR DISTRIBUTION METHOD

An e-mail including the full text of the policy is sent out annually over the official student, faculty and staff listservs regarding the policies and where they can be found.¹

¹ As state in Minot State University Policy: All official communications from Minot State University will be sent to students at their @my.minotstateu.edu email account.

ALTERNATIVE DISTRIBUTION METHOD: Paper copies are available on-line in the Student Handbook

<https://www.minotstateu.edu/handbook/code-of-conduct/policies/Drug-Free-Campus.shtml>

Faculty Handbook

<https://www.minotstateu.edu/senate/faculty-handbook.shtml>

Staff Handbook

https://www.minotstateu.edu/hr/_documents/staff_handbook.pdf

2020-2022 Distribution Timeline		
Date	Action	Responsibility
Sept. 29, 2020	E-Mail sent to all students, Employees/Faculty containing Minot State University Policy	Nancy Mickelson
Feb. 10, 2021	E-Mail sent to all students, employees/Faculty containing Minot State University Policy	Nancy Mickelson
June 15, 2021	E-Mail sent to all students, employees/faculty containing Minot State University Policy”	Nancy Mickelson
Sept. 29, 2021	E-Mail sent to all students, Employees/Faculty containing Minot State University Policy	Nancy Mickelson
Feb. 7, 2022	E-Mail sent to all students, employee/faculty containing Minot State University Policy”	Nancy Mickelson
Sept. 27, 2022	E-Mail sent to all students, employee/faculty containing Minot State University Policy”	Nancy Mickelson
Ongoing	Paper Copies of Minot State University Policy are available on-line in the Student Handbook https://www.minotstateu.edu/handbook/code-of-conduct/policies/Drug-Free-Campus.shtml ; the Faculty Handbook https://www.minotstateu.edu/senate/faculty-handbook.shtml the Staff Handbook https://www.minotstateu.edu/hr/_documents/staff_handbook.pdf	

Minot State University

ND University System Part 86 Compliance Checklist

Part 86, Drug-Free Schools and Campuses Regulations Compliance Checklist 2022

1. **Does the institution maintain a copy of its drug prevention program?** Yes No
If yes, where is it located? Nancy Mickelson, MSU Campus Counselor located in the Student Health and Counseling Center is responsible for completing the Biennial Review and has a copy on file.

2. **Does the institution provide *annually to each employee and each student, who is taking one or more classes for any type of academic credit except for continuing education units, written materials that adequately describe and contain the following?***

a. **Standards of conduct that prohibit unlawful possession, use, or distribution of illicit drugs and alcohol on its property or as a part of its activities**

Students: Yes No Staff and Faculty: Yes No

b. **A description of the health risks associated with the use of illicit drugs and the abuse of alcohol**

Students: Yes No Staff and Faculty: Yes No

c. **A description of applicable legal sanctions under local, state, or federal law**

Students: Yes No Staff and Faculty: Yes No

d. **A description of applicable counseling, treatment, or rehabilitation or re-entry programs**

Students: Yes No Staff and Faculty: Yes No

e. **A clear statement of the disciplinary sanctions the institution will impose on students and employees, and a description of those sanctions**

Students: Yes No Staff and Faculty: Yes No

Any comments or clarifications on items 2 a-e:

Drug Free Campus Policy

Minot State University recognizes the serious problems created by the use and abuse of alcohol and other drugs. In response to this awareness, Minot State University is committed to:

- establish and enforce clear campus policies regarding the use of alcohol and other drugs

- educate members of the campus community for the purpose of preventing alcohol and other drug abuse
- create a campus environment that promotes the individual's responsibility to himself/herself and to the campus community
- provide resources through counseling and referral services for students who experience alcohol and/or drug problems.

Students concerned about their own alcohol and drug use or about that of others are encouraged to contact the MSU Student Affairs Office, the University Student Health Center, or the MSU Counseling Center.

I. STANDARDS OF CONDUCT

MSU is a tobacco-free campus prohibiting all tobacco use on campus including E-cigarettes, smoking, and chewing tobacco in university owned or operated buildings, on all campus property and grounds, and in university owned, leased, or operated vehicles.

The university prohibits the use, possession and/or sale of alcoholic beverages in classrooms, laboratories, bathrooms, offices, residence halls, athletic facilities, university vehicles, other campus building areas, public campus areas or in outdoor campus areas.

1. An alcoholic beverage is any fluid or solid capable of being converted into a fluid, suitable for human consumption, and having an alcoholic content of more than 1/2 of 1% by volume, including alcohol, beer, lager beer, ale, porter, naturally fermented wine, treated wine, blended wine, fortified wine, sparkling wine, distilled liquors, blended distilled liquors, and any brewed fermented, or distilled liquor fit for use for beverage purposes or any mixture of the same, and fruit juices.
2. University groups and recognized organizations may not use their funds for the purchase of alcoholic beverages.
3. On-campus parties at which alcoholic beverages are consumed are prohibited.
4. Sale of alcoholic beverages by university groups or recognized student organizations is strictly forbidden. (This is to include any action that can be remotely construed as alcohol sale such as charging admission to parties, passing the hat, selling empty cups, selling tickets, etc.)
5. Alcoholic beverages (such as kegs or cases of beer) may not be used as awards or prizes in connection with events or activities sponsored by university groups or organizations.
6. Alcohol/drugs are not to be represented in any academic or instructional setting or in any campus publication in a manner which would:
 - a. encourage any form of alcohol abuse or place emphasis on quantity and frequency of use.
 - b. portray drinking as a solution to personal or academic problems of students or as necessary to social, sexual, or academic success.

- c. associate consumption of alcoholic beverages with the performance of tasks that require skilled reactions such as the operation of specialized equipment, motor vehicles, or athletic performance.
7. The use of alcoholic beverages during all public events held on the MSU campus is strictly forbidden except as provided by this subsection.
 - a. This policy does not apply to homes furnished to institution officials, family housing, married student housing, faculty housing or university apartment housing when all leaseholders are over the age of 21.
 - b. Alcoholic beverages may be permitted, subject to applicable state and local laws and ordinances, at events in facilities or upon land owned the institution pursuant to a permit signed by the institution's chief executive or designee. The permit must describe the nature of the event and the date(s), time(s) and place where consumption of alcoholic beverages is permitted. The permit may be for a single event or for events occurring periodically at the designated place during a period of not more than one year.
- 8. Marijuana Use:** Use or possession of marijuana, including medical marijuana used or possessed under Chapter 19-24 of the North Dakota Century Code is strictly prohibited on campus. Any such use or possession is a violation of the Student Conduct Policy.

The use, consumption, and possessing of any narcotic, dangerous drug, and/or controlled substance by any student or employee of the university for which said student or employee does not have a legal license or valid prescription is strictly prohibited. The unlicensed distribution or sale of any narcotic, dangerous drug, or controlled substance by any student or employee of the university is strictly prohibited. When such activity occurs on campus, the university shall initiate appropriate measures, which may include disciplinary action.

When such activity occurs off the premises of the campus, the university nevertheless may consider initiating disciplinary action if the university determines that the activity has a substantial adverse effect upon the university or upon individuals of the university community. Violators will be subject to penalties, which may include separation from the university.

II. THE LAW

State and Federal law will be regarded as the principal bodies of rules governing the use of alcohol/drugs for MSU students. Each person will be held responsible for his/her own behavior. While laws vary from town to town and state to state, some regulations govern all American citizens. You should be aware of federal, and local laws, as well as MSU alcohol policy.

ALCOHOL

1. The state of North Dakota requires that individuals be at least 21 years of age to buy, possess, and consume alcoholic beverages.
2. It is illegal to give or sell alcohol to an individual under the age of 21.
3. It is illegal to have an open container of alcohol in any vehicle. (Minot Code of Ordinances also prohibits possession of an open container or consumption of alcoholic

beverages upon any street, alley, or other public way or private property, which is generally open to the public, except as allowed by special permit issued by the city council)

4. It is illegal to serve alcohol to an intoxicated person.
5. It is illegal to sell alcohol of any kind without a license or permit.
6. Organizations are not immune from prosecution for a legal violation. The officers of that group are usually the parties cited, but every group member is liable.
7. Driving while intoxicated (under the influence OR with .08% or higher blood alcohol content) is a criminal offense.
8. Being intoxicated is not a legal defense for any charge, including assault, rape, vandalism, slander, manslaughter or accident.
9. If a person is involved in a drinking/driving crash after leaving a party, the victim(s) of the crash may sue both the person at fault and those who provided the alcohol. If any intoxicated person causes harm to another person or property, the victim may sue the intoxicated person, and anyone who served the intoxicant such as hosts of private parties, organizations/businesses and their employees for damages in civil court.

It is also illegal by state law and municipal ordinance to be in an alcohol establishment under the age of 21, even if not in possession or while consuming alcoholic beverages with the following exceptions. If the person is 18 or older, they may be on the premises if they are a musician, disk jockey, entertainer, or performing duties related to the above exceptions. These people must be under the supervision of someone 21 years of age or older. Those 18 years or older may still serve (but not dispense) and collect money for alcoholic beverages if they are working in a restaurant that serves alcoholic beverages.

DUI (Driving Under the Influence)

1. What Happens to Your Operators License if You're Stopped? Under the current law, if you're arrested for DUI, and **refuse chemical testing**, the arresting officer will take your operator's license ON THE SPOT! The ND Department of Transportation (ND DOT) WILL revoke your license for a minimum of one year to a maximum of three years. If you are not licensed in North Dakota, the ND DOT will revoke your North Dakota driving privileges for the same time period and notify your license's issuing state/province where you may be subject to additional revocation/suspension there.

If your BAC is between .08% and .17% your license (or North Dakota driving privileges if you are licensed elsewhere) will be suspended under the following guidelines:

- a. First DUI: 91 days suspension
- b. Second DUI in seven years: 365 days suspension
- c. Third DUI in seven years: two years suspension

If your BAC is .18% or higher, your license (or North Dakota driving privileges if you are licensed elsewhere) will be suspended under the following guidelines:

- a. First DUI: 180 days suspension
- b. Second in seven years: two years suspension
- c. Third in seven years: three years suspension

If you refuse to take a BAC test or a preliminary breath test (PBT), your license will be revoked for one to three years, depending on your record of past DUI offenses. A work-driving permit can only be issued to first offenders who have served at least 30 days of the 91 days suspension.

Refusal to take the preliminary breath test will no longer be a criminal offense. The driver will still be subject to administrative consequences (license/driving privilege revocation), but not criminal consequences. Refusal to take the CHEMICAL BAC test (post arrest testing, or the "BAC test" you say above) will still be a criminal offense.

