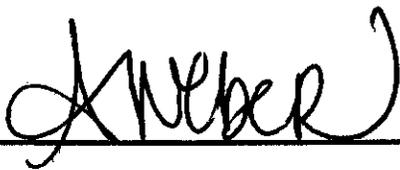


# Missouri State<sup>™</sup>

U N I V E R S I T Y

## BIENNIAL REVIEW

2020 AND 2021



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**Dr. Andrea Weber, Assistant Vice President Student Affairs/Dean of Students**

**Missouri State University**  
**Biennial Review of Alcohol and Other Drug Programs**  
**2020 and 2021 Academic Years**

The Higher Education Act of 1965 (as amended by the Safe and Drug-Free Schools and Communities Act of 1994) requires that every institution of higher education (IHE) receiving federal financial aid must adopt and implement a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees both on its premises and as a part of any of its activities. The Department of Education regulation at 34 C.F.R. "Part 86," implements this provision, requiring that colleges and universities such as Missouri State University must 1) distribute certain drug and alcohol prevention information to students and employees every year, and 2) conduct a Biennial Review of illicit drug and alcohol prevention programs every other year.

1. Alcohol and other drug prevention information must be distributed annually in writing to all students and employees of Missouri State University, and at a minimum must include:
  - Standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees.
  - A description of legal sanctions under local, state, and federal laws for possession or distribution of illicit drugs or alcohol.
  - The health risks associated with the use of illicit drugs and alcohol.
  - A description of drug or alcohol counseling and treatment or other programs available to students and employees at Missouri State University.
  - A clear statement from Missouri State University that it will impose disciplinary sanctions on students and employees for violations of drug and alcohol standards of conduct, including a description of those sanctions.
2. The Biennial Review is conducted to determine the effectiveness of the program, and whether Missouri State University needs to implement any changes to the program.
  - The Review must record the number of drug and alcohol-related violations and fatalities that occur on campus or as part of any institutional activity, and the number and type of sanctions imposed as a result of those drug and alcohol-related violations and fatalities.
  - Missouri State University must ensure through its Biennial Review that sanctions are consistently enforced.
  - This Review process began September 2022 and ended November 2022.

**Missouri State University Biennial Review Participants**

- Assistant Vice President for Student Affairs & Dean of Students – Coordinator
- Compliance Officer for University Athletics or delegate
- Interim Director of Student Conduct
- Director of Counseling Center
- Director of Human Resources or delegate
- Director and Associate Director of Residence Life, Housing and Dining Services
- Director of University Safety
- Director of Magers Health and Wellness Center
- Assistant General Counsel
- MSU Campus Substation Sergeant of the Springfield Police Department
- Student Wellness Educator

## **Missouri State University Policies 2019-2020, 2020-2021**

- Alcohol and Other Drug Abuse Prevention Program
- Annual Notice to Students and Employees, 2019-2020, 2020-2021
- Athletics Compliance Policy and Student Athlete Handbook
- Code of Students Rights and Responsibilities (adopted by Board of Governors 7/31/2020)
- Drug and Alcohol Policies, 2019-2020, 2020-2021
- Social Event Risk Management Policy for Recognized Student Organizations

Missouri State University policies are on the MSU website and hard copies may be available in the Dean of Students Office.

### **Alcohol and Other Drug Abuse Prevention Program 2019-20**

*(located on Office of Student Conduct website)*

*The following information is provided annually to every employee and student of Missouri State University out of concern for their welfare and in compliance with the Drug Free Schools and Communities Act. Policies in this notice are available at the given web addresses and in hard copy at the Offices of the Dean of Students, Plaster Student Union 405, 417-836-5527 and Human Resources, Carrington Hall 118, 417-836-6616.*

#### **Statement of philosophy and expectations**

Missouri State University is committed to providing a healthy, safe, and learning environment for its students, faculty, staff, and guests. Abuse of alcohol and other drugs disrupts this environment and interferes with the academic and personal development of the student, and personal and professional development of university employees. Standards regarding the use of alcohol and other drugs must support local and state laws. Furthermore, policies should reflect and encourage abstinence and low risk consumption of alcohol as acceptable choices and should actively discourage heavy and high-risk consumption of alcoholic beverages. Policies can minimize the potential risks to the health and safety of members of the university community, but every member of the university community has a responsibility to prevent the illegal use of drugs or high-risk use of alcohol.

Missouri State University recognizes that university students are adults. The university's role is to assist students with resources to help them develop satisfying lifestyles and to equip them for a better quality of life; nonetheless, it cannot and should not stand in the place of a parent. University students, as citizens of this community, of this state, and of the nation are, like any other adults, expected to be aware of and to abide by pertinent laws and university regulations. On the presumption that these expectations will be carried out, the university will not provide staff or other resources to monitor social activities sponsored by student organizations. This will be the responsibility of officers and advisors.

In addition to the expectations that the students will always conduct themselves as responsible adults is the understanding that, as adults, students may be subject to civil liability resulting from violation of the law. Such liability may exist independently of any disciplinary action taken by the university for violation of its regulations (which includes violation of pertinent laws). The university is required by the Drug Free Schools and Communities Act Amendments of 1989 to adopt and implement a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees. This program, described herein, is distributed annually to every student and employee of the university. Additional copies of the

prevention program can be obtained from the Human Resources Office, Carrington Hall 315, or the Dean of Students Office, Plaster Student Union 405.

