

Title/Subject: **ALCOHOL USE GUIDELINES**

Applies to: faculty staff students student employees visitors contractors

Effective Date of This Revision: April 06, 2006

Contact for More Information: Office of the Dean of Students

Board Policy Administrative Policy Procedure Guideline

Introduction and Institutional Philosophy

Central Michigan University acknowledges and respects the rights of individuals to use alcohol in a legal and responsible manner. The University supports the laws of the state of Michigan and strives to create an environment that supports healthy decisions and lifestyles. CMU also respects the rights of individuals who choose not to use alcohol and not experience the impact of others' use or misuse of alcohol.

The university's alcohol policy places responsibility for individual and group conduct on individuals who use alcoholic beverages. Drinking alcoholic beverages is not an excuse for irresponsible behavior, and individuals and groups are held accountable for their behavior whether or not they have been drinking.

The university supports the efforts of the on-campus programs that provide the university community with a wider understanding of the use and abuse of alcohol. CMU encourages further educational efforts that help members of the university community make informed choices involving alcohol. The university encourages faculty, staff, administrators and students with alcohol problems to seek and receive appropriate treatment and assistance, and it will assist them in whatever ways it judges appropriate.

The university recognizes that both the consumption of alcohol on college campuses and the occurrences of alcohol abuse are serious issues. The university also recognizes the dangers of alcohol abuse in connection with malicious destruction of property, driving accidents, personal injury, interpersonal violence, sexual assault, alcohol poisoning and other related activities including alcohol related death.

The university encourages individuals to make informed, responsible decisions about alcoholic beverages in accordance with state law and campus policy. The university encourages individuals to:

- Give at least equal status to alternative, nonalcoholic beverages at campus and social events
- Find it socially acceptable to choose not to drink
- Refuse to condone excessive drinking or drunkenness
- Refuse to use intoxication as an excuse for misconduct or infringing on the rights of others
- Refuse to use alcohol as the prime focus of a social activity

Authority: M. Rao, President

History: Reviewed 4-1-2010, no changes.

Indexed as: Alcohol Use Guidelines; Alcohol Beverages Permitted at CMU Locations; Alcohol Use at On-Campus Events; Beverage Alcohol Marketing

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I. University Policy

CMU Code of Student Rights, Responsibilities and Disciplinary Procedures

Section 3.2.13 of the student code of conduct states that a student shall not possess, consume or furnish, or aid in the consumption or furnishing of, alcoholic beverages except as permitted by law and university policy.

II. Summary of Selected Michigan Laws

The following summary covers sections of the Michigan Liquor Control Act, MCL 436.1101 et seq., relating to the possession, consumption and sale of alcoholic beverages. Laws and administrative rules governing establishments licensed by the Michigan Liquor Control Commission as well as sections of the law dealing with licensure, importation, taxation, wholesaling and manufacturing of alcoholic liquor are not included in the summary. Michigan's drunken driving laws also are excluded.

Not all laws relevant to a particular situation are included here. The summary is intended strictly as an educational tool and should not be construed as legal advice.

A. Alcoholic Liquor

In this document the terms "alcoholic liquor," "alcoholic beverage" and "beverage alcohol" are used interchangeably.

B. Drinking Laws

It is illegal for a person under 21 years of age to purchase, consume or possess alcoholic liquor. For example:

- A person less than 21 years of age, who purchases, consumes, possesses or attempts any of the aforementioned as it relates to alcoholic liquor, is guilty of a misdemeanor.
- No alcoholic liquors shall be consumed on any public highway, street, alley within this state, nor within the city of Mount Pleasant, in any public place or place of amusement or recreation open to the public not licensed by the state to sell alcoholic liquors. No person shall transport or possess any alcoholic liquor in a container that is open, uncapped, or upon which the seal is broken unless allowed by law, on the public streets, sidewalks or rights of way of the city of Mount Pleasant.

It is a misdemeanor for a person under 21 years of age to knowingly transport or possess alcoholic liquor in a motor vehicle unless the activity is part of the minor's employment by a liquor licensee or other authorized agent of the Liquor Control Commission.

Alcoholic liquor may not lawfully be sold, traded or otherwise furnished to a person under the age of 21 years. It is a misdemeanor to knowingly sell or furnish alcoholic liquor to a person under the age of 21 or to fail to make a diligent inquiry as to whether the person is under the age of 21.