Work permits cannot be issued to repeat offenders or to those who have refused to take a BAC or PBT test. If you drive while your license is suspended, you will serve four consecutive days in jail and be fined up to \$1,500. The cost of reinstating your ND license or ND driving privileges after a DUI suspension is \$100 (in addition to any fees from other states/provinces)

2. What Happens If You're Convicted?

In addition to losing your driver's license, you also face mandatory minimum fines and/or jail sentences:

- a. First conviction: \$500 fine, if your BAC is between .08% and .17%. If your BAC is .18% or higher: \$750 PLUS two days imprisonment.
- b. Second conviction within seven years: \$1,500 fine and 10 days in jail and participation in the 24/7 sobriety program for a period of 12 months under mandatory probation.
- c. Third conviction within five years: \$2,000 fine and 120 days in jail. SUPERVISED PROBATION for one year and 24/7 sobriety program participation.
- d. Fourth or subsequent conviction within 15 years: \$2,000 fine, one year and one day in prison, and two years' supervised probation and 24/7 sobriety program participation.

All convicted offenders are also required to undergo an alcohol addiction evaluation and provide proof of evaluation and of completion of recommended treatment before his or her driver's license can be reinstated. DUI convictions, refusals to take DUI tests, and driving with a BAC of .08% or more in another state apply in North Dakota.

3. What Happens If You Cause Death or Serious Injury?

If you cause another person's death while DUI, you will face a mandatory MINIMUM three years in prison (ANY previous DUI related convictions the minimum is ten years in prison). The maximum sentence under this statute is 20 years.

If you cause another person to suffer substantial or serious bodily injury while DUI, you will face a mandatory MINIMUM of one year in prison (ANY previous DUI related convictions, the minimum is two years). The maximum sentence under this statute is five years.

4. What Happens to Your Insurance?

If you are convicted of DUI, if you refuse to take a BAC or PBT test, or if you are driving with a BAC of .08% or more, your annual car insurance rates could double or even triple.

5. Driving while under the influence of alcohol while being accompanied by a minor will push the offense to a Class A misdemeanor.

DRUGS

Schedule I: Heroin, LSD, Peyote, Mescaline, Psilocybin (Shrooms), Other Hallucinogens, Methualone (Quaaludes), Pencyclidine (PCP), and MDA.

Schedule II: Morphine, Demerol, Codeine, Percodan, Fentanyl, Dilaudid, Seconal, Nembutal, Cocaine, Amphetamines, and other opium and opium extracts and narcotics

Schedule III: Certain barbiturates such as amobarbitol and codeine containing medicine such as Fiorinal #3, Doriden, Tylenol #3, Empirim #3, and codeine-based cough suppressants such as Tussionex and Hycomine

Schedule IV: Barbiturates, narcotics and stimulants including Valium, Talwin, Librium Equantil, Darvon, Darvocet, Pacidyl, Tranzene, Serax, Ionamin (yellow jackets)

Schedule V: Compounds that contain very limited amounts of codeine, dihydrcodeine, ethylmorphine, opium and atropine, such as terpine Hydrate with codeine, Robitussin AC

To Possess (other than marijuana):

Maximum penalty: Class A misdemeanor, for which a maximum penalty 360 days imprisonment, a fine of \$3,000, or both, may be imposed, for a first offense. A class C felony for a second or subsequent offense with a maximum penalty of five years in prison or \$10,000 fine or both may be imposed.

To Manufacture, Sell, Deliver (or have intent):

Maximum penalty: Schedule I, II, or III: Class B felony, for which a maximum penalty of 10 years imprisonment, a fine of \$20,000, or both, may be imposed for Schedule I, II, or III narcotics (including marijuana).

Schedule IV: Class C felony, for which a maximum penalty of five years imprisonment, a fine of \$10,000 or both, may be imposed.

Schedule V: Class A misdemeanor, for which a maximum penalty of 360 days in jail, a fine of \$3,000 or both.

To Possess Marijuana: Small amounts of marijuana where there is no evidence of intent to distribute to another person is punishable as a Criminal Infraction

Maximum penalty: Criminal Infraction is punishable by a maximum of a \$1,000 fine.

To Manufacture, Sell, or Deliver Marijuana (or have intent): Maximum penalty: Class B felony, for which a maximum penalty of 10 years imprisonment, a fine of \$20,000, or both, may be imposed.

NOTE: Increased penalties for aggravating factors in many felony drug offenses include, but are not limited to, being within 300 feet of a school between 6:00 am and 10:00 pm while school is in session (also note that university campuses and daycare centers have been removed from this description) and being armed with a firearm during the commission of the offense. Generally speaking, this causes offenses to be elevated to the next higher classification. For example, a class B felony would elevate to a class A felony where they maximum penalty would become 20 years imprisonment.

Drug Paraphernalia: All equipment, products and materials of any kind which are used, intended for use, or designed for use in planting, propagating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing to the human body a controlled substance.

Possession of drug paraphernalia to manufacture, produce, etc. controlled substances (other than marijuana) is a class C Felony, with a maximum sentence of 5 years in prison, a \$10,000 fine or both may be imposed. Possession of drug paraphernalia to manufacture, produce, etc. marijuana is a class A misdemeanor, with a maximum penalty of a year in jail or a fine of \$3000, or both may be imposed.

Possession of drug paraphernalia that can be used for ingestion of a controlled substance (other than marijuana) is a class A misdemeanor for the first offense, a class C felony for subsequent offenses. Possession of marijuana paraphernalia for ingestion is a Criminal Infraction.

Ingestion of a controlled substance is a class A misdemeanor unless the substance is marijuana, then it is a class B misdemeanor.

North Dakota Good Samaritan Law:

The Good Samaritan Law was passed to encourage friends, family members, and bystanders to call 911 in the event of an overdose. The Law provides protection from prosecution for ingestion or possession of a substance or possession of drug paraphernalia for a maximum of three people, including the person overdosing. In order to be immune from prosecution, you need to:

- Call 911
- Remain onsite until assistance arrives
- Cooperate with law enforcement and emergency medical service personnel ▪

North Dakota Century Code 19-03.1-23.4

Students who call for, seek, or require emergency assistance for an alcohol- or other drug-related emergency may not be subject to mandatory alcohol and other drug sanctions under the Code of Student Life.

III. HEALTH RISKS

Alcohol, tobacco, and other drug use represents a major health problem in the United States and poses a serious threat to the health and welfare of the MSU community. This threat occurs at MSU in the form of property damage, acts of vandalism, disciplinary problems, driving under the influence (DUI), automobile and other types of accidents, decreased career opportunities and academic performance, impaired social relationships, violence and decreased ability to cope with the stresses of life. More information on the health risks associated with alcohol, tobacco, and other drug misuse can be found at the National Institutes of Health website <https://www.nih.gov/>, the Center for Disease Control <https://www.cdc.gov/> as well as the DEA [Resources | DEA.gov](#).

IV. WHERE TO TURN FOR HELP

Minot State University offers counseling services, which can be used for referrals to appropriate support agencies for individuals seeking assistance in drug and alcohol evaluation, intervention, treatment, and aftercare. Students may initiate help for themselves or others by contacting the Student Health and Counseling Center at 701-858-3371 and for employees MSU Human Resources at 701-858-4610

Other agencies in addition to those listed below may be found in the yellow pages of the telephone book under “Alcoholism Information and Treatment” and “Drug Abuse Information and Treatment.”

Alcoholics Anonymous—515 Club
838-2740
515 5th Ave NW
Minot, ND 58701

Alcoholics Anonymous—700 Club
839-6091
700 16th Ave SW
Minot, ND 58701

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Alcohol Education/Alcoholic Counseling
North Central Human Service Center
857-8500
1015 S. Broadway, Suite 18
Minot, ND 58701

Eaton and Associates
839-0474
1705 4th Ave NW
Minot, ND 58703

Minot AFB Mental Health Clinic
723-5527
10 Missile Ave.
Minot Air Force Base, ND 58705-5000

Psychological Services
852-9113
600 22nd Ave NW
Minot, ND 58701

Trinity Mental Health Services
857-5998
1900 8th Ave SE
Minot, ND 58701

Village Family Services
852-3328
20 1st St SW
Minot ND 58701

V. VIOLATION OUTCOMES FOR STUDENTS

At Minot State University, we teach, we think, we discern, and we apply what we have learned. Therefore, outcomes for student code violations are viewed as opportunities to develop more acceptable and better-adapted patterns of behavior. The University will assist students who have violated the Code of Student Life in understanding the impact of their actions on others or themselves. Outcomes will be restorative in nature for first time and non-violent offenses. Subsequent offenses or those that affect the safety of others or the student will result in intervention-based outcomes.

Learning Objectives

Through the process, students will be able to:

1. Articulate how their decisions contributed to a violation of the Code of Student Life.
2. Articulate how their behavior impacted others within and beyond the campus community.

3. Explain specific changes for future behavior. This may include but not be limited to Minot State's Co-curricular learning outcomes of leadership, wellness, self-awareness, and career and professional development.

Possible Meeting Outcomes

An outcome is a consequence incurred by the student due to the behavior that violated University policies. Outcomes may include, but are not limited to:

- Written warning- is a discussion of misconduct, which becomes a matter of at least temporary record with the University.
- Probation- indicates that continued enrollment is conditional upon good behavior during a specific period. It may include specific restriction of activity.
- Community Service
- Research Paper
- Reflection Paper
- Educational Program
- Attendance and Participation in Campus Programs
- Online alcohol/drug course
- Guardian notification (for students under 21 years of age)
- Restitution to the University for cleaning, replacing, or restoring a specific area or thing when loss or damage is incurred as a result of a student's actions.
- Restitution/ Disciplinary Fine- is the imposition of monetary penalty. Besides its use as a disciplinary sanction, it may also be used to compensate the University for a monetary loss resulting from a student's misconduct.
- Restriction/Removal of Privileges for a specified time frame
- Eviction from Campus Housing or an Administrative Move (students removed from or moved within campus housing as a result of violations will be held to the standard cancellation charge or change of rate)
- Suspension- is a temporary withdrawal of the privilege of enrolling in the University for a specific period. Suspension may be deferred to allow completion of an academic term, after which it is automatically invoked unless a provision for review was made at the time of the original decision. During a period of deferment, the suspension will be enacted immediately by administrative staff decision if additional misconduct occurs.
- Expulsion- is the withdrawal of enrollment privileges with no promise of reinstatement at any time and no opportunity for review for at least one year. Expulsion is the only action reflected in the official transcript. In each case, the words "may not register" appear without explanation. Reinstatement after suspension follows an interview with a staff member in the Student Affairs Office, who will inform the Registrar that the student may enroll again. Reinstatement after expulsion depends upon a recommendation to the President from both the Student Affairs Office and the academic college.
- Withholding Transcripts and Grades- is a refusal by the University to provide transcripts and grades to the student, to other institutions, to employers and to other agencies.