### **Alcohol and other drug abuse policy**

The unlawful possession, use, or distribution of alcohol is prohibited on university property, in conjunction with university activities, and in conjunction with student organization events. This includes violation of the Missouri law prohibiting possession or use of alcohol by persons under 21 years of age and violation of all other state and federal laws regulating use, possession or distribution of alcohol and other drugs. "University activities" include those activities that are planned, promoted, or sponsored by a university department or other university subdivision. "University property" includes university owned or leased land, facilities, vehicles, and equipment. Use of alcohol on university property, at university activities or at the activities of university "sponsored" student organizations, which are recognized student organizations that are advised by a university employee as part of that employee's job description or funded in some manner through university funds, is permitted only if specifically authorized by the Board of Governors, or its delegate, in accordance with state law.

Also prohibited is 1) the unlawful or unauthorized use and/or possession of narcotics, drugs, drug paraphernalia, and/or other chemicals, 2) the distribution and/or sale of alcoholic beverages, except as officially authorized by the Board of Governors or its delegate, in accord with state law, and 3) the unlawful or unauthorized distribution and/or sale of narcotics, drugs and/or chemicals.

Violations of this policy can result in disciplinary action up to and including discharge for employees and dismissal for students and referral for prosecution. Violations of this policy by students will be considered violation of the university disciplinary code, which may result in dismissal, suspension, or imposition of a lesser sanction. Use or possession of marijuana, including medical marijuana used or possessed under Article XIV of the Missouri Constitution is strictly prohibited on campus. Any such use or possession is a violation of university policy. Federal law continues to prohibit the use of marijuana, thus marijuana use, even if in compliance with the Missouri Constitution, is prohibited on campus and/or any property owned or controlled by the University. Sanctions may also include referrals for appropriate rehabilitation.

Beyond these legal requirements, the university has established policies to reduce the risks associated with the legal use of alcohol at "recognized" student organization activities. Recognized student organizations are those that have completed annual registration with the Office of Student Engagement, are approved by the Student Government Association, are in good standing with the university, but do not meet the criteria to be considered a sponsored student organization. When alcoholic beverages are present at off-campus activities, 1) non-alcoholic beverages and food must be available in adequate supply and in plain view, and 2) the organization must not permit, encourage, or sponsor participation in any drinking games or themes that might encourage the rapid/excessive consumption of alcohol. The complete [Social Event Risk Management Policy](#) for Missouri State University Recognized Student Organizations is available online, in the Office of Student Conduct or the Office of Student Engagement.

Those employees, students, or visitors who are under 21 years of age and who use, sell or who are in the possession of alcoholic beverages are subject to the penalties of this State's underage drinking laws. Those employees, students, and visitors found illegally possessing, using, or selling illegal drugs may be subject to the penalties of federal, state and city drug laws.

## **Good citizen policy**

There may be times when a student's well-being or safety is in danger due to alcohol or drug use. Recognizing that the fear of sanctions may prevent a student from taking action to report or get assistance for someone whose health may be in jeopardy, the Code of Student Rights and Responsibilities at Missouri State University includes a 'Good Citizen' policy to assist students in making safer choices.

The welfare of our students is of the highest importance to Missouri State University. There will be times when individual students, both on and off campus, may be in critical need of assistance from medical or other professional personnel. Missouri State University hopes that these students will seek help, and that other students will respond to obtain the help that their fellow student needs. To that end, Missouri State University intends to minimize any hesitation that students might have in obtaining help due to concern that their own behavior might be a violation of university policy.

The University pursues a policy of limited immunity for students who offer help to others in need. While policy violations cannot be overlooked, the Office of Student Conduct will consider the positive impact of reporting an incident on the welfare of students when determining the appropriate response for policy violations by the reporter of the incident. Any possible negative consequences for the reporter of the problem should be weighed against the possible negative consequences for the student who needs intervention. At a minimum, Missouri State University suggests that a student anonymously report any situation that would put the student in need in touch with professional help. To report an incident, contact the Office of Student Conduct, Plaster Student Union, Room 405 (417-836-5527). After 5:00p.m., call University Safety Dispatch (417-836-5509). Incidents may also be reported through the Office of Student Conduct's website: [www.missouristate.edu/studentconduct](http://www.missouristate.edu/studentconduct).

Examples where the Good Citizen Policy may influence educational consequences are:

- A student is reluctant to report that she/he has been sexually assaulted because she/he was smoking marijuana just prior to the assault.
- A student is reluctant to call an ambulance when a friend becomes unconscious following an excessive consumption of alcohol because the reporting student is under the age of 21 and also was consuming alcohol.
- A member of a student organization is reluctant to report a possible suicide attempt by a prospective member because prospective members have been required to perform activities that may be considered hazing.

In all three of these examples, a student's physical and/or psychological well-being is in serious jeopardy. It is of vital importance that students act in the best interest of the at-risk student so that they can get assistance. In instances like these, a student's well-being and the positive actions taken by students acting as good citizens will be the primary focus.

## **Legal sanctions**

Local, state, and federal laws prohibit the unlawful possession, use, distribution, and/or sale of alcohol and illicit drugs. Criminal penalties for violation of such laws range from significant monetary fines to significant incarceration for terms that could include a life sentence.

## **Health risks**

Specific serious health risks are associated with the use of illicit drugs and alcohol. Some of the major risks are:

*Alcohol and other depressants* (barbiturates, sedatives, and tranquilizers): Addiction, accidents, as a result of, impaired ability and judgment, overdose which can result in death, damage to a developing fetus, heart, and liver damage.

*Marijuana*: Addiction, panic reaction, impaired short-term memory, increased risk of lung cancer and emphysema (particularly in cigarette smokers), impairment of driving ability.

*Cocaine*: Addiction, heart attack, seizures, lung damage, severe depression, paranoia, and psychosis. Similar risks are associated with other stimulants such as speed and uppers.