A person who violates these laws is liable for criminal and/or civil penalties including fines or participation in a substance abuse program or both.

C. Fraudulent Identification

It is a misdemeanor to furnish a person less than 21 years old with fraudulent identification and for a person less than 21 years of age to use fraudulent identification to purchase alcoholic liquor.

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D. Regulation of Sale Laws

Under Michigan law, the sale, trade or giving away of alcoholic liquor – including alcoholic liquor intended for personal use – requires a license or other prior written authorization from the Liquor Control Commission.

A person who does not obtain a liquor license in situations that require one is guilty of a felony.

E. Open Container Laws

The consumption of alcoholic liquor on Michigan's public highways is forbidden by law. It is unlawful to transport or possess alcoholic liquor in a container that is open, uncapped or upon which the seal is broken within the passenger compartment of a motor vehicle on state highways unless allowed by law.

III. On-Campus Locations Where Alcoholic Beverages Are Permitted

A. Bovee University Center

The use of alcoholic beverages in the Bovee University Center is restricted to the alcoholic beverage services offered by the university through its liquor license and following the guidelines described below. Persons may not bring alcoholic beverages into the University Center for possession, service or consumption, except as authorized in the course of their employment by the university or the Liquor Control Commission or as an agent of the commission.

Alcohol beverage guidelines for the Bovee University Center allow alcoholic beverage service under the following guidelines. Beer, wine and liquor service is available to the following:

- Non-university conference groups
- Meetings or gatherings of CMU faculty, staff or administrators
- Weddings as authorized by current university policy

Service areas for alcohol include: Rotunda, Board of Trustees' rooms, auditorium foyer, Down Under Food Court, Down Under Food Court patio, Multicultural Center and all meeting rooms.

B. Residence Hall Rooms /University Apartments

Residents agree not to possess or consume intoxicating beverages in a residence hall or university apartment except as allowed by law and university policy pursuant to regulations enacted by the president. A copy of the alcohol regulations for university housing may be obtained from the Office of Residence Life or at: www.reslife.cmich.edu.

C. Academic Courses

Alcoholic beverages may be served to students enrolled in a course offered by the University in an academic building under the supervision of a faculty member, provided the beverages are served in accordance with state law, under the supervision and direction of a faculty member, and if the purpose of the consumption is solely educational and is a requirement of the course. All such courses must receive prior written permission from the provost or his or her designee. Activities involving beverage alcohol must be directly related to the educational goals and objectives of the course.

D. Holding Classes or Review Sessions in Off-Campus Locations Where Alcohol Is Served

Approval by the provost or his or her designee is required to hold a class, review session or similar class-related activity in an establishment external to the university (e.g., restaurant) or at a faculty member's home where an

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alcoholic beverage is served. This provision applies to class-related trips, field trips and other activities. All off-campus actions by members of the university community should be conducted in a manner consistent with the spirit of this policy.

E. President's Residence

Alcoholic beverages may be served only in accordance with state law.

F. Tailgate Parties at Football Games

Alcoholic beverages may be served only in accordance with state law. To comply with CMU Tailgating Policy (<http://www.cmich.edu/gencounsel/manual/p13001.pdf>), kegs, party balls, pooling or mass purchases of alcohol are not allowed. Tailgating is only permitted during the three-hour period prior to kickoff. Underage drinking is not allowed, and alcohol is not permitted outside the tailgate area. Any violation of tailgating regulations will result in immediate termination of tailgating privileges, criminal prosecution (i.e., misdemeanor ticketing), and / or disciplinary action through the CMU Office of Student Rights and Responsibilities if the violator is a CMU student.

G. Social Host

It is risky to serve alcoholic beverages to anyone other than yourself and your immediate party. Michigan law requires a license before a person can sell, trade or give away alcoholic beverages, and violation of this law is a felony. A social host does not need a license to serve invited guests who fall within the usual understanding of friends and personal visitors. A social host may be liable to guests and others for injuries resulting from serving alcohol, especially to a minor. It is strongly encouraged that nonalcoholic beverages and food be served and that a designated driver who does not consume alcohol be identified.