Are the above materials distributed to students in one of the following ways?

a. Mailed to each student (separately or included in another mailing)

Yes No

b. Through campus post offices boxes

Yes No

c. Class schedules which are mailed to each student

Yes No

d. During freshman orientation

Yes No

e. During new student orientation

Yes No

f. In another manner

Yes No

Any comments or clarifications on items 3 a-f:

MSU's formal means of communication is through campus e-mail. All students are required to have a campus e-mail. This policy is sent out to all students each semester by e-mail. "North Dakota University System e-mail account has been created for you. This is the official method of communication to you as a student. You can expect to receive information regarding registration, add/drop deadlines, advising, financial aid, athletic and other campus events".

3. Does the means of distribution provide reasonable assurance that each student receives the materials annually?

Yes No

4. Does the institution's distribution plan make provisions for providing these materials to students who enroll at some date after the initial distribution?

Yes No

5. Are the above materials distributed to staff and faculty in one of the following ways?

a. Mailed

Staff: Yes No Faculty: Yes No

b. Through campus post office boxes

Staff: Yes No Faculty: Yes No

c. During new employee orientation

Staff: Yes No Faculty: Yes No

d. In another manner: This policy is sent out to all faculty, staff, and students via e-mail 3-4 weeks into each semester. The drug free campus policy is available for new faculty and staff on the MSU website and is included in new faculty orientation.

Any comments or clarifications on items 6 a-d:

This policy is sent out to all faculty, staff, and students via e-mail 3-4 weeks into each semester. The drug free campus policy is available for new faculty and staff on the MSU website and is included in new faculty orientation.

6. Does the means of distribution provide reasonable assurance that each staff and faculty member receives the materials annually?

Staff: Yes No Faculty: Yes No

7. Does the institution's distribution plan make provisions for providing these materials to staff and faculty who are hired after the initial distribution?

Staff: Yes No Faculty: Yes No

8. In what ways does the institution conduct biennial reviews of its drug prevention program to determine effectiveness, implement necessary changes, and ensure that disciplinary sanctions are enforced?

a. Conduct student alcohol and drug use survey

Yes No

b. Conduct opinion survey of its students, staff, and faculty

Students: Yes No Staff and Faculty: Yes No

c. Evaluate comments obtained from a suggestion box

Students: Yes No Staff and Faculty: Yes No

d. Conduct focus groups

Students: Yes No Staff and Faculty: Yes No

e. Conduct intercept interviews

Students: Yes No Staff and Faculty: Yes No

f. Assess effectiveness of documented mandatory drug treatment referrals for students and employees

Students: Yes No Staff and Faculty: Yes No

g. Assess effectiveness of documented cases of disciplinary sanctions imposed on students and employees

Students: Yes No Staff and Faculty: Yes No

Any comments or clarifications on items 8 a-g:

The NDSWAPS was developed to measure alcohol and other drug usage, as well as attitudes and perceptions among college students attending two and four year institutions, nationwide. This survey is administered every other year (2018, 2020, etc.) in an attempt to measure drinking and drug use behaviors, as well as their perceptions of the norms surrounding alcohol use among students.

9. Who is responsible for conducting the biennial reviews?

Nancy Mickelson, MSU Campus Counselor

10. If requested, has the institution made available, to the Secretary and the public, a copy of each requested item in the drug prevention program and the results of the biennial review?

Yes No

11. Where is the biennial review documentation located?

Nancy Mickelson, MSU Campus Counselor located in the Student Health and Counseling Center

13. Comments or clarifications on any above items:

N/A

IV. **AOD Policy, Enforcement, and Compliance Inventory**

The following documents represent an inventory of ATOD policies related to alcohol and other drug use, prevention, and education. For most, the general enforcement is the responsibility of Minot State University Security Department; Minot PD will be called in as needed.

A. **POLICIES**

1. **Drug and Alcohol Abuse:**

Information on this section taken from the current Minot State University Policy Manual. The complete policy is available online at

<https://www.minotstateu.edu/hr/documents/policies/substance-abuse.pdf>

Minot State University
Policy Manual

Section 4.6

Substance Abuse

Source: SBHE 615, 918
NDUS 615

Purpose

The University recognizes that the use of illegal drugs and abuse of alcohol and prescription drugs is a serious problem within our society. Drug and alcohol abuse affects the health, safety, and well-being of all employees and students at MSU. In efforts to combat the negative consequences associated with drug and alcohol abuse, MSU complies with all state and federal laws regarding drug and alcohol policies (North Dakota State Board of Education policy governing alcohol use on campus, the Drug-Free Workplace Act of 1988, Public Law 100-690 and the Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226).

Minot State University recognizes the serious problems created by the use and abuse of alcohol and other drugs. In response to this awareness, Minot State University is committed to:

1. Establish and enforce clear campus policies regarding the use of alcohol and other drugs
2. Educate members of the campus community for the purpose of preventing alcohol and other drug abuse
3. Create a campus environment that promotes the individual's responsibility to himself/herself and to the campus community
4. Provide resources through counseling and referral services for students who experience alcohol and/or drug problems.

Students concerned about their own alcohol and drug use or about that of others are encouraged to contact the MSU Student Affairs Office or the University Student Health Center.

Policy

The University prohibits the use of alcohol or illegal drugs, as well as reporting for work or engaging in work or other University-related activities under the influence of alcohol or illegal drugs.

Standards of Conduct

The university prohibits the use, possession and/or sale of alcoholic beverages in classrooms, laboratories, bathrooms, offices, residence halls, university housing units, athletic facilities, university vehicles, other campus building areas, public campus areas or in outdoor campus areas.

1. An alcoholic beverage is any fluid or solid capable of being converted into a fluid, suitable for human consumption, and having an alcoholic content of more than 1/2 of 1% by volume, including alcohol, beer, lager beer, ale, porter, naturally fermented wine, treated wine, blended wine, fortified wine, sparkling wine, distilled liquors, blended distilled liquors, and any brewed fermented, or distilled liquor fit for use for beverage purposes or any mixture of the same, and fruit juices.
2. University groups and recognized organizations may not use their funds for the purchase of alcoholic beverages.
3. On-campus parties at which alcoholic beverages are consumed are prohibited.
4. Sale of alcoholic beverages by university groups or recognized student organizations is strictly forbidden. (This is to include any action that can be remotely construed as alcohol sale such as charging admission to parties, passing the hat, selling empty cups, selling tickets, etc.)
5. Alcoholic beverages (such as kegs or cases of beer) may not be used as awards or prizes in connection with events or activities sponsored by university groups or organizations.
6. Alcohol/drugs are not to be represented in any academic or instructional setting or in any campus publication in a manner that would:
 - A. encourage any form of alcohol abuse or place emphasis on quantity and frequency of use.
 - B. portray drinking as a solution to personal or academic problems of students or as necessary to social, sexual, or academic success.

- C. associate consumption of alcoholic beverages with the performance of tasks that require skilled reactions such as the operation of specialized equipment, motor vehicles, or athletic performance.

7. The use of alcoholic beverages during all public events held on the MSU campus is strictly forbidden except as provided by this subsection.

- a. This policy does not apply to homes furnished to institution officials, family housing, married student housing, faculty housing or off-campus guest housing.
- b. Alcoholic beverages may be permitted, subject to applicable state and local laws and ordinances, at events in facilities or upon land owned the institution pursuant to a permit signed by the institution's chief executive or designee. The permit must describe the nature of the event and the date(s), time(s) and place where consumption of alcoholic beverages is permitted. The permit may be for a single event or for events occurring periodically at the designated place during a period of not more than one year.

The use, consumption, and possessing of any narcotic, dangerous drug, and/or controlled substance by any student or employee of the university for which said student or employee does not have a legal license or valid prescription is strictly prohibited. The unlicensed distribution or sale of any narcotic, dangerous drug, or controlled substance by any student or employee of the university is strictly prohibited. When such activity occurs on campus, the university shall initiate appropriate measures, which may include disciplinary action. When such activity occurs off the premises of the campus, the university nevertheless may consider initiating disciplinary action if the university determines that the activity has a substantial adverse effect upon the university or upon individuals of the university community. Violators will be subject to penalties, which may include separation from the university.

Behaviors that suggest alcohol/drug abuse include (but are not limited to) the following:

1. Repeated accidents (on or off campus)
2. Repeated illness absences
3. Chronic lateness or early departures
4. Significantly diminished task performance (with no other explanation)
5. Odor of alcohol, slurred speech, unsteady gait, disorientation, paranoia, hallucinations, and other physical signs of impaired function, not caused by a known medical condition.

A faculty or staff member who suspects that a colleague or co-worker is under the influence of alcohol or illegal drugs should contact his/her department chair or the human resources director immediately.

A faculty or staff member who suspects that a supervisor or department head is under the influence of alcohol or other illegal drugs should contact the next level of supervision or administration.

If a department chair, supervisor, or administrator has been contacted, or suspects that an individual is under the influence of drugs or alcohol, he/she should contact the Director of human resources, or the next level of administration for assistance.

The individual will be given an opportunity to discuss the situation. A person suspected or found to be under the influence of alcohol or other drugs and/or who may be incapable of performing his/her job will be sent home. The individual will be taken home or be sent home in a taxi. Anyone who insists on driving while suspected of being under the influence of alcohol or other drugs will be reported to authorities.

If a person admits to being under the influence of alcohol or illegal drugs, drug or alcohol testing of the individual may not be necessary. In these cases, a mandatory referral will be made for evaluation by a licensed addiction counselor on or off campus.

If it is determined that testing is necessary because of a critical incident in the workplace or because of safety concerns for the individual, colleagues, or co-workers, blood and/or urine testing procedures will be used. The University will pay the cost of all required drug or alcohol testing. Drug or alcohol testing may be conducted at the Student Health Service or other appropriate health agency with test samples sent to a certified laboratory for analysis. Random drug or alcohol testing is not explicit or implicit in this policy.

An individual suspected, or found to be under the influence of alcohol and/or illegal drugs, will be referred for evaluation to a licensed addiction counselor, and, if indicated, will be expected to participate in an appropriate treatment program for rehabilitation. If an individual refuses evaluation, refuses to participate in the appropriate treatment program, if it is indicated, or does not successfully complete the program, he/she will be subject to disciplinary actions up to and including dismissal.

If the individual is able to continue working while involved in the treatment program, his/her supervisor, department head, or department chair will determine if the individual is capable of performing regular job duties.

If it is decided that the person should not work at his/her regular job, a temporary alternate job may be offered if one is available for which the person is qualified, or he/she will be placed on leave of absence with or without pay based on the appropriate leave of absence policy.

Conviction of Criminal Drug Statute Violation

Any faculty or staff member convicted of violating a criminal drug statute in this workplace must inform his/her department chair or the supervisor of such conviction (including pleas of guilty or nolo contendere) within five working days of the conviction occurring. Failure to

inform will subject the individual to disciplinary action, up to and including dismissal for the first offense. Under the Drug-Free Workplace Act of 1988, the University will notify the federal contracting officer within 10 days of receiving such notice from a faculty or staff member on a federal grant, contract, or otherwise receiving notice of such a conviction.