*Hallucinogens* (acid, LSD, PCP, MDMA, etc.): Unpredictable behavior, emotional instability, violent behavior, organic brain damage in heavy users, convulsions, and coma.

*Narcotics* (Heroin, Demerol, Morphine, Codeine, etc.): Addiction, accidental overdose and risk of hepatitis and HIV/AIDS from contaminated needles.

*Inhalants* (harmful gases and aerosols, glue, nitrous oxide, etc.): Loss of consciousness, suffocation, damage to the brain and central nervous system, sudden death, nausea and vomiting, nosebleeds, impaired judgment.

## **Description of university services**

**Counseling Center, Magers Health and Wellness Center Suite 304, 417-836-5116.**

The Counseling Center provides counseling and a variety of other mental health related services to currently enrolled, for-credit students at Missouri State. Students may receive up to 8 sessions per semester at no additional charge while classes are in session. Individual, couple, group and crisis counseling is available. Faculty and staff members are eligible for consultation and referral services only. Non-student spouses, partners, and/or family members are not eligible for services but may be assisted to locate an outside service provider. Substance use assessments and counseling are available for students in need of such services, and referrals for outpatient or in-patient treatment of chemical dependency or other concerns requiring more specialized services may be made when a need becomes apparent.

**Partners in Prevention (PIP) Campus/Community Coalition, Magers Health and Wellness Center, Room 303F, 417-836-4045**

PIP is a Missouri State University coalition representing segments of the university and Springfield community who are focused on preventing high-risk drinking among our students. We belong to a statewide coalition comprised of twenty-four - private college and university campuses across the state

of Missouri. PIP is underwritten by grants from the Missouri Division of Alcohol and Other Drug Abuse and the US Department of Education. The Missouri State University PIP Coalition has as its mission to create a campus and city environment that supports responsible decision making in regard to alcohol by Missouri State University students. Missouri State University PIP meets on a monthly basis to plan an annual survey of student alcohol and drug use and its consequences, events that highlight responsible decision making, and materials that educate university students about our community social norms, acute alcohol poisoning, blood alcohol content, safe transportation, and other relevant issues.

**MSU Office of University Safety/Springfield Police Department, Missouri State University Substation, 636 E. Elm St., 417-836-5225**

MSU Campus Safety Specialists and SPD Substation officers are available for presentations on laws related to alcohol and illegal drugs as well as personal safety and assault prevention. Other programs may be available upon request.

**Office of Student Conduct, Room 405 Plaster Student Union, 417-836-5527**

The Office of Student Conduct, housed within the Dean of Students Office, serves to administer, and uphold The Code of Student Rights and Responsibilities of Missouri State University. More than simply policy enforcement, Student Conduct strives to assist students in understanding the impact of their actions and taking responsibility for those actions by utilizing an educational conduct process. Student learning and development is at the forefront of interactions with conduct officers who encourage students to take ownership for their actions and the resulting consequences. Educational consequences for violations of alcohol and drug violations may include classes, fines that are used for educational efforts, collaborative programs with other offices or entities on campus, and/or a chemical dependency assessment. Students who are concerned about their choices in regard to drugs and/or alcohol are encouraged to seek assistance from Student Conduct as this office maintains close working relationships with campus and community resources that may be able to assist students who need help. The Office of Student Conduct maintains an alcohol and drug education fund that is utilized to support awareness programs offered to the campus community. Student Conduct also serves as a resource to student organizations, university departments, faculty, staff, and students who may be victimized by other students or student organizations.

**Office of Student Engagement, Room 101 Plaster Student Union, 417-836-4386**

The Office of Student Engagement serves as a resource for student organizations and advisors on the legal requirements and liability for activities where alcohol may be present. The office also sponsors numerous programs throughout the year, such as comedians, concerts, lectures, and late-night programming on Wednesday, Thursday, Friday, and many Saturdays. The office also provides advisement to *Fraternity and Sorority Leaders of Social Awareness (FSLSA)*.

This organization provides constant and continuous education regarding social awareness and takes a proactive approach to inform the community about issues regarding alcohol, drugs, mental health, sexual assault prevention, and diversity.

**Magers Health and Wellness Center, 417-836-4000**

With a seventeen-member medical staff, Magers Health and Wellness Center provides a high-quality medical home, caring for illnesses, injuries, chronic health problems and preventive medicine. The Wellness Office offers programs on topics such as wellness, alcohol and other drugs, exercise and fitness, healthy eating and weight management, stress management, sexuality issues and tobacco cessation.

**Program review**

The university will conduct a biennial review of this program to determine its effectiveness, make changes where necessary, and ensure that it is consistently enforced.

**Revision of the alcohol and other drug abuse prevention program**

Action on any of the above recommendations should be followed by a careful review of the Alcohol and Other Drug Abuse Prevention Program by the staff of the Dean of Students for any necessary revisions. Proposed revisions should then be presented to the President and the Administrative Council for approval.

## **MISSOURI STATE UNIVERSITY ALCOHOL POLICY (Op11.01)**

*(Included in the annual notice and located within University's on-line Policy Library)*

### **Policy statement**

The use and sale of alcoholic beverages in university facilities is governed by this policy and applicable state statute. The campus has been designated as alcohol free, and any proposed use or sale of alcoholic beverages outside of the parameters set forth in this policy must be approved in writing by the president of the university.

It is always against university policy and against the law to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is illegal for any person to misrepresent his or her own age or the age of any other person to obtain alcoholic beverages. Members of the university community are subject to disciplinary action if they violate this policy, and anyone may be subject to criminal citation for violating the law.

