

## 2-2.13

### Alcohol and Other Drug

**(1) General Alcohol and Other Drug Statement** – Any violations, on or off campus, of state or federal law regarding alcohol or other drugs by students, staff, or faculty are grounds for disciplinary action. Furthermore, according to the Student Conduct Code, students may be subject to disciplinary action for any action that violates state or federal law including but not limited to:

- Minor in possession
- Minor in consumption
- Open container violations
- Driving while intoxicated
- Possessing or consuming alcohol in an alcohol free residence hall
- Providing alcohol to a minor
- Possession or sale of any narcotic or drug paraphernalia
- Selling alcohol without a license
- Misrepresenting ones age to gain access to alcohol

Students violating any state or federal law will result in immediate referral to the office of the Vice President for Student Affairs and Enrollment Management or designee for disciplinary action. Disciplinary action will range from a counseling session to expulsion, depending on the severity and number of violations.

**(2) Policies and Procedures** – The purpose of this section is to briefly summarize the key points of the university policy regarding the distribution, possession, and use of alcohol and other drugs. In order to comply with the requirements of the Drug-Free Schools and Communities Act and the Drug-Free Workplace Act, a complete description of the relevant laws, procedures, sanctions, and prevention information is provided in the addenda that follow this summary.

**(A) Legal Issues** – The university's policy regarding the possession and consumption of alcohol and other drugs on campus has been developed in keeping with Washington State law and the Governor's policy on alcoholism and drug dependency. Washington State laws are described in the *Revised Code of Washington* and the *Washington Administrative Code*. Members of the University community may review these documents at the University library. State laws regulate behavior such as the consumption of alcohol in public places, the furnishing of liquor to minors, the illegal purchase of alcohol, and the distribution of controlled substances, to name a few. A brief description of applicable local, and state, and federal laws is provided in [CWU Procedures Manual 4-20-005.6](#). The university policy assumes that individuals of the University community have read, understood, and agree to abide by these local, state, and federal laws.

**(B) Proscribed Student Conduct** – According to the *Washington Administrative Code* (WAC 106-120-027), a student shall be subject to disciplinary action or sanction upon violation of any of the following conduct proscriptions:

1. Possession, use, or distribution of any controlled substance as defined by the laws of the United States or the State of Washington except as expressly permitted by law.

2. Violation of the university policy on alcoholic beverages that states:

- (a) Persons twenty-one years of age or older may possess and/or consume alcoholic beverages within the privacy of certain designated 21 or older residence hall rooms or apartments. Washington State law provides severe penalties for the possession or consumption of alcoholic beverages by persons under twenty-one years of age and for persons who furnish alcoholic beverages to minors. All university students and staff should be aware of these laws and the possible consequences of violations.

- (b) The University does not condone the consumption of alcoholic beverages by minors at functions sponsored by Central Washington University organizations on or off campus. Organizations and advisors are held responsible for monitoring the conduct of their members at functions sponsored by the organization and for failure to comply with Washington state law and university policies.

(c) The vice president for student affairs and enrollment management may place on probation any organization or prohibit a specific campus social function when the consumption of alcoholic beverages has become a problem of concern to the university.

3. Violation of clearly stated proscriptions in any published rule or regulation promulgated by any official campus committee, commission or council acting within the scope of its authority.

4. Violation on or off campus of any state or federal law. Official university action will be taken when violations of state law or university policy regarding alcohol and other illicit drug use occur. Repeated violations usually carry more significant consequences. The office of the vice president for student affairs and enrollment management may include in the sanction-mandated contact with the university drug and alcohol prevention specialist (the Director, Wildcat Wellness Center) and/or direct referral for assessment through a state licensed treatment agency. Please refer to [CWU Procedures Manual 4-20-005.4](#) for licensed agencies in Kittitas County. If alcohol or other drug abuse is a related factor in the violation of other proscribed conduct, the same mandate may be considered appropriate. Official university sanctions range from "warning" to "expulsion" and are described in detail in [CWU Procedures Manual 4-20-005.1](#).

(C) Proscribed Employee Conduct – As a condition of employment at the university, all employees will abide by the terms of the Drug Free Workplace Act of 1988 that prohibits the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in the university workplace. This Act also requires that employees notify their supervisor of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after the conviction.

In addition, university employees (i.e., faculty, staff, administrators, and student employees) are obligated to work effectively and cooperatively in their positions. Responsibility to improve substandard performance or to correct unacceptable work behavior rests with the individual employee, regardless of the underlying causative factors or circumstances that may be present. While alcoholism and/or other drug dependencies may be among the factors contributing to an employee's job performance problems, it remains the responsibility of the individual employee to seek appropriate treatment. Failure to correct unsatisfactory job performance or behavior, for whatever reason, will result in appropriate disciplinary action, up to and including termination of employment.