The University reserves the right to offer individuals convicted of violating a criminal drug statute in the workplace participation in an approved rehabilitation or drug assistance program as an alternative to discipline. If such a program is offered, and accepted by the faculty or staff member, then he/she must satisfactorily participate in the program as a condition of continued employment.

Aftercare

Upon completion of the initial alcohol/drug treatment program, the individual may be monitored for up to two years by the supervisor/department head as determined by the treatment program. As a part of the aftercare program, monthly reports from the licensed drug/alcohol treatment program will be submitted to the supervisor or department chair on the individual's program while he/she is in the program. Reports of relapses and/or missed aftercare meetings will also be reported to the supervisor or department chair by the licensed alcohol/drug treatment program. Non-compliance in the above-stated elements of the aftercare program will result in disciplinary actions up to and including dismissal.

Prescription Drugs

Although prescription drugs and over the counter drugs are legal, their use may be unsafe under certain circumstances. A person who is using a drug that impairs mental or physical functioning should inform his/her supervisor or department chair. The supervisor will be responsible for evaluating the individual's ability to work. If necessary, the faculty or staff member may be requested to obtain a statement from the prescribing physician, authorizing the individual to work. If it is determined that it would be unsafe for an individual to work in the regular work setting, an alternative, temporary job may be offered if one is available for which the person qualified. If no suitable job is available, the impaired person will be sent home.

Sale, Transfer, Possession of Illegal Drugs

Possession of illegal drugs (except possession of current prescription drugs) is prohibited and anyone in violation shall be subject to discipline. Any person who sells, manufactures, distributes any illegal drugs on University property will be reported to the authorities and will be subject to dismissal.

Legal Sanctions

Under the North Dakota Century Code, persons in the workplace suspected of violating either alcohol or drug statutes may be referred to civil authorities for prosecution.

Conviction of either state or federal alcohol or drug statutes will subject an individual (faculty or staff) to disciplinary action including, but not limited to, a required rehabilitation program, suspension, demotion, or dismissal.

The classification of offense and the sanctions for violating specific alcohol or drug statutes are as follows: Section 12.1-32-01. Classification of Offenses-Penalties. Offenses are divided into seven classes that are denominated and subject to maximum penalties, as follows:

1. Class AA felony: up to life imprisonment.
2. Class A felony: up to 20 years in prison, \$10,000 fine, or both.
3. Class B felony: up to 10 years in prison, \$10,000 fine, or both.
4. Class C. felony: up to 5 years in prison, \$5,000 fine, or both
5. Class A misdemeanor: up to one year in prison, \$1,000 fine, or both.
6. Class B misdemeanor: up to 30 days in prison, \$500 fine, or both.
7. Infraction: up to a \$500 fine.

Alcohol

Section 5-01-09. Alcoholic Beverages: Delivery to certain persons unlawful. Penalty for knowingly delivering alcoholic beverages to a person under twenty-one years of age (except as allowed under section 5-02-06), an obviously intoxicated person, a habitual drunkard, or an incompetent is a class A misdemeanor. Persons under the influence of intoxicating liquor or other drugs or substances are not to operate a vehicle. Conviction for a first or second offense is a Class B misdemeanor; subsequent offenses could possibly be classified Class A misdemeanors or Class C felonies. Section 39-08-18.

Open bottle law conviction carries a \$50 fine. Section 48-05-06. Alcoholic beverages and drugs in charitable institutions prohibited. Penalty for taking, sending, or introducing any alcoholic beverage or controlled substance into any building or upon the premises of any institution, except as stated in NDCC 48-05-06, is guilty of a class A misdemeanor.

Drugs

Chapter 19-03.1. Uniform Controlled Substance Act. Conviction under the Uniform Controlled Substance Act carries penalties that range from 1-year imprisonment, \$1,000 fine, or both to 28 years imprisonment, \$10,000 fine, or both.

Chapter 19-03.2. Imitation Controlled Substances. Penalties range from a class B misdemeanor for a person to use, or to possess with intent to use, an imitation controlled substance to a class C felony for the purpose of manufacturing, distributing, or possession with the intent to distribute, an imitation controlled substance.

Section 19-04-08. Distribution of Anabolic Steroids Prohibited. Penalty for distributing or possessing with the intent to distribute an anabolic steroid for use in humans other than the treatment of disease under the prescription of a physician is a class B felony.

12.1-31.1-03. the offense level for unlawful possession of drug paraphernalia ranges from a Class A misdemeanor to a Class C felony.

This is not a list of all possible alcohol or drug offenses. The violation of any offense, listed or not, may lead to disciplinary action by the University, as well as criminal prosecution. Disciplinary and appeal procedures for faculty are found in the Faculty Handbook and for staff in the Human Resources Policy Manual. Federal statutes are either attached or available as printed in the August 16, 1990, Federal Register as part of the final regulations for the Drug-Free Schools and Campuses Act 1990.

Sources of Education and Counseling

The University offers an [Employee Assistance Program](#) (EAP), which can be used for referrals to appropriate support agencies or services. The human resources director is the contact person. Trinity Health or North Central Human Service Center in Minot offers educational programs for persons seeking assistance in drug and alcohol evaluation, intervention, treatment, and aftercare. Other agencies or licensed addiction counselors are listed in the yellow pages of the telephone book under "Alcoholism Treatment" and "Drug Abuse Information and Treatment."

Students may initiate help for themselves or others by contacting the [Student Development and Health Center](#). Other agencies in addition to those listed below may be found in the yellow pages of the telephone book under "Alcoholism Treatment" and "Drug Abuse Information and Treatment."

VILLAGE FAMILY SERVICES
852-3328
20 1st St SW Minot,
ND 58701

TRINITY MENTAL HEALTH SERVICES
857-5998
1900 8th Ave SE
Minot, ND 58701

Uses and Effects of Controlled Substances

For drug descriptions, see the DOJ website at: <https://www.dea.gov/druginfo/factsheets.shtml>

Reporting Requirements and Records Retention

A department chair or supervisor who has disciplined a faculty or staff member for alcohol or drug-related workplace problems or who has knowledge of an alcohol or drug-related conviction, shall notify the appropriate vice president in the area the faculty or staff member is employed.

Confidentiality of Records

North Dakota Century Code 44-04-18.1, "Any record of a public employee's medical treatment or use of an employee assistance program is not to become part of that

employee's personnel record and is confidential and may not be released without the written consent of the employee." North Dakota Century Code 44-04-18.1, "Any record of a public employee's medical treatment or use of an employee assistance program is not to become part of that employee's personnel record, is confidential, and may not be released without the written consent of the employee."

Direct inquiries to: HR Director / EEO/AA / Deputy Title IX Coordinator, Administration 2FL, 701-858-4610, hr@minotstateu.edu

Updated August 7, 2017

2. **Student Code of Conduct** – particularly relating to Alcohol and Other Drugs. Student Conduct Policy: Information on this section can be found online: Student Handbook www.minotstateu.edu/handbook

Violations of The Law

Alleged violations of federal, state and local laws may be investigated and addressed under the Code of Student Life. When an offense occurs over which the University has jurisdiction, the University conduct process will usually go forward notwithstanding any criminal complaint that may arise from the same incident.

Each member of Minot State is held responsible for their own behavior. Students should be aware of all federal, and local laws, as well as Minot State policy. Ignorance does not eliminate responsibility.

*Some policies can be found here, however some policies are housed in the individual campus offices.

3. **Alcoholic Beverages - Payment from University Accounts**

Allowable and Unallowable Expenditures:

I. The following items cannot be purchased from any University funds regardless of the source (appropriated, local, grants, etc.). Exceptions can be made for certain situations if prior approval is received from the Vice President for Administration and Finance. If an employee is uncertain whether an expense is allowable, please seek prior approval from the Business Office. This list is not all-inclusive:

1. Alcoholic beverages

4. **Tailgating:** Information on this section taken from the current athletic tailgating policy. https://msubeavers.com/sports/2011/8/26/GEN_0826115931.aspx.

2019 MINOT STATE FOOTBALL TAILGATING

Tailgating Policies

Tailgating before MSU Football games offers a special time for reunions of family, friends and alumni, and the university is pleased to serve as host to these gatherings. Additionally, MSU is pleased to welcome all of our guests to campus. In order to ensure that everyone has a safe and memorable game day experience, MSU expects all fans to celebrate responsibly and adhere to the following rules while on campus. Failure to abide by these rules may, among other consequences, result in removal from campus, student disciplinary action or arrest.

- All fans are expected to be respectful to university property and all of the fans around them. Drunkenness, vandalism, obscene or harassing behavior and violence (or threats of violence) will not be tolerated and should be reported to law enforcement officials or campus representatives. Individuals who interfere with the rights of others by use of loud and/or abusive language and behavior will be asked to leave the event and may be subject to legal penalties.
- All fans and tailgating participants are expected to clean up their trash. Trash receptacles are provided throughout the tailgate lot.
- Tailgating is permitted on 11th Ave in front of the dome, along with the L Lot (East side of dome) for overflow. Alcohol is permitted in these two areas **only** and may only be consumed by those individuals of legal age (**21 years or older**). Those individuals that are found in violation will be prosecuted. Please note that it is also illegal to provide alcohol to those under the age of 21.
- No glass containers are allowed. Plastic/paper cups and aluminum cans are required.
- Tailgate participants are required to bring their own electrical cords. Outlets are available, however **Minot State will not responsible for providing electrical cords**.
- Tailgate participants are required to bring their own tables and chairs. Minot State University is not responsible for providing tables or chairs to tailgaters.
- Tailgate participants are required to bring their own beverages and water. Minot State University is not responsible for providing water or beverages to tailgaters.
- Propane, charcoal and gas grills are permitted. If using charcoal, carefully dispose of hot coals off of university property. No open flames are permitted.
- Tailgate activities must cease following the end of halftime (at kickoff of third quarter). No consumption of alcohol is allowed to take place following the game.
- Any vending or raffle activities must be approved by the MSU Athletic Department prior to the day of the game.

It is our goal to provide a family atmosphere at our tailgate events. Please work with us to

ensure that this takes place and be respectful of those around you. Minot State University and the Athletic Department remind fans to **NOT** drink and drive. Please choose a designated driver before you consume any alcoholic beverages. We are excited to offer these opportunities to gather and celebrate. Go Beavers!

Tailgating Information

Due to the high demand from Beaver fans for tailgate spots there will be a limited number of parking spaces at the Minot State University tailgate party. Tailgating events will now be located on 11th Avenue on the South side of the Minot State Dome.

Highlights for the 11th Avenue Tailgate include:

- Expanded Entertainment Zone
- Live Music
- Youth Games
- Increased Food Options- Highlighted by Local Restaurants
- MSU Apparel Sales
- MSU Band and Cheer Team Performances
- Full Power Hook-Ups

The upper lot located on the North side of the Dome is designated as an "open" lot and does not include power or scheduled entertainment at this time.