Subject to the following parameters, facility managers are responsible for the approval and supervision of the sale, distribution, and presence of alcohol within their facilities, and the Athletic Department is responsible for and planning of tailgate functions:

### **Sporting events**

The sale of alcohol shall be by a state-licensed vendor that has a contractual relationship with the facility and/or the university.

1. Great Southern Bank Arena: beer and wine may be sold and consumed by the general public, subject to all applicable laws and regulations. Spirits may only be sold and consumed in the suites, logo seats, and the PRIME Overtime Club, subject to all applicable laws and regulations.
2. Hammons Field: The Board of Governors has authorized the possession and consumption of beer by individuals 21 years of age, or older at Hammons Field, an off-campus facility. The sale and consumption of alcohol is exclusively controlled by the management of Hammons Field.
3. Robert W. Plaster Stadium: beer and wine may be sold and consumed by the general public, subject to all applicable laws and regulations. The sale or consumption of spirits is not permitted at the Robert W. Plaster Stadium.

### **Tailgate functions**

The possession and consumption of alcohol is currently associated with home football games at BearFest Village and university property south of Grand (Parking Lots 18, 22 and 24) ("designated lots") under the auspices of the Athletics Department. BearFest Village shall be defined as the plaza area north of Plaster Stadium, extending west to Strong Hall, to the northern edge of McDonald Arena and east to Carrington Hall. Contingent upon prior approval from the president of the university, on an as-needed basis, alcohol may be consumed in areas other than at BearFest Village and/or the designated lots specified above. BearFest Village will be further distinguished by visible signage during operating hours. Expansion to other intercollegiate sports must be initiated by the Athletics Department and advance planning must include University Safety, Facilities Management, and the Office of Student Engagement. Tailgate functions are exclusively for the enjoyment of fans attending the home athletic event. They may include community groups and student organizations registered according to established guidelines as well as individuals, individual families, or other small groups.

The following policies remain in effect for current and future tailgate functions in designated lots and in BearFest Village:

- Consumption or possession of open alcoholic beverages, except where it is expressly permitted, is prohibited in all facilities and areas of campus.
- Consumption or possession of any alcohol except beer, wine, wine coolers and other malt beverages ("approved alcohol") is prohibited in designated lots or at BearFest Village. Hard liquor is not permitted. Accordingly, individuals who are observed to be in possession of hard liquor will be required to dispose of the liquor or remove it from campus.
- Approved alcohol may be consumed in designated lots or at BearFest Village, no more than three hours in advance of the start of the sporting event, and all consumption must end at the start of the event.
- Only persons aged 21 and older may possess or consume alcohol.
- No open containers of alcohol are permitted outside of the scheduled tailgate times and locations. All alcohol transported through public areas on campus must be unopened.
- No glass bottles or containers are permitted.
- No kegs or other containers with a capacity greater than one gallon (128 fluid oz.) may be brought into the area.
- Dispensing alcohol from a common source is prohibited, e.g., coolers of "Jungle Juice" or similarly mixed alcoholic concoctions.
- The use of beer bong or other accelerated drinking devices is prohibited.
- The sale of alcohol in any tailgating areas is prohibited except by a pre-approved campus vendor. The approved campus vendor will sell beer only in the area known as BearFest Village. No alcohol will be made available for purchase on university property south of Grand (Lots 18, 22 and 24).
- Individuals and organizations may provide or prepare food for personal consumption, or for the purposes of making food available to groups at no cost but will do so at their own risk. Missouri State University will not be held responsible for any illness occurring as a result of any food provided or prepared by anyone other than University's dining service provider or a licensed campus food vendor.
- The sale of food in any tailgating areas is prohibited except by University's dining service provider or, other licensed campus food vendors and others with the approval of the Director of Athletics.

The Athletics Department may establish additional rules and regulations for tailgating in designated lots and at BearFest Village. Additionally, the Athletics Department will establish a process for reserving space in BearFest Village. Such rules, regulations and processes shall be evaluated on an annual basis and will be made publicly available.

Additionally, beer and wine may be sold and consumed by the general public, subject to all applicable laws and restrictions, at Hammons Student Center during tailgates associated with home basketball games. The sale of alcohol shall be by a state-licensed vendor that has a contractual relationship with the facility and/or the university. Unlike football tailgates, individuals will not be permitted to bring their own alcohol on the premises for basketball tailgates. Rather, they may only purchase alcohol at the tailgate from an approved vendor. All other policies for alcohol sale and consumption at football tailgates applies to basketball tailgates.

### **Event and meeting services and special events**

There are a number of campus facilities that are frequently available for rental or the hosting of university special events, namely the Darr Agricultural Center, the Plaster Student Union, the Kentwood Hall Crystal Room, the Brick City Galleries, the Carolla Arts Exhibition Center, and the Plaster Free Enterprise Center. Groups and organizations that reserve University facilities for special events through Event and Meeting Services may request that the event catering include the service of beer and wine (no spirits). Such catering may only be performed by the University's dining services provider. Requests for alcoholic beverage service will only be considered when access to the event is limited and can be carefully monitored for compliance with alcohol beverage laws and ordinances.

### **Great Southern Bank Arena (non-sporting events)**

The university's contracted food and beverage vendor for Great Southern Bank Arena shall have the opportunity to sell beer, wine, and spirits to the general public, subject to all applicable laws and regulations.

The university's contracted food and beverage vendor shall be responsible for application and maintenance of appropriate sales certificates as required by the city, state, etc. Only employees of the contracted vendor shall sell/serve beer, wine and spirits and shall be responsible for evaluation and verification of age and sobriety status for any party consuming or purchasing said items.