H. As Designated by the President

Alcoholic beverages may not be consumed in university areas other than those described in sections A to F or in other areas pursuant to a license issued by the Michigan Liquor Control Commission without written permission of the president. This includes but is not limited to faculty, staff and administrative offices, classrooms, Neithercut, Beaver Island and continuing education locations. Presidential permission is required for alcohol consumption at holiday parties, retirement receptions or other events. The president can give permission for a truly social host event in areas not covered by the university liquor license. The president also can authorize a "bring-your-own" event in other areas. The president cannot authorize an event that requires a liquor license (i.e., selling or serving to a large group or sharing a keg) in an area not covered by the university liquor license or served by university employees.

I. Conference Groups and Other Lessees of University Facilities

Conference groups and those who lease university facilities must comply with this policy. University employees who sign any agreement are responsible for informing the conference group or lessee of this policy.

J. Other Areas

Unopened containers of alcoholic beverages may be present in an unauthorized area of the campus solely for the purpose of transporting it to an authorized area by individuals of legal drinking age.

IV. General Rules for Alcohol Use at On-Campus Events

Public and private events at the university that include alcoholic beverages may take place only in the Bovee University Center or other approved places, as described above. All events involving alcoholic beverages shall be conducted within the following guidelines:

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- A. Selling or furnishing alcoholic beverages is only permitted when properly licensed.
- B. Sponsors of an event must implement precautionary measures to ensure that alcoholic beverages are not accessible or served to persons under the legal drinking age or to persons who appear intoxicated. This shall include, but not be limited to, checking identification and training serving people and bartenders in alcohol management techniques.
- C. Alcoholic beverages may be sold, furnished and consumed only within the area approved and designated for the event.
- D. Nonalcoholic beverages must be available and identified at the same place as the alcoholic beverages and be featured equally and at least as prominently as the alcoholic beverages.
- E. A reasonable portion of the budget for the event shall be designated for the purchase of food items.
- F. No event shall include any form of “drinking contest” in its activities or promotion.
- G. Advertisements for any university event where alcoholic beverages are served shall not focus on the availability of alcoholic beverages.
- H. CMU-approved supervisory personnel shall be present at all times during the event.
- I. Compliance with the terms of university insurance coverage, if any, is required.
- J. Sponsors of social functions where alcoholic beverages are available must be fully informed of liability and any applicable insurance requirements.

V. Registered Student Organizations

CMU has adopted the following guidelines pertaining to alcohol use by registered student organizations:

- A. Registered student organizations are encouraged to promote alcohol awareness programs.
- B. Members of student organizations should learn to recognize the signs and symptoms of alcohol problems, how to refer individuals with possible alcohol problems for assistance, and to locate local sources of assistance.
- C. Organizations should educate members about liability and responsibilities associated with the use of alcohol at activities.
- D. Organizations should not promote irresponsible and illegal use of alcoholic beverages.
- E. Organizations should not portray drinking as a solution to personal or academic problems.
- F. Organizations should not portray alcohol consumption as necessary for social, sexual, personal or academic success.
- G. Organizations must adhere to the rules for alcohol use at on-campus events outlined in Section III above.
- H. Student organizations must not schedule or advertise activities that offer alcoholic beverages as prizes or incentives.
- I. Student organizations cannot schedule activities that promote drinking contests or alcohol abuse.
- J. Alcohol must not be a part of new membership recruitment programs.

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VI. Guidelines for Beverage Alcohol Marketing on Campus

A. Media, Signs and Billboards

- Newspaper, radio and television operations within the university's domain shall comply with all Michigan Liquor Control Commission advertising guidelines and are encouraged to follow the marketing guidelines contained in this policy.
- All outlets broadcasting university events must be made aware of and be encouraged to follow the guidelines for alcohol beverage marketing as outlined in this policy.
- Any signs, billboards, scoreboards, posters, etc., erected on campus shall conform to the alcohol beverage marketing guidelines as outlined in this policy unless prior written approval is received from the president or his or her designee.
- All on-campus media and promotional materials, including those listed above, shall conform to the marketing guidelines contained in this policy. Any exception must have the written consent of the president or his or her designee.

