

Appendix A to UW Regulation 2-39

University of Wyoming Alcohol and Other Drugs Policy

I. INTRODUCTION

A. Purpose

The purpose of this policy is to provide the university community with guidelines for the safe, legal, and responsible use of alcohol, to outline prohibitions for the use of illegal drugs, and to provide appropriate disciplinary sanctions.

B. Statement of Philosophy

The University of Wyoming Alcohol and Other Drugs Policy is intended to further the educational mission and goals of UW by advocating for individual responsibility, healthy and informed decision-making, and the safe, legal, and responsible use of alcohol and the prohibition of illegal drugs. The University of Wyoming is committed to creating a safe and healthy environment for all members of the University community in which the illegal or inappropriate use of alcohol or illegal drugs does not interfere with learning, performance, employment, residential living, or development.

C. Authority

Authority for establishment and implementation of this policy derives from University Regulation 39 and is vested in the Vice President for Administration or designee.

D. Application of laws, regulations, and policy

The University of Wyoming complies with requirements set forth in the *Drug-Free Schools and Communities Act of 1989*, the *Drug-Free Workplace Act of 1988*, and amendments thereto, plus applicable federal, state, and municipal laws. The unlawful uses, possession, production, manufacture, and distribution of alcohol and illegal drugs and controlled substances is strictly prohibited. Students, faculty, staff, and visitors to the University are required to obey 1) federal, state, and municipal laws regarding alcohol, drugs, and controlled substances, and 2) UW policies regarding alcohol and illegal drugs, and to act reasonably to reduce the risks associated with use and abuse of these substances. This policy governs all service of alcohol on University owned or controlled property and facilities, including locations supporting UW outreach programs, recognized student organization activities, and student exchange programs.

E. Policy distribution

The Alcohol and Other Drugs Policy will be published and distributed annually by the Vice President for Administration's Office to each student and employee. The Policy shall also be made available through the University's electronic information system.

F. Biennial program review

The alcohol and drug program shall be reviewed at least once every other year by the University's Alcohol, Wellness Alternatives, Research and Education (AWARE) Coordinator, who shall file required reports with the U.S. Department of Education.

II. HEALTH RISKS

A. Alcohol. Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a vehicle safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts. Alcohol is often a major factor in crimes committed both on campus and off campus. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Women who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

For current research on the health effects of alcohol, refer to the National Institute on Alcohol Abuse and Alcoholism at www.niaaa.nih.gov

B. Illegal Drugs. Drugs such as marijuana, cocaine, hallucinogens, narcotics, anabolic steroids, amphetamines, and methamphetamines are regulated because they often have a powerful impact on the body and its systems. A description of health risks associated with the use of illegal drugs is printed in the *Student Handbook & Planner*. For current research on the health effects of drugs, refer to the National Institute on Drug Abuse website at www.nida.nih.gov

III. ABUSE PREVENTION PROGRAMS AND ASSISTANCE SERVICES

- A.** The University of Wyoming actively works toward reducing the misuse of alcohol and the harmful consequences associated with alcohol abuse through the implementation of research-based practices. UW offers late-night alcohol-free programming to students through the Campus Activities Center, a free shuttle service for students to prevent driving under the influence, conducts educational programs and activities in the residence halls, and supports the A-Team, which is a campus-community coalition that addresses alcohol issues. In addition, the UW Alcohol Wellness Alternatives, Research & Education (AWARE) Program provides education, prevention, and intervention services to the university and community.
- B.** All University of Wyoming students may receive alcohol and other drug education and referral services from the Alcohol Wellness Alternatives, Research & Education (AWARE) Program in the University Counseling Center (766-2187). Those enrolled full-time, or part-time if they have purchased the optional fee package, may receive services from the Student Health Service (766-2130). Substance abuse evaluations are conducted through the Counselor Education Training Clinic on campus (766-6820). Also, students may seek services in the community, incurring the charges themselves, at Peak Wellness Center (745-8915) for outpatient services, Iverson Memorial Hospital, Behavioral Health Clinic (742-0285) for outpatient and detoxification services, or from a mental health professional listed in the telephone directory. Students at the UW Casper College Center can receive services for drug and alcohol issues from Casper College Counseling and Student Development Services (268-2201).
- C.** All University of Wyoming faculty and staff can receive services for drug and alcohol issues in the Laramie community at Peak Wellness Center (745-8915) for outpatient services, Iverson Memorial Hospital, Behavioral Health Clinic (742-0285) for outpatient and detoxification services, or from a mental health professional listed in the telephone directory. Faculty and staff may also receive, free of charge, a single session crisis intervention and referral consultation for drug and alcohol issues at the University Counseling Center (766-2187). Employees at the UW Casper College Center are directed to Casper College Counseling and Student Development Services (268-2201) for drug and alcohol issues.
- D.** All University of Wyoming departments can receive assistance with alcohol policy development, and can receive consultation on current evidence-based practices for the prevention of alcohol and other drug abuse from the campus-community coalition called the A-Team (766-2187).

