Alcohol and Drug Policy

<table>
<thead>
<tr>
<th>Policy Title</th>
<th>Alcohol and Drug Policy</th>
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<tbody>
<tr>
<td>Policy Owner</td>
<td>Vice President for Students Affairs and Dean of Students</td>
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<td>Responsible Office</td>
<td>Office of the Vice President for Student Affairs</td>
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<tr>
<td>Pertinent Dates</td>
<td>This version of the Alcohol and Drug Policy was approved _________</td>
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<td>Approved By</td>
<td></td>
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<tr>
<td>Who Needs to Know About this Policy</td>
<td>All members of the university community.</td>
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</tbody>
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Related Information

- University Police Drug and Alcohol information
- Student Disciplinary Actions
- Faculty Disciplinary Actions
- Staff Disciplinary Action [pdf]
- Community Standards
- Alcohol and Drug Brochure [pdf]
- Tailgating Policy
- Active Medical Assistance Protocol
- Social Host and Alcohol Event Registration Procedures [pdf]
- Terms and Conditions for Social Host Defense and Indemnity [pdf]

Reason for Policy / Purpose

To comply with applicable alcohol and drug laws and to establish protocols for University Events with Alcohol.

Abstract

The unlawful possession, use or distribution of illicit drugs or alcohol by anyone on Carnegie Mellon University property or as part of any university program or activity is prohibited. University Events with Alcohol must designate a Social Host and must be registered with and approved in advance by the Office of the Dean of Students.

I. Policy Statement

Carnegie Mellon University is committed to maintaining a safe and healthy community that supports the academic mission of the institution. In keeping with this commitment, the university permits the use of alcohol or drugs within its community only in a manner that is legal, responsible, and consistent with the expectations outlined in this policy. Further, the university makes available information and resources so that its community members are positioned to assist anyone whose personal wellbeing may be negatively impacted due to misuse of alcohol or drugs.

This policy applies to all members of the university community, including all faculty, staff and students. This policy also applies to contractors, volunteers and visitors while on university property (whether owned or leased) or while being paid or reimbursed with university funds. This policy focuses on compliance with laws in the United States and the Commonwealth of Pennsylvania. However, as a
global university with operations throughout the world, Carnegie Mellon is equally committed to
compliance with all applicable alcohol and drug laws in all jurisdictions in which the university operates.

II. Policy on Illegal Drugs

The unlawful manufacture, possession, distribution, sale, or use of drugs is prohibited at the university.
This prohibition applies to the unlawful possession, distribution, sale, or use of illegal narcotics,
prescription drugs, and other illegal drugs. It is a violation of this policy for prescription drugs to be
provided to or used by someone other than the person for whom they were prescribed. It is also a
violation of this policy for prescription drugs to be used in a manner for which they were not prescribed.

The university complies with all applicable federal, state and local laws. The U.S. federal Drug Free
Schools and Communities Act of 1989 requires institutions of higher education that receive federal
funds to comply with U.S. federal drug laws. Although some state and local governments have legalized
the use of various forms of marijuana, federal law continues to prohibit the manufacture, possession,
distribution, sale, or use of marijuana. As such, in accordance with U.S. federal law, all forms of
marijuana, including prescription medical marijuana, are prohibited on all university property (whether
owned or leased) and in connection with all university programs.

The use of certain drugs (including prescription drugs) may cause impairment and impact the ability of
employees to perform their jobs. Faculty, staff, and student-workers are prohibited from being under
the influence of any drugs (including prescription drugs) that cause impairment. University employees
with a license to operate specialized vehicles or equipment (e.g., commercial driver’s license or pilot’s
license) must follow all applicable rules prohibiting the use of drugs before and/or while operating the
vehicle/equipment.

III. Policy on Alcohol

The unlawful manufacture, possession, distribution, sale, or use of alcohol is prohibited at the university.

All members of the university community are expected to comply with applicable laws regarding the
possession, consumption, transportation, and distribution of alcohol. Except as set forth below or as
otherwise prohibited by applicable departmental-level rules, the lawful consumption of alcoholic
beverages on university property (whether owned or leased) and/or in connection with university
programs by individuals of legal drinking age (21 years or older in United States) is permitted by the
university. In these circumstances, however, the university expects faculty, staff, students, contractors
and all other visitors to conduct themselves, both individually and collectively, in a responsible manner
and in compliance with this policy.

The consumption of alcohol and/or the possession of open containers of alcohol are prohibited (i) while
outdoors on university property, (ii) while inside university facilities in common areas, theaters,
galleries, dining facilities, or other spaces that are accessible by the public, (iii) while in classrooms, labs,
studios, or other instructional spaces when a course is in session, and (iv) at all on-campus athletic
facilities. However, alcohol may be served and consumed in these locations where permitted under
Section IV of this policy concerning Social Host and Alcohol Event Registration.

All university employees, including faculty, staff, and student-workers, are expected to observe the
highest standards of ethical and professional conduct. Faculty, staff and student-workers who are of
legal drinking age who choose to engage in the consumption of alcohol are expected to do so.
responsibly. Faculty, staff, and student-workers are prohibited from working while intoxicated or impaired. Furthermore, faculty, staff, and student-workers are prohibited from consuming alcohol in a manner that in any way impairs the performance of job duties, endangers the physical well-being of oneself or others, or could result in the damage of property (in most circumstances, employees are to refrain from consuming alcohol when performing their normal academic, administrative, technical, or professional duties). University employees with a license to operate specialized vehicles or equipment (e.g., commercial driver’s license or pilot’s license, etc.) must follow all applicable rules prohibiting the use of alcohol before and/or while operating the vehicle/equipment.