Tailgating Students and Student Organizations

- Tailgating spots for students and for registered student organizations are available through the Minot State tailgate reservation process. Student spots are indicated on the map in the green section. Students are encouraged to wear their Beaver colors and be heavily involved with the festivities surrounding the Minot State tailgate party. Student organizations requesting tables should place the request on the Monday prior to the next home football game.

Tailgating Parents

- Minot State Athletics welcomes parents of students and student-athletes to part-take in the tailgating fun. Minot State parents bring an exciting and rich tradition to our tailgating experience. Parents are encouraged to arrive early to visit the beautiful Minot State campus.
- The Will Call window will be open 90 minutes prior to game time at the North Gate Only. You can sign for your complimentary admission early and receive a hand stamp for entry from the South Gate at your desired time.

Tailgating Alumni

- Minot State Alumni and their support are important to Beaver Athletics. The Alumni Association will be granted multiple tailgate spots for their use. For access to these spots please contact the Minot State Alumni Office, as space will be very limited.

- All alumni are also encouraged to reserve their own personal spots if they desire and can then follow the online registration process.

Tailgating Guidelines and Tips

- Don't miss the game! Tailgating ends prior to kick-off and fans are encouraged to not miss any of the game action!
- Multiple parking spots can be reserved; however, those requesting more than 4 spots please contact the athletic office for special consideration.
- Business and organizations are encouraged to participate and may partner with Minot State Athletics for on-site product promotion.
- Propane and electric grills are encouraged; if coals are used, please do not dump coals on the ground.
- Alcoholic beverages are permitted during tailgate hours and only for those 21 and older. (No glass please.)
- Pick up after yourself and your party.
- Celebrate responsibly and represent Minot State in an appropriate manner.

5. **Alcoholic Beverages- Campus Housing:** Information on this section taken from the current Residence Life Community Handbook. The complete handbook is available online at: <https://www.minotstateu.edu/life/documents/Residence-Life-Policies.pdf>

ALCOHOL AND DRUG POLICY

Minot State University is a federally funded institution and hence follows federal law before state law. Please review Minot State's Drug Free Campus Policy <https://www.minotstateu.edu/handbook/documents/Drug-Free-Campus-Policy.pdf> .

In accordance with state and federal laws, and with the necessary regulations and shared responsibilities of community living in mind, the Residence Life Office has established the following priorities:

1. To discourage and prohibit illicit and illegal drug usage.
2. To discourage and prohibit underage drinking.
3. To prevent problem behavior and to educate against alcohol and drug abuse.
4. To provide prevention, intervention information, and education for all residents, including information about confidential and effective guidance and counseling services for those with special concerns or needs regarding alcohol and drug use and/or abuse.

In incidents of suspected illegal drug use, or possession, and/or consumption of alcohol by minors, law enforcement WILL BE contacted. During the course of an investigation, a police canine team may be used.

Residence Hall Alcohol Policy

Minot State has declared all residence halls drug and alcohol free. Violations of this policy include but are not limited to:

- Drinking alcoholic beverages in the residence halls
- Being in possession of alcohol in the residence halls
- Using or possessing illegal drugs or prescription drugs that are not prescribed to the student in possession
- Abusing prescription drugs
- Being in possession of items that may be reasonably considered drug paraphernalia
- Selling and/or distributing alcohol or other drugs from any location on campus
- Entering a residence hall while dangerously intoxicated
- Committing a separate policy violation while intoxicated (i.e. vandalism violation, noise violation, etc.)
- Displaying or possessing alcohol containers, full or empty for decoration
- Signs (including neon “bar signs”), posters, or other material advertising or encouraging alcohol use displayed in residence windows, or visible from the hallway of the residence

Apartment Alcohol Policy

Minot State permits alcohol in apartments where all leaseholders are over the age of 21. All federal and state laws apply. Abuse of this privilege will lead to eviction.

- Signs (including neon “bar signs”), posters, or other material advertising or encouraging alcohol use displayed in residence windows, or visible from the hallway of the residence
- Drinking or possessing alcoholic beverages with minor’s present
- Using or possessing illegal drugs or prescription drugs that are not prescribed to the person in possession
- Abusing prescription drugs
- Being in possession of items that may be reasonably considered drug paraphernalia
- Selling and/or distributing alcohol or other drugs from any location on campus.

****The Residence Life Office holds the right to evict any residents in apartments or residence halls found responsible for violating state or federal drug laws.**

Medical Amnesty

In order to encourage those who may be in danger from alcohol/drug poisoning or alcohol/drug related injuries to seek proper assistance, no student seeking medical treatment for his/her alcohol or drug- related overdose, or assisting another student in obtaining such treatment, will be subject to University discipline for that Alcohol Violation. The incident will be documented for health and safety purposes.

Minot State University Parental Notification Policy

Minot State has a responsibility to help students whenever University personnel believe the student is in need of assistance. This responsibility extends to “notification of parents,” which is permitted under the 1998 Amendments to the Family Educational Rights and Privacy Act (FERPA). Therefore, parental notification may occur at Minot State after any violation or serious offense where alcohol/drugs is involved if the student is under the age of 21.

6. Smoke Free/Tobacco Free Campus

<https://www.minotstateu.edu/health/preventative-programs.shtml>

Tobacco-Free Campus Policy

Effective January 1, 2009

Rationale for Policy

To become a "CEO Cancer Gold Standard institution," Minot State University must help fight cancer, by meeting three goals: risk reduction through lifestyle change, early detection and quality care. Part of reaching these goals includes establishing and enforcing a tobacco-free worksite policy and providing health benefit plan coverage for tobacco treatments (counseling and medications).

The health hazards of tobacco use have been well established. Cigarette smoking kills nearly 500,000 Americans annually. Secondhand smoke is a Class A carcinogen (cancer-causing agent); according to the 2006 US Surgeon General’s Report, there is no safe level of exposure to secondhand smoke. Smokeless tobacco contains 28 carcinogens, and according to the Centers for Disease Control and Prevention, is known to increase the risk of developing cancer of the oral cavity.

This policy is established to protect the health and promote the wellness and safety of all students, employees and the general public.

Definitions

For purpose of this policy, tobacco use includes the possession of any lighted tobacco product or the use of any oral tobacco product, including electronic cigarettes.

Policy

The use of tobacco on university property, indoors or outdoors or in university vehicles, is prohibited at all times. This prohibition includes smoking in personal vehicles parked on university grounds. The policy applies to all employees, students and visitors. This policy also applies to external individuals or companies renting or using space with MSU and should be reflected in all agreements/contracts with such individuals or companies. Minot State University is a tobacco-free campus.

To support those who are interested in quitting tobacco use, all benefitted employees have available to them, through the North Dakota Public Employees Retirement System Health Care Plan, a North Dakota Tobacco Cessation Program. For more information, call 1-800-223-1704. For others, assistance in quitting tobacco use is available locally through the First District Health Unit at 852-1376. The North Dakota Tobacco Quit line is also available at 1-866-388-7848 for those interested in quitting tobacco use.

Responsibility/Enforcement

The responsibility lies with the employees, students and visitors of Minot State University to abide by this policy.

A student in violation should be reported to the vice president for student affairs. An employee in violation should be reported to his or her supervisor. Repeated violation by a student will result in disciplinary action as outlined in the Student Conduct Policy in the Student Handbook. Repeated violation by employees will result in disciplinary action as outlined in applicable State Board of Higher Education policies. Visitors who persist in noncompliance must be directed off university grounds.

Communication

Current smoke-free signs on campus will be replaced with similar, tobacco-free/smoke-free signs. This policy and explanation will be printed in university-approved publications, including the Student Handbook, the Faculty Handbook, and other publications, as deemed necessary. It is also posted on the Staff and Faculty webpage and in the MSU Human Resource Policy and Procedure Manual found on the Human Resources webpage.

Information regarding the Tobacco-free Campus Policy will be included in formal and informal orientations for new students and employees. This policy will be sent out as a reminder, through campus announcements, at the beginning of each semester/term.

Organizers of events are responsible for communicating this policy to attendees.

Ceremonial Use Exception

The tobacco-free policy may not apply to specific activities used in connection with the practice of cultural activities by American Indians that are in accordance with the American Indian Religious Freedom Act, 42 U.S.C. 1996 and 1996a, All ceremonial use exceptions must be approved in advance by the President of Minot State University or designee.

7. Amnesty/Responsible Action/Good Samaritan Protocol Policies

This information is shared with incoming students who complete the E-chug survey with the MSU Campus Counselor as well as noted in the Residence Life Handbook.

<https://www.minotstateu.edu/life/documents/Residence-Life-Policies.pdf>

North Dakota Good Samaritan Law ▪ The Good Samaritan Law was passed to encourage friends, family members, and bystanders to call 911 in the event of an overdose. ▪ The Law provides protection from prosecution for ingestion or possession of a substance or possession of drug paraphernalia for a maximum of three people, including the person overdosing. ▪ In order to be immune from prosecution, you need to: ▪ Call 911 ▪ Remain onsite until assistance arrives ▪ Cooperate with law enforcement and emergency medical service personnel ▪ North Dakota Century Code 19-03.1-23.4

8. Athletic Department Alcohol and Other Drug Use and Testing Policy

<http://www.ncaa.org/sport-science-institute/topics/2020-21-ncaa-banned-substances>

Minot State University Athletic Department Drug & Alcohol Education and Testing Program

The Athletic Department at Minot State University is concerned with the health, safety, and well-being of the student-athletes who participate in its programs and represent the university in competitive athletics. Substance abuse is one of the most important issues facing athletics and society today. The use of illegal drugs, misuse of legal drugs and dietary supplements, use of performance-enhancing substances, and misuse of alcohol are inconsistent with the standards expected of student-athletes at Minot State University. This kind of substance use and abuse in sport can pose risks to the student-athlete's health and negatively affect their

academic and athletic performance. It also can compromise the integrity of athletic competition and the ideals of Minot State University.

It is our goal to provide an environment for Minot State University student-athletes that allows them to develop their individual talents so they can reach their full potential as student-athletes and citizens. It is our desire, therefore, to educate our student-athletes about the effects (both long- and short-term) of drugs, dietary supplements, and misuse of alcohol on their performance and, much more importantly, on their lives. It is our hope that our student-athletes will recognize these risks, therefore compete, and live free of all dangerous substances.

This program is the Minot State University Athletic Department Drug & Alcohol Education and Testing Program, which is separate and distinct from that of the NCAA. The NCAA drug testing sanctions are not the same as those imposed under this program; however, any NCAA positive test result will also be considered a positive test under this program.