B. Other Marketing

- Any organization that markets alcoholic beverages on campus must adhere to the advertising guidelines of the Michigan Liquor Control Commission.
- Beverage alcohol marketing programs specifically targeted for students or held on campus must conform to CMU's Code of Students Rights, Responsibilities and Disciplinary Procedures and must avoid demeaning, sexual or discriminatory portrayal of individuals.
- Promotion of beverage alcohol must not encourage any form of alcohol abuse, and must not emphasize quantity and frequency of use.
- Beverage alcohol must not be provided as free awards to individual students or campus organizations.
- Beverage alcohol sampling or "drinking contests" as part of campus marketing programs shall not be permitted.
- Promotional activities must not be associated with existing campus events or programs without written consent of the dean of students or his or her designee.
- Display or availability of promotional materials must be determined in consultation with the dean of students or his or her designee.
- Informational marketing programs must have educational value and subscribe to the philosophy of responsible and legal use of the products represented.
- Beverage alcohol marketers must support campus alcohol awareness programs that encourage informed, responsible decisions about use or nonuse of beer, wine or distilled spirits.
- If permitted, beverage alcohol advertising on campus or in institutional media, including that which promotes events as well as product advertising, must not portray drinking as a solution to personal or academic problems of students or as necessary to social, sexual or academic success.
- Advertising and other promotional campus activities must not associate beverage alcohol consumption with the performance of tasks that require skilled reactions such as the operation of motor vehicles or machinery.

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VII. Athletics

- A. Alcoholic beverages are prohibited inside any athletic facility or at the immediate site of any athletic contest except as allowed for in Section II F, Tailgate Parties at Football Games.
- B. Kegs are not permitted at tailgate gatherings on university property before, during or after football games.

VIII. Student/Employee Assistance Guidelines for Policy and Procedure

The university is committed to providing an environment that is free from the unauthorized or unlawful manufacture, distribution, dispensation or possession of beverage alcohol. Consistent with our educational role, we will provide information and resources on alcohol use and abuse to help faculty, staff, administrators and students make low-risk decisions for themselves regarding the use or non-use of beverage alcohol.

The university encourages individuals with alcohol problems to seek and receive appropriate treatment and assistance, and it will assist them to do so in whatever ways it judges are appropriate. The university offers an employee assistance program that provides confidential help including counseling, treatment and referral services. Professional assistance is available 24 hours a day to any employee or their dependent. Student counseling services are available at various locations. (See On-Campus Resources)

The university will work with each employee, employee group, and registered student organization to establish procedures to use when there is reason to believe that alcohol-related behaviors are negatively affecting work or school performance or the university community. Additional information and a list of resources can be found in the following university policy: Drug-Free Schools and Communities Act Amendments of 1989 (www.cmich.edu/Documents/General%20Counsel/manual/p03026.pdf).

No employee or student will be denied due process or be discriminated against because of his or her status as a recovering alcoholic.

IX. Policy Implementation

The implementation of this policy is the responsibility of the president or his or her designee. Policy violations will be handled through appropriate university disciplinary policies and procedures. This policy shall be reviewed every two years.

On-Campus Resources

University Health Services
Foust Hall 200, (989) 774-5693; TDD (989) 774-3055
www.healthservices.cmich.edu
Medical care and referral for CMU students

Counseling Center
Foust Hall 102, (989) 774-3381
www.counsel.cmich.edu
Individual and group counseling and referral for CMU students

Counselors in Residence
East Success Center: (989) 774-1879
North Success Center: (989) 774-4928
South Success Center: (989) 774-3089
Towers Success Center: (989) 774-1480

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Employee Assistance Program/Encompass
(800) 788-8630 (toll free)
www.encompass.us.com

Human Resources
Rowe Hall 114, (989) 774-6447, TDD (989) 774-6566
www.hrs.cmich.edu

Human Development Clinic
Rowe Hall 210, (989) 774-3532
www.cse.cmich.edu/clinic

Psychological Training and Consultation Center
Carls Center for Clinical Care and Education
Health Professions Building 2104
(989) 774-3808 / 774-3904
www.chp.cmich.edu/clinic

Office of Student Rights and Responsibilities
Bovee UC 111, (989) 774-1345

Office of Residence Life
Bovee UC 201, (989) 774-3111
TDD: (989) 774-3081; www.cmich.edu/police.htm

CMU Police
Combined Services Building, (989) 774-3081, TDD (989) 774-3081
www.cmich.edu/police.htm

University Events
Assistant Director
(989) 774-3355

See section VIII of this policy for additional information on how to access off-campus resources.

Student Organizations

Many student organizations and related programs provide opportunities to become involved in alcohol and other drug education projects.

For more information about student organizations, call (989) 774-3017.