### **Juanita K. Hammons Hall for the Performing Arts**

Subject to all applicable laws and regulations, the university's contracted food and beverage vendor and/or vendors with approved picnic licenses for Juanita K. Hammons Hall shall, with the permission of the venue's management, engage in the sale of beer, wine and spirits to patrons attending an event. Consumption of beer, wine and spirits shall be restricted to the building. Containers (sealed or unsealed) shall not be allowed to leave the permitted spaces or removed from the premises. The university shall not allow sales of beer, wine or spirits at university presented events featuring performances by university students. Typically, beer, wine and spirits service will be available only at events where the venue is leased by an outside promoter or select university presented events. Beer/wine/spirits may be served at private functions.

### **Residence halls**

Residence Hall directors and assistant directors are uniquely situated on the university campus. The duties and responsibilities require that directors and assistant directors live in on campus apartments and these are their permanent residences. The 1993 Alcohol Policy Task Force recommended that these staff members be authorized to possess and consume alcohol in their apartments. The policy for the possession and consumption of alcohol by residence hall directors and assistant hall directors should be established by the Director of Residence Life, Housing and Dining Services, who is responsible for the direction and supervision of the Residence Life, Housing and Dining Services program. At a minimum, policies should require that alcohol is never consumed in the presence of a residence hall student or by anyone under the age of 21.

Residents of Monroe Apartments, Sunvilla Tower and Kentwood Hall (and other residence halls approved by the Director of Residence Life, Housing and Dining Services and the president) are not prohibited from possession and consumption of alcohol in their apartments if they are above the legal drinking age pursuant to Missouri law.

**Revision of the Alcohol and Other Drug Abuse Prevention Program**

Action on any of the above recommendations should be followed by a careful review of the Alcohol and Other Drug Abuse Prevention Program by the staff of the Dean of Students for any necessary revisions. Proposed revisions should then be presented to the president and his Administrative Council for approval.

**Authority**

September 15, 2006, Board of Governors Resolution which delegated the authority to approve the use of alcoholic beverages in designated university facilities to the president of the university and authorized the president to further delegate to the chancellors of West Plains and Mountain Groves campuses such authority for those campuses.

## **Annual Security Report**

Office of University Safety, 636 E. Elm St., 836-8870

Missouri State University's annual security report includes statistics for the previous three years concerning reported crimes that occurred on campus, 1) in certain off-campus buildings owned or controlled by Missouri State University and 2) on public property with, or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security, alcohol and other drug use, crime prevention, the reporting of crimes, sexual assault, and other matters. A copy of this report can be obtained by contacting University Safety, 636 E. Elm, 417-836-8870 or by accessing the following web site: <https://www.missouristate.edu/Safety/CrimeData/reports-and-policies.htm>

## **Preventive Measures**

### **Dean of Students Office/Office of Student Conduct**

The Dean of Students Office participates in an on-call rotation to contact the emergency contact of a student when they have been transported to the hospital or when the Dean of Students Office has been notified that a student is in the hospital.

The Office of Student Conduct staff discusses the University alcohol and other drug policies at Student Orientation, Advisement and Registration (SOAR). All University alcohol and other drugs policies, including violations and sanctions, health risks, and state and federal laws are available on the Missouri State University website <http://www.missouristate.edu/dos/>

The Office of Student Conduct staff offers outreach to the general student population regarding alcohol and drug issues in the form of program presentations, consultation with student groups, a presence at campus-wide events and individual counseling.

The Office of Student Conduct staff imposes consequences for violation of alcohol and other drug policies that include drug classes, alcohol classes and chemical dependency assessments. Staff members who have authority to set or agree upon consequences must undergo student conduct training and learn of the expectations of consequence applications. Follow-up is through the Office of Student Conduct. It houses all student conduct records and tracks the application and completion of sanctions. Students who have not completed required sanctions have a hold placed on their records that prohibits registration for classes until sanctions are completed.

There are additional ways the Student Conduct Office is implementing the promotion of social norms messages to increase knowledge and promote responsible alcohol use and provide education regarding alcohol use:

- Promotional and financial support was given to Residence Life, Housing, and Dining Services for programming that concentrates on alcohol and other drug usage.
- The Office of Student Conduct sits on the Partners in Prevention committee.
- Upon request from Fraternity and Sorority Life organizations, the Office of Student Conduct facilitates presentations on alcohol and other drugs.
- The Assistant Dean of Students and Director of Student Conduct assisted with training of Residence Life staff on issues such as alcohol poisoning and drug usage.
- The Office of Student Conduct participated in New Student Festival and Health Fairs by providing students, faculty, and staff information about alcohol and drug usage.

Substance violations for	<u>2019-2020</u>	<u>2020-2021</u>
1st alcohol	153	83
2nd alcohol	10	5
3rd alcohol	0	1
4th alcohol	0	0
1st marijuana (including paraphernalia)	46	25
2nd marijuana	0	1
Narcotic other than marijuana	1	1

*Note: The data above reflects the number of cases in which a student was found responsible for the violation.*

The following is the consequence sequence which was approved by the Board of Governors and illustrated in the *Code of Student Rights and Responsibilities* during the academic year of 2019-2020.