Participation in intercollegiate athletics at Minot State University is a privilege, not a right. As a condition of being permitted to participate in Minot State University's athletics program, student-athletes must comply with this policy and all other applicable requirements and procedures, including complying with and consenting to the drug education program, random and reasonable suspicion drug testing procedures and requirements, and signing the Student-Athlete Consent Form indicating their understanding and voluntary consent to these requirements and procedures. Failure to consent to and/or comply with the requirements of this program shall result in the student-athlete's immediate removal from athletic participation, immediate cancellation of current athletic aid, and ineligibility to receive athletic aid in subsequent years.

Purposes of the Drug & Alcohol Education and Testing Program

1. To adhere to NCAA, conference, and university policies, rules, and procedures regarding legal or illegal drug use by student-athletes.
2. To disseminate information and educate student-athletes about problems associated with drug and alcohol abuse.
3. To deter student-athletes from using illegal drugs and alcohol.
4. To identify student-athletes who are using illegal drugs or abusing alcohol or other legal drugs and provide avenues for remediation.
5. To assure all student-athletes, parents, and university officials that the Minot State University Athletic Department is committed to providing a drug-free environment for the conduct of all athletic programs.
6. To protect the reputation and integrity of the Minot State University intercollegiate athletics program.

Prohibited Substances

Performance-Enhancing Drugs: Performance-enhancing drugs (PEDs) are medically harmful and are expressly prohibited by Minot State University and the NCAA. State and federal laws also prohibit the sale, distribution, and/or use of many of these substances. PEDs include steroids and other anabolic agents identified on the NCAA Banned Drugs list or agents used to block/mask detection. Examples of blocking/masking agents are included on the NCAA Banned Drugs list in Section (d): Diuretics. Student-athletes who take these substances are not only endangering their own health and safety but are also jeopardizing the health and safety of the student-athletes with whom they participate.

Social Drugs (e.g., street drugs): Social drugs (e.g., marijuana, amphetamines, opiates, ecstasy, etc.) have the potential to cause harm and dependence. The use of these drugs may impair performance and reaction time, possibly resulting in injury to the student-athlete or others during an athletic activity. Social drugs are medically harmful and are expressly prohibited by Minot State University and the NCAA. State and federal laws also prohibit the sale, distribution, and/or use of many of these substances. Socially used drugs that are banned by Minot State University and the NCAA are identified on the NCAA Banned Drugs list. Student-athletes who take these substances are not only endangering their own health and safety but are also jeopardizing the health and safety of student-athletes with whom they participate.

Prescription Medication: Student-athletes who are taking medications that contain substances that appear on the NCAA Banned Drugs list must provide documented medical evidence demonstrating the need for regular use of such substances. Substances designated on the NCAA Banned Drugs list are permitted if the student-athlete has such required documented medical evidence.

Alcohol: Minot State University and its Athletics Department view the use of alcohol to be incompatible with the goals of athletic and academic excellence. Possession and consumption of alcohol by persons under the age of 21 in the State of North Dakota is illegal. Accordingly, student-athletes under the age of 21 are expected to abide by state law. Because of the potential to cause harm, student-athletes may not consume alcohol prior to practice or competition. Student-athletes are not allowed to participate in practice or competition activities if they have alcohol in their systems. Student-athletes are also prohibited from consuming alcohol during University-sponsored travel.

Dietary Supplements: Many dietary supplements or ergogenic aids contain banned substances. Often the labeling of dietary supplements is not accurate and is misleading. Terms such as “healthy” or “all natural” do not mean dietary supplements are free of banned substance or are safe to take. Using dietary supplements may lead to negative side effects such as dehydration and/or may cause positive drug tests. Student-athletes who are currently taking dietary supplements or intend to take any are required to review the product with the head athletic trainer prior to usage.

Other Substances: The NCAA Banned Drugs list identifies other prohibited substances. Student-athletes are responsible for understanding that all substances listed on the NCAA Banned Drugs list are also banned by Minot State University. Minot State University reserves the right to test for substances not included on the NCAA Banned Drugs list and to test for substances at cut-off levels that may vary from the NCAA testing protocol.

Any student-athlete who has questions about banned substances is encouraged to contact the Drug Free Sport Resource Exchange Center at www.drugfreesports.com/rec. Once on this site, please click the NCAA logo and enter the following password: ncaa2.

Testing Options

Student-athletes may be selected to participate in any or all drug testing methods defined as follows:

- Random testing
- Team testing
- Reasonable suspicion testing
- Re-entry testing
- Follow-up testing

Random Testing: Randomly selected individuals may be subject to drug and alcohol testing at any time. A computerized system or similar mechanism may be used to select student-athletes for testing on a random basis.

Team Testing: An entire team could be subject to drug or alcohol testing at the request of the head coach or Director of Athletics. In order to ensure the health and safety of student-athletes initially reporting for practice or during the academic year, and to ensure student-athletes will not be disqualified from NCAA championships, Minot State University is permitted to select an entire team for testing.

Reasonable Suspicion Testing and Past Positive Results: Reasonable suspicion is intended to target situations when there are objective facts or specific occurrences that support the conclusion that a student-athlete may be using prohibited substances. Reasonable suspicion may also be triggered by a previous positive test within the preceding 12 months or any positive test during the student-athlete's enrollment at Minot State University.

Re-entry Testing: A student-athlete who has had his or her eligibility to participate in the intercollegiate athletics program suspended as a result of a drug and/or alcohol incident will be required to undergo re-entry testing prior to regaining eligibility.

Follow-up Testing: A student-athlete who has returned to participation in intercollegiate athletics following a positive test under this policy will be subject to follow-up testing throughout

the remainder of their athletic eligibility. Testing will be unannounced and will be required at a frequency determined by the Director of Athletics or designee.

Testing Process

Upon notification by the Head Coach, Director of Athletics or designee, or Head Athletic Trainer, the student-athlete must present him- or herself at the specified collection site and at the designated time for testing. A designated outside agency will administer all drug tests under the supervision of the head coach or designee. All individuals responsible for specimen collection will be employed by the designated outside agency. Only those persons authorized by the institution will be allowed in the collection room.

1. When arriving to the collection room, the student-athlete will provide photo identification, or a client representative will need to identify the student-athlete.
2. The student-athlete will work with the testing collector to complete the necessary information before proceeding with the specimen collection process.
3. The student-athlete will select a specimen collection beaker from a supply of such and provide a urine specimen.
4. The testing collector will reasonably observe the furnishing of the urine specimen to assure the integrity of the specimen.
5. The student-athlete will be responsible for keeping the collection beaker closed and controlled.
6. If the specimen is incomplete, the student-athlete must remain in the collection room until a proper sample is completed. During this period, the student-athlete is responsible for keeping the collection beaker closed and controlled.
7. If the specimen is incomplete and the student-athlete must leave the collection room for a reason approved by the testing collector, the specimen must be discarded.
8. Upon return to the collection room, the student-athlete will begin the collection procedure again.
9. Fluids and food given to student-athletes who have difficulty providing a sample must be from sealed containers (approved by the testing collector), opened and consumed in the collection room. These items must be free of any other banned substances.
10. If a student-athlete is suspected of manipulating specimens (e.g., via dilution, substitution), the testing collector will collect another specimen from the student-athlete.
11. Once the testing collector has determined the specimen is sufficient and has an amount necessary for testing, the sample will be processed and sent to the laboratory.
12. The student-athlete is then released by the testing collector.
13. If the laboratory determines that a student-athlete's sample is inadequate for analysis, another sample may be collected at the discretion of the institution.

Safe Harbor

The Minot State University Athletic Department understands that there may be circumstances where an individual may feel that he or she may suffer from an addiction to drugs and/or alcohol and that he or she may wish to obtain help in overcoming this addiction. Because the student-athlete is seeking to make a lifestyle change and help themselves, it is the department's policy to assist the student-athlete in this process. Individuals utilizing Safe Harbor will be assessed by trained professionals in order to assess the severity of the problem and subsequently make recommendations for treatment.

1. Rules for Safe Harbor

- a. Any student-athlete who seeks assistance prior to receiving a positive test result and/or prior to being notified that he or she has been selected for testing, will be deemed to not be in violation of this policy for purposes of determining sanctions. However, the Head Athletic Trainer, in consultation with the Director of Sports Medicine and/or Team Physician, may determine that for health and safety reasons the student-athlete may need to be withheld from participation in intercollegiate practice or competition pending an evaluation.
- b. Self-referral to Safe Harbor can only be made one time during the student-athlete's collegiate enrollment.
- c. Self-referral to Safe Harbor can only be utilized prior to the notification of an impending test. Claiming Safe Harbor after being notified of an impending test will not be honored, and should the subsequent test be positive, it will be treated as such according to this policy.
- d. The student-athlete must satisfactorily complete the prescribed substance abuse treatment program recommended by Minot State University rehabilitation counselors. Failure to complete this prescribed program successfully will result in a first positive test violation.
- e. During treatment, the Athletic Department as well as any outpatient or inpatient facility used by the Athletic Department, reserves the right to perform routine, unannounced tests. If a test reveals the existence of banned substances after a 30-day period, or if at any time a different banned substance other than the one the athlete was originally referred for results in a positive test, the student-athlete shall receive a violation of the substance abuse policy.
- f. Upon official release from a rehabilitation program, the student-athlete will be subject to random testing. If any substance is then discovered, an automatic positive test will result.
- g. Self-referral to Safe Harbor cannot be used while actively undergoing treatment for an existing substance abuse violation.
- h. Costs of treatment program will be covered by the Athletic Department while in Safe Harbor unless a violation of the Safe Harbor guidelines take place, at which point continued costs will become the responsibility of the student-athlete.

Effect of Positive Results

The following sanctions will be those typically imposed by Minot State University in the administration of the Policy. In all cases, however, Minot State University reserves the right to act in what it believes to be the best interests of the student-athlete and the university. The Director of Athletics may impose sanctions commensurate with the facts and circumstances of each case.

Level 1 Violation

Examples: minor in possession, impermissible consumption of alcohol on campus

- The Director of Athletics and/or designee will meet with the student-athlete to discuss violation, give written notification to the student-athlete of the intention to impose sanctions, the nature of the sanction, reasons for the proposed action, and the right of the student-athlete to request a hearing.
- The Director of Athletics and/or designee will advise the student-athlete of mandatory substance abuse counseling. The substance abuse counselor shall determine the length and manner of counseling.
- The student-athlete will be required to complete community and/or department service hours.