IV. LAWS AND REGULATIONS

All use and distribution of alcohol is subject to federal, state, and local laws and regulations, which include the duties and prohibitions listed below. University employees and students may be subject to additional restrictions set forth by their respective departments.

A. Wyoming Laws

1. In accordance with the laws of the State of Wyoming, it is illegal for any person to use, possess or distribute illegal drugs or other controlled substances except as expressly permitted by law.
2. In accordance with the laws of the State of Wyoming, it is illegal for any person under the age of 21 to consume, possess, or otherwise have access to alcoholic beverages.
3. No person or organization may sell, furnish, or give alcoholic beverages to any person under the age of 21.
4. Open containers are not permitted in open areas without first obtaining an authorized permit from the University of Wyoming to possess, consume, and/or serve alcoholic beverages. This includes areas within university academic departments or other university owned or controlled properties. Permission can be requested from the Vice President for Administration using the form in Appendix A.

B. University of Wyoming Regulations

All departmental policies and processes related to alcohol and other drug issues are subject to the *Student Code of Conduct* (per University Regulation 30) in addition to departmental processes.

1. Alcohol regulations

a. Possession, Service, and Consumption of Alcoholic Beverages on Campus and in University Owned or Controlled Facilities.

The Vice President for Administration, or designee, may authorize the temporary possession and/or consumption of alcoholic beverages on the University campus or in University owned or controlled facilities. A written request must be submitted to the Vice President for Administration for the temporary possession and/or consumption of alcoholic beverages at any special events in University facilities. Such temporary authorization shall be made pursuant to the requirements of the law and the best interests of the University. The request form can be found in Appendix A.

- i. Non-alcoholic beverages must be available at all functions when alcoholic beverages are served.
- ii. No public funds of the University may be used in payment for alcoholic beverages.
- iii. When feasible, servers of alcoholic beverages are expected to have participated in server training.

b. Possession, Service, and Consumption of Alcoholic Beverages in University owned or Controlled Living Units

- i. The Executive Director of Residence Life, Dining Services, and the Wyoming Union has the authority to designate specific University owned or controlled living units where alcohol consumption by individuals aged 21 or older is permitted.
- ii. Any consumption of alcoholic beverages in University owned or controlled living units is subject to the guidelines set forth by the University's *Student Code of Conduct* and the Department of Residence Life's *Responsibilities & Rights*, and all applicable laws and ordinances.
- iii. It is the responsibility of the Executive Director of Residence Life, Dining Services, and the Wyoming Union to ensure compliance with and enforcement of this Alcohol and Other Drugs Policy, as well as such state and local laws as may apply, in University owned or controlled living units.

c. Regulations for the Operation of a Malt Beverage Service and Facilities in the Wyoming Union

- i. The Trustees of the University may on a yearly basis apply for a special malt beverage permit by which malt beverages may be served in a regular designated malt beverage dispensing room, and temporary dispensing areas for special events, within the Wyoming Union.
- ii. It is the responsibility of the Director of the Wyoming Union to ensure compliance with and enforcement of this Alcohol and Other Drugs Policy, as well as such state and local laws as apply, to the Wyoming Union and the service of malt beverages. This shall include the design and implementation of a server training program. Because the Wyoming Union has been issued a malt beverage liquor license, it is not required to seek a dispensing permit from the Vice President, for areas covered by the license.

iii. The Trustees of the University, as the holder of the special malt beverage permit, have final authority in the administration of the malt beverage facility and may prohibit or suspend the dispensing of malt beverages upon receiving information that violations of law or this regulation have occurred to a degree that in their judgment would warrant such action.