- **First Alcohol Violation:** fine; online alcohol education module; and 2 reflection papers.
- **Second Alcohol Violation:** Referral to Student Conduct for an educational conference, other discretionary consequences, and a fine. Other discretionary consequences may include 15 hours of community service; residence hall probation for a period of one year; and Level One probation for a period of one year. Parental notification, as allowed under FERPA regulations.
- **Third Alcohol Violation:** Parental notification, as allowed under FERPA regulations; residence hall suspension; assessment for chemical dependency; Level Two Probation for a period of one year; and a fine.
- **Fourth Alcohol Violation:** Suspension for one semester. Prior to readmittance, the student will be required to meet with the Dean of Students (or designee) to discuss and demonstrate readiness to be at the University. The student may be asked to submit documentation of successful substance abuse treatment.
- **First Drug Violation:** Participation in the University's drug education class; fine; Level Two Probation for a period of one year; Level One Probation for a period of one year; assessment for chemical dependency; and parental notification as allowed under FERPA regulations.
- **Second Drug Violation:** Suspension from the university for one semester and parental notification, allowed under FERPA guidelines.

The following is the consequence sequence which was approved by the Board of Governors and illustrated in the *Code of Student Rights and Responsibilities* during the academic year of 2020-2021.

- **First Violation of Use, Possession, or Distribution of Alcohol:** fine; participation in BASICS education program; and 2 reflection papers.
- **Second Violation of Use, Possession, or Distribution of Alcohol:** fine, participation in BASICS education program; at least fifteen (15) hours of approved community service; University Housing probation for one (1) year; and/or Level One probation for a period of one (1) year; Parental notification, as allowed under FERPA regulations.
- **Third Violation of Use, Possession, or Distribution of Alcohol:** Parental notification, as allowed under FERPA regulations; University Housing suspension; assessment for chemical dependency; Level Two Probation for a period of one year; and a fine.
- **Fourth Violation of Use, Possession, or Distribution of Alcohol:** Separation from the University (e.g., suspension or denial of privileges to re-enroll) for one semester. Prior to re-admittance, the student will be required to meet with the Dean of Students (or designee) to discuss and

demonstrate readiness to be at the University. The student may be asked to submit documentation of successful substance abuse treatment. Students readmitted after a Fourth Violation will not be eligible for University Housing.

- **First Violation for Use or Possession of Drug Paraphernalia and/or Marijuana:** Participation in CASICS education program, fine; Level Two Probation for a period of one year; Level One Probation for one year following the previous probation; and parental notification, as allowed under FERPA regulations.
- **Second Violation for Use or Possession of Drug Paraphernalia and/or Marijuana:** Separation from the University for one semester (e.g., suspension, or denial of privileges to re-enroll) and parental notification, as allowed under FERPA regulations.
- **First Violation for Use or Possession of a Controlled Substance Other Than Marijuana:** Participation in CASICS education program; fine; parental notification, as allowed under FERPA regulations, Level Two Probation for a period of two years; and any additional consequence as deemed appropriate by the Conduct Officer.
- **Second Violation for Use or Possession of a Controlled Substance Other Than Marijuana:** Separation from the University for one year (e.g., suspension or denial of privileges to re-enroll) and parental notification, as allowed under FERPA regulations.

#### **Maxient**

The Dean of Students Office, the Office of Student Conduct, Residence Life, Housing, and Dining Services, and Academic Integrity Council continue to use Maxient, a conduct database, to track incidents.

#### **The Office of University Safety**

The Office of University Safety is comprised of MSU campus safety specialists. The Office of University Safety receives all campus reports of alcohol and other drug violations. An onsite substation of the Springfield Police Department also is located on campus.

*Safety Matters* is a strategy committee chaired by the Director of University Safety and includes representatives from the Office of the Dean of Students, Residence Life, Housing and Dining Services, Springfield Police Substation, General Counsel, Internal Audit, and the Student Union. It meets on a bi-monthly basis to discuss crime and safety concerns affecting the University, campus property, and surrounding neighborhoods. The committee also reviews and revises safety protocols as needed.

<https://www.missouristate.edu/committees/safetymatters.htm>

#### **Partners in Prevention (PIP)**

This statewide campus collaboration is led at Missouri State University by Magers Health and Wellness Center's Student Wellness Coordinator. PIP includes representatives from the Student Conduct Office, Counseling Center, Office of University Safety, Athletics, Springfield Police Campus Sub-Station and Residence Life, Housing and Dining Services.

The Student Wellness Coordinator is responsible for administering the *Missouri Assessment of College Health and Behavior (MACHB)* that establishes and tracks changes in true norms versus perceived norms regarding student behaviors. A random sample of students is selected annually to take the survey

Missouri State University results from the *Missouri Assessment of College Health and Behavior (MACHB)*:

MCHBS 2020: n = 1168

MCHBS 2021: n = 906

PNR = *Prefer not to respond*

Does MSU have a drug/alcohol prevention program?	<u>2020</u>	Yes	66%	No	1.7%	PNR	0.6%
	<u>2021</u>	Yes	50%	No	0.9%	PNR	0.2%
Is MSU concerned about alcohol/drug use?	<u>2020</u>	Yes	76%	No	20%	PNR	4.3%
	<u>2021</u>	Yes	72%	No	22%	PNR	6%
Are MSU policies consistently enforced?	<u>2020</u>	Yes	56%	No	35%	PNR	9.1%
	<u>2021</u>	Yes	28%	No	22%	PNR	0.9%
				Unsure:	49%		

### Residence Life and Dining Services

Alcohol and other drugs policy training is required for all Residence Life, Housing and Dining Services employees, as is alcohol/drugs programming for Residence Life student leaders. Officers from the Police Substation conducted RA training on illegal drugs (look, smell, effects.) Residence Life, Housing and Dining Services report all violations to the Office of Student Conduct.

Residence Life, Housing and Dining Services retain and continually update a database on alcohol and other drug violations. For the 2019-2020 and 2020-2021 academic years, the database was Maxient.