Level 2 Violation

Examples: 2nd alcohol offense within the same year, 1st illegal or banned substance offense

- The Director of Athletics and/or designee will meet with the student-athlete to discuss any test results, give written notification to the student-athlete of the intention to impose sanctions, the nature of the sanction, reasons for the proposed action, and the right of the student-athlete to request a hearing.
- The Director of Athletics and/or designee will advise the student-athlete of mandatory substance abuse counseling. The substance abuse counselor shall determine the length and manner of counseling.
- The Director of Athletics and/or designee may notify the student-athlete's parents/legal guardians in writing of the known facts concerning the violation and of the conditions to be imposed in response thereto. Such notification may also occur via a conference call with the head coach and/or student-athlete present.
- The student-athlete will submit to drug or alcohol testing on a schedule to be determined by the Director of Athletics and/or designee.
- The student-athlete will be suspended from participation in competition for a minimum of 10% of the applicable sport season. Suspensions will be rounded to the nearest whole number (i.e. 2.5 competition dates will be rounded to 3 competition dates). If less than 10% of the sport season remains, the suspension will be carried into the subsequent season until the suspension is satisfied.
- The student-athlete may have his or her athletic aid reduced or cancelled.
- The student-athlete will be required to complete community and/or department service hours.

Level 3 Violation

Examples: 3rd cumulative alcohol offense, 2nd cumulative illegal or banned substance offense, DUI/DWI.

- The Director of Athletics and/or designee will meet with the student-athlete to discuss any test results, give written notification to the student-athlete of the intention to impose sanctions, the nature of the sanction, reasons for the proposed action, and the right of the student-athlete to request a hearing.
- The Director of Athletics and/or designee will advise the student-athlete of mandatory substance abuse counseling. The substance abuse counselor shall determine the length and manner of counseling.
- The Director of Athletics and/or designee will notify the student-athlete's parents/legal guardians in writing of the known facts concerning the violation and of the conditions to be imposed in response thereto. Such notification may also occur via a conference call with the head coach and/or student-athlete present.
- The student-athlete will submit to drug or alcohol testing on a schedule to be determined by the Director of Athletics and/or designee.
- The student-athlete will be suspended from participation in competition for a minimum of 25% of the applicable sport season. Suspensions will be rounded to the nearest whole number (i.e. 2.5 competition dates will be rounded to 3 competition dates). If less than 25% of the sport season remains, the suspension will be carried into the subsequent season until the suspension is satisfied.
- The student-athlete will have his or her athletic aid reduced or cancelled.
- The student-athlete will be required to complete community and/or department service hours.

Level 4 Violation

Examples: 4th cumulative alcohol offense, 3rd cumulative illegal or banned substance offense, 2nd DUI/DWI.

- The Director of Athletics and/or designee will meet with the student-athlete to discuss any test results, give written notification to the student-athlete of the intention to impose sanctions, the nature of the sanction, reasons for the proposed action, and the right of the student-athlete to request a hearing.
- The athletics eligibility of the student-athlete will be cancelled at Minot State University, any existing athletic aid will be cancelled, and the student-athlete will not be eligible for renewal of any athletic aid.
- The Director of Athletics will notify the student-athlete's parents/legal guardian in writing of the known facts concerning the violation and of the conditions to be imposed in response thereto.
- The student-athlete will no longer be under the jurisdiction of the Athletics Department and is not eligible for any related services.
- The student-athlete will be encouraged to seek substance abuse counseling available to all student's incident to their enrollment at Minot State University, but such counseling will not be initiated or supervised by the Athletic Department since the student is no longer under its jurisdiction.

Refusal of testing/treatment/counseling

Refusal of the student-athlete to meaningfully participate and/or cooperate in the testing process, evaluation or prescribed treatment/counseling programs will result in the student-athlete's immediate removal from the team, immediate cancellation of current athletic aid, and ineligibility to receive athletic aid in subsequent years.

Drug & Alcohol Testing Appeal Process

1. Student-athlete may appeal either the finding of a prohibited substance or the sanction imposed as a result of a positive test.
2. To appeal either a positive test or the sanction imposed, the student-athlete must file an appeal in writing accompanied by supporting evidence. The appeal must be filed with the Director of Athletics within seven (7) calendar days of notification of a positive test result. At the appeal, the student-athlete has the right to present his/her case and present witnesses on his/her behalf. The appeals hearing will be conducted within five (5) working days of receipt of the appeal. The appeals hearing will consist of a review of all available evidence related to the initial finding as well as new evidence or documentation provided by the student-athlete.
3. Appeals Panel may consist of:
 - a. Director of Athletics and/or designee(s);
 - b. Head Athletic Trainer;
 - c. Faculty Athletic Representative; and/or
 - d. Senior Women's Administrator (SWA).
4. The Appeals Panel may: affirm the initial finding or sanction; reverse the initial finding or sanction; recommend an alternative sanction. The alternative sanction recommended by the Appeals Panel may not be harsher than the initial sanction. A written copy of the appeals decision will be provided to the student-athlete within five (5) working days of the hearing.

Available Resources

- NCAA: www.NCAA.org/drugtesting
- Drug Free Sport: www.drugfreesport.com/rec or (877)-202-0769
 - Password: ncaa2
- Trinity Sports Medicine

Dr. Dawn Mattern	Team Physician		(701) 857-5500
Darren Armstrong	Sports Medicine Manager	Darren.armstrong@trinityhealth.org	(701) 857-3491
Jodi Swedlund	Head Athletic Trainer	athletic.training@minotstateu.edu	(701) 857-3274
Cassandra Heald	Athletic Trainer	athletic.training@minotstateu.edu	(701) 857-3486

9. Alcohol & Other Drug Prevention Learning Module for Athletes

Starting on October 1, 2020, the freshmen and new transfer student-athletes will complete a 60-minute Alcohol & Other Drug Prevention learning module through the NCAA Freshman Experience program.

The program’s course description for this learning module is: The core AOD course covers the NCAA’s drug testing procedures and protocols and provides education to student-athletes on the NCAA’s banned substance list. This course is devoted to targeting normative perceptions held by student-athletes, their alcohol and other drug expectancies, as well as their efficacy to use harm prevention strategies for themselves and others. Student-athletes explore alcohol and drug use by other student-athletes and compare it to their own use/non-use. Additionally, they consider ways to reduce the negative effects of alcohol and other drug use on their athletic and academic performance. This was completed during 2020-2021 and 2021-2022.

10. Employee Assistance Program Referral Policy
<https://www.minotstateu.edu/hr/assistance.shtml>

Employee Assistance Program (EAP)

What is an Employee Assistance Program?

An Employee Assistance Program (EAP) is an employer-sponsored service designed to assist employees, their spouses and their dependent children in finding help for emotional, drug/alcohol, family, health and other personal or job-related problems. The services are

provided at no cost to the employee. An EAP is a problem-solving service that provides assessment evaluation and treatment for a full range of problems. It also provides supervisory consultation and educational services on an ongoing basis. Among other things, the EAP is your private and confidential counseling service.

Who is MSU's provider?

Confidential services are provided to Minot State University employees through [The Village Business Institute](#), a division of the Village Family Service Center, 308 2nd Ave SW, Minot, ND 58701, 800-627-8220.

How does the program work?

You and any of your family members can use the program by simply calling The Village Family Service Center at 800-627-8220. You don't have to ask anyone's permission and no one in your office will know you're using the program unless you tell them. You then go to your appointment for an initial evaluation which would include specific recommendations regarding the problem you're experiencing. Typically, six sessions per fiscal year for assessment and treatment are provided for each employee, spouse and eligible family member. The sessions are completely confidential. Names and specifics are never reported to supervisors.

What types of services are available?

Types of Problems

- Work-related problems
- Work performance problems
- Alcohol/drug problems
- Marital conflict
- Family problems
- Emotional Problems
- Behavior problems with children and adolescents
- Financial problems
- Divorce/separation
- Parent/child conflict
- Family violence
- Eating disorders
- Stress
- School problems
- Legal problems

- Psychiatric problems
- Abuse/past trauma

Types of Services

- Crisis intervention
- 24-hour emergency service
- Psychosocial assessment
- Psychological evaluation
- Family counseling
- Group counseling
- Marriage counseling
- Individual therapy
- Child/Adolescent therapy
- Eating disorder treatment
- Therapeutic hypnosis
- Family violence treatment
- Adults victimized as children
- Referral services
- Consultation services
- EAP-6 free visits
- Specialty treatment designed for individual needs
- Specialty services for women's issues
- Educational services

Will anyone know that I've used the program?

Quarterly utilization reports will be sent and explained to the Director of Human Resources. These reports include: number of employees served, number of sessions, number of family members served, types of treatment or referral provided. **CONFIDENTIALITY IS THE MOST IMPORTANT AND BASIC COMPONENT OF AN EAP.** Because of this, Med Center One cannot and will not release names or specifics regarding problems.

11. Financial Aid Drug Convictions Policy

<https://www.minotstateu.edu/finaid/pages/penalties-for-drug-law-violations.shtml>

Federal Student Financial Aid Penalties for Drug Law Violations

Your eligibility for federal student aid (grants, loans or work-study) may be suspended if you were convicted for an offense involving the possession or sale of illegal drugs during a period of enrollment in which you received federal student aid. If you have been convicted of a drug offense, contact the MSU Financial Aid Office immediately and preview the [FAFSA Drug Eligibility Worksheet](#).

If your eligibility for federal student aid has been suspended due to a drug conviction, you can regain eligibility early by successfully completing an approved drug rehabilitation program or by passing two unannounced drug tests administered by an approved drug rehabilitation program. If you regain eligibility during the award year, notify the MSU Financial Aid Office immediately so you can get any aid you're eligible. [Office of National Drug Control Policy/U.S. Department of Education](#)

12. Sexual Assault and other Violence related policies that relate to alcohol/other drug use

[Sexual-Harrassment-Policy.pdf \(minotstateu.edu\)](#)

Consent is:

- knowing, and
- voluntary, and
- clear permission
- by word or action
- to engage in sexual activity.

Since individuals may experience the same interaction in different ways, it is the responsibility of each party to determine that the other has consented before engaging in the activity. If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain their consent to being kissed back.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on University to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

Incapacitation: A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. As stated above, a Respondent violates this policy if they engage in sexual activity with someone who is incapable of giving consent.

It is a defense to a sexual assault policy violation that the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. “Should have known” is an objective, reasonable person standard which assumes that a reasonable person is both sober and exercising sound judgment.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the “who, what, when, where, why, or how” of their sexual interaction). Incapacitation is determined through consideration of all relevant indicators of an individual’s state and is not synonymous with intoxication, impairment, blackout, and/or being drunk. This policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs.

