

SECTION: 3.0 PERSONNEL

SUBJECT: DRUG-ALCOHOL POLICY

Title: Lewis-Clark State College Drug-Alcohol Policy

Background The purpose of this policy is to make employees aware of the Drug/Alcohol policy. (SBOE Administrative Rules IDAPA 08.01.08).

Point of Contact: Human Resource Services

Other LC State offices directly involved with implementation of this policy, or significantly affected by the policy: Student Affairs, Administrative Services, Events & Conferences; Student Counseling Center

Dates of approval by LC State authority: 07/2016, 03/26/2019

Date of State Board Approval: N/A

Date of Most Recent Review: March 2023

Summary of Major Changes incorporated in this revision to the policy: Updated hyperlinks to the Idaho SBOE. Added information on LC State's Health and Wellness Committee; added links to the Student Code of Conduct Policy, Student Handbook and added information to include the Drug Free Schools Act. Updated format to conform to LC State Writing Style Guide and AP Stylebook. Updated department names.

1. Philosophy

- A. LC State subscribes to and endorses an alcohol/drug policy founded on the principle of freedom with responsibility. LC State is dedicated not only to learning and the advancement of knowledge, but also to the development of ethically sensitive and responsible persons. The institution will strive to provide an educational environment conducive to making conscientious and healthy decisions when individuals are faced with difficult choices associated with the use of legal and illegal drugs.

Members of the college community are individually responsible for being aware of applicable laws, regulations, ordinances and institutional policy and for complying with them. The college will assist in that endeavor by providing current information on an ongoing basis to the campus community. In addition, members of the college community are encouraged to participate in educational programs offered throughout the year and to take measures which prevent the misuse and abuse of alcohol and drugs among students and colleagues.

Refer to Policy 5.105, Student Code of Conduct & Student Hearing Board, Student Handbook <https://www.lcsc.edu/media/3drosz3l/policy-5105-student-code-of-conduct.pdf>

2. Intent of Policy

- A. To provide a comprehensive institution response to substance abuse.
- B. To ensure proactive prevention education and promote responsible use of alcohol.
- C. To improve the cooperative arrangement between LC State, our community, and regional collegiate institutions in addressing the issue of substance abuse.

3. Drugs

Possession, manufacture, distribution, illegal use and/or sale of drugs and/or narcotics except those taken under a doctor's prescription is prohibited on college-owned or controlled property including on and off campus housing or at any college-sponsored or supervised function. This issue arises from the institution's legal responsibility to the State of Idaho and federal government.

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4. Alcoholic Beverage

A. State Guidelines

- i. Idaho law states that it is illegal to sell, serve, or furnish beer, wine, or other alcoholic beverages or intoxicating liquor to a person under twenty-one (21) years of age. It is also illegal for any person under twenty-one (21) years of age to purchase or attempt to purchase, possess, or consume any alcoholic or intoxicating liquor. Illegal possession or consumption of alcoholic beverages (beer, wine, liquor or other beverage which is controlled as an alcoholic beverage under Idaho law) is prohibited in college-owned, leased or operated facilities and on campus grounds.
- ii. The Idaho State Board of Education Policy Section I Subsection J (https://boardofed.idaho.gov/policies/i_policy.asp) provides requirements relative to alcoholic beverages on campus grounds. Said rules generally prohibit the possession or consumption of alcoholic beverages in areas open to and most commonly used by the general public on campus grounds. The rules authorize the Board to waive the prohibition pursuant to Board policies and procedures. The president of the institution may waive the prohibition against the possession or consumption of alcoholic beverages only as permitted by and in compliance with Board policy. Noncompliance may subject a person to sanctions imposed by the college as well as provisions of local and state law.
- iii. The president's house is considered a private residence and the State Board of Education excludes it from the above policy.

B. Alcohol Beverage Permit Process

- i. Refer to Idaho State Board of Education Policy Section I Subsection J (https://boardofed.idaho.gov/policies/i_policy.asp) for information on the alcohol beverage permit process.
- ii. Alcohol guidelines and alcohol permit applications can be found on the Events & Conferences website <http://www.lcsc.edu/media/9894/alcohol-beverage-permit-instructions-and-application-template-updated-05042022.pdf>

C. Off-Campus Consumption

- i. LC State believes that use of alcohol is an individual choice. It supports abstinence and/or responsible use of alcohol as choices. Responsible use of alcohol includes use of alcohol by persons over age twenty-one (21). Responsible use also includes recognizing that certain situations require mental alertness and physical dexterity and the use of alcohol would interfere with those abilities.
- ii. Any sponsor of an off-campus school-related activity will recognize their responsibility to adhere to the state and federal laws and the State Board of Education guidelines. The sponsor's responsibility includes imparting the guidelines included in this policy to participants in the activity.