### Athletics

The MSU Student Athlete Handbook is required reading for all student athletes and contains the Athlete Code of Conduct and athlete drug testing policies. All violations were consistently addressed across all University sports programs. Sanctions, including dismissal from sports programs, were consistently applied. The Athletic Department provided alcohol and other drug education to athletes.

### Human Resources

The Annual Notice informs all University employees that violation of the alcohol or other drugs policy can result in disciplinary action up to and including discharge for employees. Magers Health and Wellness Center provided referrals to employees who sought counseling and/or treatment for alcohol or other drug problems.

Additionally, Missouri State University offers two employee assistance programs (EAPs) for its employees and their immediate family. An EAP is a free, confidential service to help employees and their immediate family members with a wide range of problems. EAPs can provide information, support, and referral services to assist with life concerns, including addiction and substance abuse. Information regarding the University's EAPs is available at the University's Human Resources webpage <https://www.missouristate.edu/human/employee-assistance-program.aspx>.

There was/were three reported incident(s) of student/faculty/staff employee misuse of alcohol and/or drugs during the review period.

Reports related to alcohol were received on the following dates:

October 1, 2020 – 1 Student Employee Incident involving alcohol, terminated employment under OP7.15.9 and OP7.15.10.

February 1, 2022 – Full-time employee incident involving alcohol – EAP referred, Non-Safety Sensitive Employee

March 25, 2022 – Full-time employee incident involving alcohol – EAP referred, Non-Safety Sensitive Employee

No faculty incidents reported

Zero reports related to drugs were received during the reporting period.

**Recommendations for 2022-2023** (*listed below are the recommendations during last review – will update as committee determines*)

- The Student Code of Rights and Responsibilities is reviewed and revised annually. In the 2017-18 year, with respect to alcohol and drugs, revisions were prepared and put forth. The revised Code was approved by the Board of Governors at its June 2018 meeting. Specifically related to alcohol, in section 7.11.D, separate consequences for alcohol paraphernalia were added rather than having them embedded in the more significant consequences prescribed for alcohol violations as in the previous version of the Code. This revision created less of an adversarial role for conduct. The Code will be reviewed/ revised again prior to the next review. The review will take a look at alcohol and drug patterns and trends.
- In addition to a review of the Code of Student Rights and Responsibilities, any policies related to alcohol and drugs should be reviewed.
- The Office of University Safety should work with Athletics and Learfield to update alcohol-related restrictions during Bearfest Village tailgating at football games, including, but not limited to, restricting container size to one quart or less.
- Dean of Students, Office of Student Engagement, and Office of Student Conduct Staff should continue to meet on a monthly basis to discuss organizational conduct violations and assess trends in such violations and determine effective strategies for reducing violations.
- University Safety should continue to meet with stakeholders involved with BearFest village to review policies, share observations regarding student conduct at BearFest village, and suggest educational approaches to reduce policy violations.
- Substance abuse information should continue to be included as part of Counseling Center's "Fresh Check" awareness fair program in the Plaster Student Union.

- Appendix A: Documentation of Annual Notice mailings, p. 18**
- Appendix B: Sanctions for Alcohol and Other Drug Abuse 2014-2015 pp. 17-18**
- Appendix C: Residence Life, Housing and Dining Services Alcohol/Drug Programming pp. 19-20**
- Appendix D: Student-Athlete Handbook, p. 20**

## Appendices

### **Appendix A: Documentation of Annual Notice Mailing.**

August 2019:	23,694	by email
January 2020:	1,847	by email
June 2020:	130	by email
October 2020:	26,201	by email
January 2021:	375	by email
June 2021:	147	by email

Dean of Students Office  
Missouri State University, 836-5527

### **Appendix B: Sanctions for alcohol violations and other drug violations for 2019 and 2020.**

Missouri State > Policy Library > Chapter Five: Student Policies > Governing Policies>Code of Student Rights and Responsibilities>Article VII: Consequences. Violations of these policies are cumulative over the duration of a student's tenure at the University and a schedule of minimum consequences will be assigned. All monetary fines for alcohol and other drug violations go into an alcohol education account that supports classes, assessments, and other educational efforts.

Violations of federal, state, or local laws and ordinances occurring on university premises or at university-sponsored or supervised activities as well as violations off campus when the conduct adversely affects the University community and/or the pursuit of its objectives are subject to sanctions.

- **Use or Possession of Drug Paraphernalia and/or Marijuana:**
  - **First Violation:** Participation in CASICS education program; a fine; Level Two Probation for a period of one year; Level One Probation for a period of one year following the previous probation; assessment for chemical dependency; and parental notification, as allowed under FERPA regulations.
  - **Second Violation:** Separation from the University for one semester (e.g., suspension, or denial of privileges to re-enroll) and parental notification, as allowed under FERPA regulations.
- **Use or Possession of a Controlled Substance Other Than Marijuana:**
  - **First Violation:** Participation in CASICS education program; a fine; assessment for chemical dependency; parental notification, as allowed under FERPA regulations, Level Two Probation for a period of two years; and any additional consequence as deemed appropriate by the Conduct Officer.
  - **Second Violation:** Separation from the University for one year (e.g., suspension or denial of privileges to re-enroll) and parental notification, as allowed under FERPA regulations.
- **Possession of a Controlled Substance with Intent to Sell or Distribute:**
  - **First Violation:** Dismissal from the University.
- **Use, Possession, or Distribution of Alcohol:**
  - **First Violation:** fine; participation in BASICS education program; and 2 reflection papers.
  - **Second Violation:** fine; participation in BASICS education program; at least fifteen (15) hours of approved community service; University Housing probation

for one (1) year; and/or Level One probation for a period of one (1) year; Parental notification, as allowed under FERPA regulations.