University employees are expected to be familiar with the University policies or codes that pertain to their employment on campus. Policies concerning the behavior of exempt and faculty employees are contained in the following sources: The Exempt Employees' Code, faculty contract, and/or the Faculty Code. Faculty members should be aware that the Alcohol and Other Drug Policy is an official university policy; as such, violations of this policy are subject to the sanctions described in Sections 10.20 and 10.25 of the Faculty Code or the applicable collective bargaining agreement. Sanctions for the willful violation by civil service employees of published institutional regulations are included in WAC 357-40 or the applicable collective bargaining agreement. Exempt personnel are referred to the Exempt Employees' Code for sanctions resulting from the willful violation of published institutional guidelines.

The Wildcat Wellness Center (WWC) is the primary campus location for alcohol and other drug education, prevention and counseling. Both students and staff are encouraged to contact the WWC (963-3213) for more detailed information.

(D) Employee Education and Referral for Alcohol and other Drug Issues – Alcoholism and drug dependency are defined as illnesses that may interfere with an employee's ability to perform assigned work satisfactorily or that adversely affect job behavior. Employees are encouraged to voluntarily seek expert assistance for alcoholism, alcohol abuse, drug dependency, or any other job-impairing personal problem. Assistance is available through a variety of professional resources on campus and in the community. Questions regarding medical insurance coverage for professional services should be referred to the employee's medical plan provider. The university contracts for confidential employee assistance with EAP (Employee Assistance Program), 877-313-4455.

CWU encourages all faculty and staff to increase their awareness and identification of alcohol issues. Training is available for faculty and staff through Human Resources. For more information, go to <http://www.cwu.edu/~training/>.

Supervisors are required to identify, document, and attempt to correct all employee job performance and/or work behavior problems, using standard corrective action procedures outlined in WAC 357-40, the

Faculty Academic Code, Exempt Employees' Codes, or applicable collective bargaining agreement. They should not diagnose alcoholism, drug dependency, or any other complex medical-behavioral problem. However, corrective efforts may include referral to professional treatment resources, after consultation with human resources or faculty relations. Supervisors are encouraged to share information regarding professional treatment services with employees on a regular basis. Pamphlets describing services are available from the CWU Human Resources Department or from the director of the CWU Wildcat Wellness Center. See [CWU Procedures Manual 4-20-005.4](#) for a description of professional drug treatment and counseling resources.

(E) Serving Alcoholic Beverages on Campus – University departments and student organizations are encouraged not to involve alcoholic beverages in any sponsored function. If they choose to do so, they are urged to consider the effects and the responsibility they assume in making such decisions. If the members of the department or organization choose to include alcoholic beverages in their functions, they must comply with all local and state laws, as well as specified liquor guidelines. Violation of any local or state law or specified guideline could result in the department or organization's loss of ability to serve alcohol on campus in the future and staff disciplinary action up to and including termination of employment.

University departments and student organizations are prohibited from serving alcohol on campus during an employee's normal work shift, which typically would be 8 am – 5 pm Monday – Friday, in accordance with WAC 296-800-11025, which prohibits alcohol or narcotics at the workplace. Employees may not consume alcohol or drugs during their work shift unless such drugs are prescribed by a physician or other appropriate healthcare provider or unless such over-the-counter medication as will not interfere with the employee's ability to perform his/her job

All groups and organizations sponsoring social events held on the CWU campus and all recognized university groups holding events off campus which involve the serving and consumption of alcoholic beverages are obliged to comply with the procedures and guidelines outlined in [CWU Procedures Manual 4-20-005.5](#) and use a social attendant. Contact the Scheduling Center at 963-1321 for more information on social attendants.

(F) Advertisement – There will be no marketing or advertising of alcoholic beverages on the Central Washington University campus, except as allowed by state law (RCW 66.28.160) or to promote an educational program.

The university prohibits advertising that encourages abusive alcohol consumption. The university also prohibits alcohol from being offered as an enticement, reward, benefit of attendance or membership, or as a prize.

(G) Policy Implementation and Application – This policy applies to all members of the Central Washington University community at all events, on or off campus, sponsored by the university, including clubs and organizations, and/or held in any university facility. It is expected that the university policy regarding alcohol and other drugs will be applied in a consistent manner.

This policy will be made available to all property owners and landlords who rent or lease to students, upon request.

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