Sale of Alcohol

In all cases, Carnegie Mellon complies with the law of the applicable jurisdiction regarding the sale of alcohol. Under Pennsylvania law, a liquor license is required to sell alcohol. The university does not possess a liquor license. As such, alcohol may not be directly or indirectly sold in connection with any university program or activity in Pennsylvania unless the alcohol is sold and/or served by a third-party that possesses a valid liquor license and, if necessary, an off-premises catering permit. The indirect sale of alcohol includes, but is not limited to, the following:

- The sale of tickets, entrance fees, or required donations to attend an event where alcohol is served; and
- The use of drink tickets in connection with paid admission to an event where alcohol is served.

IV. Social Host and Alcohol Event Registration

A “University Event with Alcohol” is a university event where alcohol will be served either (1) on campus, or (2) off-campus where the alcohol is paid for directly, in whole or in part, with University funds, or where reimbursement, in whole or in part, is made for the purchase of alcohol using University funds. Notwithstanding the foregoing, the following activities are not University Events with Alcohol for purposes of Social Host and registration requirements (however, the other provisions of this Alcohol and Drug Policy still apply):

(i) consumption of alcohol by students of legal drinking age in an on-campus private residence;
(ii) consumption of alcohol in an on-campus private residence that is leased, rented or otherwise occupied by an employee of the university, where no students are expected and/or permitted to attend (excluding students who are relatives of the employee);
(iii) consumption of alcohol in a Private Office with a door and lock that is occupied by no more than four (4) faculty and/or staff members and where no students are present, and
(iv) an activity registered through the Interfraternity Council (IFC).

As detailed in the Social Host & Alcohol Event Registration Procedures, a University Event with Alcohol must be registered with and approved in advance by the Office of the Dean of Students, and at least one Social Host must be designated for the University Event with Alcohol. These procedures set forth the requirements for University Events with Alcohol, the requirements for Social Hosts, and the types of events exempt from these requirements.

The Social Host for each University Event with Alcohol is responsible for (1) ensuring that alcohol is served only to individuals who are of legal drinking age (2) ensuring that individuals who are visibly
intoxicated are not served alcohol, and (3) oversight of the event consistent with the Social Host Responsibility Guidelines set forth in the Social Host & Alcohol Event Registration Procedures.

The university will provide a legal defense and/or indemnity to any individual who serves as a Social Host of a University Event with Alcohol, pursuant to the Social Host & Alcohol Event Registration Procedures, and subject to the attached Terms and Conditions for Social Host Defense and Indemnity.

The rights of faculty and Trustees and Officers of the University who serve as Social Hosts are not governed by the Terms and Conditions for Social Host Defense and Indemnity. Rather, faculty defense and indemnity rights continue to be governed by Article VIII of the University By-Laws concerning Professional Protection Regarding Faculty Members. Defense and indemnity rights of Trustees and Officers of the University continue to be governed by Article IX of the University By-Laws concerning Liability and Indemnification of Trustees and Officers.

V. Sanctions & Medical Amnesty

Faculty, staff, and students who violate this policy may be subject to disciplinary action up to and including suspension, expulsion, and/or termination of employment. Visitors to the university who violate this policy may be removed from university property and university events. Individuals who violate this policy may also be referred for criminal prosecution, though criminal charges are not a prerequisite for sanctions under this policy. Information regarding the state and federal criminal penalties for violations of drug and alcohol laws, as well as information regarding the health risks associated with the use of drugs and alcohol, is available in the University’s annual Alcohol and Drug Brochure, available at https://www.cmu.edu/policies/forms-and-documents/2019-2020-alcohol-drug-guide.pdf.

The university community values the health and safety of its members and supports an environment that encourages students to come to the assistance of one another. As specified in the Active Medical Assistance Protocol students will be granted amnesty from university disciplinary action and University Police action when assistance from emergency services personnel is appropriately sought for individuals in need of immediate medical attention due to alcohol or drug use. In the Commonwealth of Pennsylvania, similar amnesty from criminal prosecution is also available to individuals pursuant to 18 Pa.C.S. § 6308.1 and 35 P.S. § 780-113.7.

VI. Resources

The university provides the following resources to individuals seeking assistance relating to the abuse of alcohol or drugs.

- Counseling & Psychological Services – Counseling and Psychological Services (CaPS) is available as a resource to students for initial assessment of drug and alcohol use, and referrals to off campus outpatient and inpatient treatment programs.

- University Health Services – University Health Services (UHS) also provides students with initial assessment of drug and alcohol use and referrals to CaPS or off-campus treatment programs, in
addition to substance abuse prevention education, through its Office of Health Promotion. Individual sessions are offered alongside online programs to assist students in assessing their own usage patterns and reducing the risks associated with substance abuse. UHS also facilitates the College Recovery Community at the university to support and connect students and their allies who are choosing sobriety. Information about appropriate community support groups is available through CaPS and UHS. Some of the support programs available in the Pittsburgh area include: Alcoholics Anonymous, Narcotics Anonymous, Al-Anon and the Adult Children of Alcoholics Network of Greater Pittsburgh.

- **Employee Assistance Program** – Carnegie Mellon has established an Employee Assistance Program (EAP), sponsored and paid for by the university, to facilitate employees' efforts to resolve problems that can affect job performance and general well-being. EAP services include counseling and support relating to substance abuse.