- D. For off-campus LC State sponsored events which are open to the campus community and at which alcohol will be present, the sponsor will work with the appropriate vice president (or president for direct reporting units) to assure adherence to this policy. The following information will need to be provided to assure adherence:

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- i. Names and ages of individuals designated as bartenders or servers to check identification.
 - ii. Means to inform participants of applicable state and federal laws regarding alcohol consumption.
 - iii. Non-alcoholic beverages and food provided.
 - iv. Designated driver program.
- E. No on or off-campus social event shall include any form of drinking contest in its activities or promotion.

5. Disciplinary Action

- A. Individuals who fail to abide by the provisions of this policy will be referred to the vice president for Student Affairs, if students (Refer to Policy 5.105, Student Code of Conduct & Student Hearing Board, Student Handbook <https://www.lcsc.edu/student-affairs/student-code-of-conduct>, or their immediate supervisor, if faculty and staff, for disciplinary action.
- B. Clubs or organizations which fail to abide by college policies governing the use of illegal drugs and alcoholic beverages shall be subject to disciplinary action by the vice president for Student Affairs.

6. Prevention

- A. LC State maintains an ongoing substance abuse prevention program that currently consists of educational, early intervention, enforcement, and environmental strategies in compliance with the Education Department General Administrative Regulations (EDGAR) Part 86 mandate to provide an “alcohol and other drug” (AOD) prevention program to the campus community. In addition, the college publishes a biennial report that includes an assessment of its AOD prevention programs as well as institutional data on AOD policy violations. <https://www.lcsc.edu/student-counseling/substance-abuse-assistance>
- i. The college’s Health and Wellness Committee is charged with integrating services across campus to provide the resources needed for students, faculty, and staff, to include drug and alcohol education and peer advocacy.
 - ii. This group will annually review the drug/alcohol policy, evaluate the quality of educational programming and advise the president on policies and procedures necessary to meet the intent of this policy
 - iii. All students, faculty, and staff will be notified of the college’s drug and alcohol policies and will be provided with information needed to access those policies independently.
 - iv. All students, faculty and staff will be notified of the college’s drug and alcohol counseling/assistance programs.
 - v. Drug and alcohol education programs will be presented to the campus community.
- B. Local and regional cooperation from the Lewis-Clark valley community will be solicited whenever possible. Members of the valley community will be welcome to attend any all-campus programming events.

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7. Intervention

Intervention guidelines will be developed by the Student Counseling Center for assisting students with problems related to drug and alcohol usage. Faculty and staff members with problems due to drug and alcohol usage will be referred to the Employee Assistance Program (<http://www.guidanceresources.com/>)

8. Advertising

As an educational institution with large numbers of students who are under 21, LC State prohibits advertising of alcoholic beverages in/on campus publications and facilities. The college, including student media, will not accept advertising or underwriting of programs or events from businesses whose primary focus is to sell alcoholic beverages or tobacco. Any exception to this rule must receive advance approval from the president of LC State.

9. Consumption of Alcohol in the Residence Hall

A. The Residence Hall Policies:

(<https://www.lcsc.edu/residence-life/faqs-and-residence-life-policies/residence-life-policies>)

defines the limitations of alcohol consumption in the residence halls. The handbook must be in compliance with this policy.

B. When residence halls sponsor all hall activities in which there will be nonresident guests and alcohol will be served, they must comply with the information in this policy.

10. Non-Campus Organizations

Non-campus organizations using college facilities will be required to comply with the same rules as any college organization. In the event that these rules are broken, the organization will not be allowed any further use of campus facilities and may be subject to provisions of local and state laws.

11. Drug Free Workplace References

The college complies with the [Drug Free Workplace Act of 1988](#). (Pub. L. No. 100-690, 5151-5160) [http://uscode.house.gov/view.xhtml?req=\(title:41%20chapter:81%20edition:prelim\)%20OR%20\(USC-prelim-title41-chapter81\)](http://uscode.house.gov/view.xhtml?req=(title:41%20chapter:81%20edition:prelim)%20OR%20(USC-prelim-title41-chapter81))

See LC State [Policy 3.114 Drug Free Workplace](#)