- **Third Violation:** Parental notification, as allowed under FERPA regulations; University Housing suspension; assessment for chemical dependency; Level Two Probation for a period of one year; and a fine.
  - **Fourth Violation:** Separation from the University (e.g., suspension or denial of privileges to re-enroll) for one semester. Prior to re-admittance, the student will be required to meet with the Dean of Students (or designee) to discuss and demonstrate readiness to be at the University. The student may be asked to submit documentation of successful substance abuse treatment. Students readmitted after a Fourth Violation will not be eligible for University Housing.
- **Possession of Alcohol Paraphernalia:**
    - **First Violation:** warning and removal of paraphernalia item.
    - **Second Violation:** paper and removal of paraphernalia item.
    - **Third Violation:** Parental notification, as allowed under FERPA regulations; University Housing probation; and removal of item.
    - **Fourth Violation:** University Housing suspension (e.g., suspension or denial of privileges to re-enroll) for one semester. Prior to re-admittance, the student will be required to meet with the Dean of Students (or designee) to discuss and demonstrate readiness to be at the University.

#### Missouri State > Policy Library > Chapter Five: Student Policies > Drug and Alcohol

- **Supplying Alcohol to Minors (Even if a minor):**

“Any owner, occupant, or other person or legal entity with a lawful right of property who knowingly allows a person under the age of twenty-one to drink or possess intoxicating liquor or knowingly fails to stop a person under the age of twenty-one from drinking or possessing intoxicating liquor on such property”, is guilty of a class B misdemeanor. Any second or subsequent violation of this subsection is a class A misdemeanor.
- **Making or Using a Fake ID:**

Any person who shall reproduce, alter, modify, or misrepresent any driver's license or identification card shall be deemed guilty of a misdemeanor. Upon conviction shall be subject to a fine of not more than one thousand dollars, and confinement for not more than one year, or by both such fine and imprisonment.

Any person who is less than twenty-one years of age who uses a reproduced, modified license, or identification card for the purpose of purchasing, asking for in any way receiving any intoxicating liquor, shall be guilty of a misdemeanor and shall be subject to a fine of five hundred dollars for each offense.
- **Minor in Possession of Alcohol (MIP) or Minor in Possession of Consumption (MIC):**

**Any person under the age of twenty-one years who purchases or attempts to purchase or has in their possession any intoxicating liquor or who is visibly intoxicated or has a detectable blood alcohol content is guilty of a misdemeanor. Persons found guilty shall be subject to a fine of fine hundred dollars for each offense.**

**Questions concerning University policies and sanctions for violations should be directed to Student Conduct, PSU 405, 836-5527, [StudentConduct@MissouriState.edu](mailto:StudentConduct@MissouriState.edu). Questions concerning state laws and city ordinances should be directed to the Springfield Police Department - Missouri State University Substation, 636 E. Elm, 836-5327**

## **Appendix C: Residence Life, Housing and Dining Services Alcohol/Drug Programming**

Each RA was required to plan and implement one alcohol education program annually and frequently planned a program with another RA.

- Two campus-wide programs have focused on drug and alcohol education.
  1. Woodstock, a drug education program that has been planned and implemented for the past 12 years. Students walked through activities such as trivia to reinforce the educational aspect. Attendance was 200 in 2016 and 210 in 2017.
  2. Wells Root Beer Kegger has been planned for the past 35 years. Students visited stations that address alcohol education and enjoyed root beer floats. The student-led hall council planned the event that included police, Campus Safety, and Student Conduct. Attendance was 250 in 2016 and 200 in 2017.
- Protocol for addressing drug and alcohol violations in the Residence halls
  1. If drugs are suspected in a residence hall, police are called immediately and take control with Residence Life staff acting as witnesses.
  2. If a student is suspected of having consumed too much alcohol (discovered passed out in the residence halls, unable to walk on their own, or has bodily fluids on person), emergency personnel are called to assess the student. Whether or not the student is transported to the hospital, parents/guardians are called to make them aware of the situation. The 2010-11 academic year was the first year of implementing the protocol of calling parents.
- Residence Life, Housing and Dining Services Programming Model 2016-2018
  1. Community Development

RAs will plan programs that meet the needs of their residents (four in the fall semester and two in the spring). In addition, RAs are required to have six spontaneous events in the fall and seven in the spring. Some of the events RAs plan include taking students to other events on campus or required events (e.g., welcome weekend).
  2. Community Enrichment

Each semester RAs will plan an event focused on the University's Public Affairs mission and one addressing diversity/inclusion/social justice.
  3. Passive Engagement

RAs are asked to complete bulletin boards each month addressing a need on their floor.
  4. Individual Connections

Each semester, RAs will meet with every resident individually to answer specific questions addressing issues students typically encounter at that point in the semester.

#### **Appendix D: Student-Athlete Handbook**

- **Alcohol: Prohibited acts include:**
  1. Possessing or consuming alcohol if under the age of 21
  2. Driving while under the influence of alcohol
  3. Misrepresenting age for the purpose of possessing, purchasing or consuming alcohol
  4. Purchasing or serving alcohol to someone underage
  5. Public intoxication
  6. Consumption of alcohol while hosting a prospect on a visit (official or unofficial) to campus
  7. Consumption of alcohol during team travel or at team functions
  
- **Other drugs: Prohibited acts include:**
  1. Possessing, selling, or using illegal drugs
  2. Possessing, selling, or using controlled substances
  3. The use of tobacco products by a student-athlete during practice, competition, or other team functions