B. RECORD OF VIOLATIONS

1. Minot State University AOD Policy Violations: (Clery Crime Statistics) <https://www.minotstateu.edu/safety/documents/annual-security-report.pdf>

Alcohol Liquor Law Violations 2020: 10
Alcohol Liquor Law violations 2021: 3
YTD 2022: 13

Drug Abuse Violations 2020: 4
Drug Abuse Violations 2021: 5
YTD 2022: 2

V. AOD Comprehensive Program /Intervention Inventory & Related Process and Outcomes/Data

A. Community Activities/Initiatives

The following information represents an inventory of community programs and initiatives:

1. Minot State University Wellness Fair- Minot State University and First District Health Unit have partnered with multiple local agencies to offer Minot's Community Wellness Fair. . There was alcohol and drug education; November 2, 2021; March 24, 2022; November 15, 2022
2. Minot Area SAFE Communities- MSU has active members in the SAFE Communities Coalition. Their Mission Statement: To promote positive choices, responsible behaviors, and a healthy lifestyle within our community. This group meets monthly.
3. "It's a Slam Dunk-Don't Drive Drunk"- An event at one of our home MSU Basketball weekends. We partner with Minot PD taking pledges from game attendees to make responsible choices throughout the year and never drink & drive. February 7, 2020; January 22, 2022.
4. The Green Bandana Project- The Bandana Project is a simple suicide prevention and mental health awareness campaign. Students and staff tie a lime green bandana to their backpack/bag/purse. This signifies that they carry resource cards and are aware of awareness resources available. The Green Bandana Project is designed to help people who are experiencing mental illness become more aware of resources available. Here's how the project works. Students attach green bandanas to their backpacks. This is the signal that they are safe and willing to help someone struggling with a mental illness. The students can then direct a person to the right resource for help, whether that's campus services like MSU Counseling Services or an off-campus organization.

Not only does the Green Bandana Project give practical resources to people across campus, but it provides invaluable visible support.

You are not alone. If you see a **green bandana on someone's backpack**, it is a **sign of quiet solidarity**.

5. Safe Spring Break Sendoff: Collaborated with First District Health, MSU Nursing Dept., Student Health, MSULife, and Wellness Center. Prizes, safe travel tips, free condoms, alcohol education, and sobriety test challenge. March 10, 2021, March 8, 2022.
6. Speak Volumes Campaign-The speak volumes campaign was developed by the Department of Human Services State Strategic Prevention Framework/ State Incentive Grant (SPF/SIG).
 - It is a marketing campaign that educates on the concept of knowing how much how much alcohol is in a drink. For example, a long island ice tea may contain 3 to 4 shots of various kinds of alcohol. Making a person aware that having that one long island ice tea is really consuming three to four different drinks. By bringing the awareness of just how much a person is really consuming it assist in bringing forth the binge drinking concept.
 - This campaign briefly introduces the binge drinking concept.
 - In addition, posters of this campaign have been made visible in a variety of different settings around the campus and in campus housing. Bulletin boards, magnets, and table tents were also used. <http://speakvolumes.nd.gov/>
 - MSU Counselor would discuss this information with FYE classes as well in conjunction with E-chug.
7. Parents LEAD Promotion- Hosting the Parents LEAD page on the MSU Counseling web page. <http://www.parentslead.org/> Parents LEAD (Listen, Educate, Ask, Discuss) of North Dakota targets parents directly, through a statewide, web-based communication program designed to help parents initiate and/or continue conversations with their children regarding alcohol and other drug abuse. Parentslead.org provides information on how to start the conversation at any age. Visitors can sign up for monthly e-mails based on their child's age, follow the blog, browse the resources, and follow Parents LEAD on Facebook. The Parents LEAD program is a partnership between the North Dakota Department of Transportation, the North Dakota Department of Human Services, the North Dakota University System, and the North Dakota State University Extension Services. These agencies have worked jointly to develop program content and distribute program content through their various outreach systems
8. Student Taxi Pass -The Student Taxi Pass program was developed in 2002, (formerly called "the beaver bus pass") by Student Government Association, to encourage students to choose a designated driver, or call a taxi rather than facing the dangers of driving under the influence. We have partnered with Taxi 9000 to provide this preventative service to our students, as well as offer general daytime transportation for students at Minot State University.

How Does it Work? Students may check out four passes per semester from the Student I.D. office between 8-4:30 Monday-Friday with a current MSU student I.D. Taxi rides are provided for a \$6.00 charge (\$1.00 for additional passengers) for the length of the academic year. Students call Taxi 9000 (701-858-9000) to arrange ride, giving \$6 cash and the Student Taxi Pass to the driver upon pickup. Rides are provided within Minot city limits, any time of day.

This program ended in the fall of 2022 due to taxi company closing.

B. College/University Activities/Initiatives

1. Campus E-mail notification- Sent out the MSU Drug Free Campus Policy to all MSU faculty, staff, and students each semester. The policy can also be found online. https://www.minotstateu.edu/finaid/policy_drug_free_campus.pdf September 29, 2020; February 10, 2021; June 15, 2021; September 29, 2021; February 7, 2022; September 27, 2022.
2. Gatekeeper Training for Suicide Prevention-Is a 1-2 hour educational program designed to teach lay and professional “gatekeepers” the warning signs of suicide crisis and how to respond. Training was provided to Residence Hall staff, coaching staff, as well as open to the campus community on several occasions. (July 6, 2020; January 8, August 10, November 3, 2021; August 9, October 27, 2022).
3. Opioid Overdose Prevention Program-In response to the nationwide opioid overdose epidemic, MSU has implemented an opioid overdose prevention program on campus. This program is intended to increase awareness of opioid overdose and increase the availability of Narcan (naloxone) on campus. Many MSU staff, security officers, and resident assistants have been trained on the administration of Narcan nasal spray. An opioid overdose can cause respiratory depression and can lead to death. Narcan has not been administered as of this date.
4. Student Health Center Screening- All students are screened at all initial visits by our healthcare provider and annually for alcohol, tobacco and drug use. Students that smoke are provided information to the ND Quits Program. Alcohol and drug abuse education is given and referrals to appropriate campus and community resources. Alcohol and drug use screening is done at all STD visits and referral to appropriate campus and community resources. This ended in 2021 after our health provider resigned and students were referred off campus.

5. E-CHUG- E-Checkup to Go (E-chug) is an online survey designed to motivate individuals to reduce alcohol consumption using personalized information about their own drinking. The e-CHUG was designed, and is updated with the most current and reliable research available. e-CHUG takes about 20 minutes to complete, and provides quick, confidential feedback. E-chug was administered to 562 students from January 2020 to November 2022 through their First Year Experience Class, or one on one.
6. Student Activities- Hundreds of student-driven, alcohol free, events are offered to the campus community through the student activities committee (MSU Life) on two or more evenings per week throughout the academic year. A calendar of activities is available online as well as social media pages to update students on happenings. Events such as virtual bingo, craft night, trivia night, 500 ways to win, build a beaver, spring swing, Recfest, bonfires, hypnotist, movies, goat yoga, flannel fest, ice skating, the feud, etc.
7. Residence Hall Programming-Educational programming and events are held monthly in the residence halls. Topics vary and are focused on student wellness.
8. Beaver Dam-The Beaver Dam, located on the 2nd floor of the Student Center, provides a safe environment for students to gather. The Beaver Dam is "the crown jewel" of the Student Center. There is no better place on campus to meet up with friends, sing karaoke, snag something to eat or relax between classes than the Beaver Dam! On the second floor of the Student Center, the Beaver Dam offers large screen TVs, pool tables, snack and beverage options as well as live entertainment for all students, faculty and staff members. The venue regularly hosts comedians, hypnotists, musicians, movies and other social events. The newest addition to the Dam is the student gaming lounge. Hours of operation are Monday-Friday 7:00 a.m. to 12:00 a.m. and Saturday-Sunday 9:00 a.m. to 12:00 a.m.
9. Wellness Center- The Wellness Center's mission is to empower individuals to reach their full potential and enrich their quality of life by embracing the eight dimensions of wellness that include emotional, physical, occupational, intellectual, social, spiritual, environmental, and multicultural. Hours of operation: Mon-Friday 6 a.m.-10 p.m., Saturday 10 a.m.-6 p.m., Sunday 12 p.m. - 8 p.m.
10. Marijuana 101 and Alcohol 101- An online educational course through 3rd Millennium Classrooms that are typically assigned to students as part of a marijuana or alcohol violation. This is usually assigned after their 1st violation.

The course typically takes 60-90 minutes to complete and are interactive in nature. At the end of the course, the student and the primary judicial officer are emailed a certificate of completion that marks the end of the course for the student. From January 2020 to November 2022, there have been 31 students complete the Alcohol 101 course and 0 students complete the Marijuana 101 course.

C. Programs for Special Populations

1. Drug & Alcohol Testing Program-For all student-athletes. We educate our student-athletes on our department policy at the beginning of the year, then do random testing throughout the year on illegal drugs and performance-enhancing drugs (PEDs). Students with campus alcohol violations also receive violations and appropriate education/sanctions covered in the policy.

VI. Assessment of AOD Efforts

A. NDCORE/NDSWAPS Drug and Alcohol Survey

Every two years, the North Dakota University System (NDUS) deploys a system wide survey to capture the impact of alcohol, tobacco, and other drugs on the experiences of students. In 2018, the NDUS stepped away from the CORE Survey format, which had been in place for years, and developed the NDSWAPS: The North Dakota Student Wellness and Perceptions Survey. This comprehensive yet succinct survey tool provided information in all areas of substance misuse, wellness, perceptions of substance use of peers, sexual assault, suicidality, and mental health. Again, in 2020, the System wide NDSWAPS went to all students.

In 2021, one of the NDUS campuses discovered anomalies in the 2020 data. Upon further inspection in 2022, incongruencies were evident in the 2018 data. From there, the NDUS hired a new researcher to dive into the concerns and find the sources of the issues. After more digging, the researcher was able to identify more concerns that resulted in filing adverse event reports with the Institutional Research Boards at all eleven campuses for both the 2018 and 2020 surveys.

The NDUS is in the process of working with the new research team to correct the data in those reports and to forge ahead with a new survey tool in 2023. Currently, we are not able to share any of the 2018 or 2020 NDSWAPS findings, as the reports are not correct or reliable. We plan to enroll the ACHA/NCHA survey tool in the Fall of 2023 and have fresh data for the 2024 Biennial Review

VII. AOD Strengths and Weaknesses

A. Strengths

- MSU has great relations with community agencies such as First District Health and Minot PD who we network with to promote wellness or prevention.
- Great relations and networking within MSU departments to help promote overall wellness to our students. Examples are the Wellness Center, Lutheran Campus Ministries, Addiction Studies Students, Nursing Dept and students, Counseling Center, Veteran's Services, Student Health, etc.
- On campus security 24/7 staffed with 6 full time security officers and 4 part time security officers.
- We have two full time counselor to assist with mental health counseling and to perform outreach services.
- MSU Life events have extended programming initiatives. There are hundreds of student driven, alcohol free events offered to the campus community. They are offered on two or more evenings per week throughout the academic year.
- Participation in the ND Higher Education Consortium for substance abuse prevention

B. Weaknesses

- Lack of community mental health services
- MSU does not have staff available to focus on prevention programming.
- ND culture continues to foster high risk alcohol use.

C. Recommendations for the next biennium

- Continue to promote student driven recovery efforts on campus.
- Re-establish an ATOD Task Force on Campus
- Medical Amnesty Law promoted to all students.