d. Regulations for the Operation of a Liquor Establishment at Jacoby Golf Course

It is the responsibility of the Director of Jacoby Golf Course to ensure compliance with and enforcement of this Alcohol and Other Drugs Policy, as well as such state and local laws as apply, at the Jacoby Golf Course. Because the Jacoby Golf Course has been issued a liquor license, it is not required to seek a dispensing permit from the Vice President.

e. Alcohol Use and Athletics

i. Any student participating in intercollegiate athletics at the University of Wyoming must comply with the *University of Wyoming Department of Athletics Substance Abuse Policy* and the *Student Code of Conduct*. Student athletes are subject to drug testing procedures outlined by the NCAA and the UW Department of Intercollegiate Athletics.

ii. It is the responsibility of the Director of Intercollegiate Athletics to ensure compliance with and enforcement of this Alcohol and Other Drugs Policy, as well as such state and local laws as apply, at all University of Wyoming athletic events.

f. Alcohol Consumption and Individuals Under the Influence

i. Employees, outside vendors, and contractors of the University may not consume alcoholic beverages while at their workstations or while on duty unless specifically authorized (e.g., an approved special event).

ii. Employees, outside vendors, and contractors of the University are not permitted to be drunk while on duty.

g. University of Wyoming Employees Performing Safety-Sensitive Functions

The following pertains to those University of Wyoming employees who perform safety-sensitive functions in the performance of their respective job duties; all employees who are required to hold a Commercial Drivers License (CDL) in order to perform their respective job duties; and, all successful applicants for such positions. The University of Wyoming prohibits any use of alcohol

and/or non-prescribed controlled substances on the job. This prohibition includes evidence of alcohol or controlled substances use that may impair the employee's ability to successfully perform job duties. Designated employees are subject to alcohol and drug testing procedures set forth by the University of Wyoming and the Wyoming Department of Transportation.

h. Alcohol Advertising and Sponsorship

Advertising of any alcoholic beverages is prohibited unless permitted by the Vice President for Administration. Advertising of alcoholic beverages in publications under the purview of the Student Publications Board is controlled by that board.

2. Drug regulations

a. Drug-free Workplace Policy

The University of Wyoming is committed to the development and maintenance of a drug-free environment. It is the policy of the University of Wyoming that the unlawful manufacture, sale, distribution, dispensing, use, or possession of any controlled substance by employees is prohibited while on the job or on University owned or controlled property.

b. Definitions

- i. "Controlled substance" means a controlled substance in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812), and as further defined by regulations at 21 CFR 1300.11 through 1300.15.
- ii. "Conviction" means a finding of guilt (including a plea of *nolo contendere*) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.
- iii. "Criminal drug statute" means a Federal or non-federal criminal statute involving the manufacture, sale, distribution, dispensing, use, or possession of any controlled substance.

c. Administrative Procedure

In support of this policy, the University will:

- i. Notify each University employee and each student employee that, as a condition of employment, the person, once so employed, must abide by the terms of the policy, and must notify his/her supervisor and the Human Resources Department of any criminal

drug statute conviction for a violation occurring in the workplace, no later than five days after such conviction;

ii. Notify the appropriate federal agency within ten days after receiving notice of criminal drug statute conviction of any employee engaged in performance of the grant or contract;

iii. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this policy.

V. SANCTIONS AND ENFORCEMENT

Anyone who violates federal, state, or local law regarding alcohol or other drugs is subject to prosecution and punishment by criminal and civil authorities in addition to disciplinary or administrative sanctions issued by the University. Pursuant to the educational goals and mission of the University of Wyoming, violators of this Alcohol and Other Drugs Policy are subject to the disciplinary actions listed below.

A. Infractions by Students or Student Groups

Students (or student groups) acting in violation of this Alcohol and Other Drugs Policy will be referred to the Dean of Students for disciplinary action, based on the *Student Code of Conduct*.

1. Any student who is cited for an alcohol or other drug offense (Minor in Possession, and/or Minor Under the Influence, etc.) in the University Residence Halls or Apartments will be directed to the Executive Director of Residence Life, Dining Services, and the Wyoming Union or designee for disciplinary action and participation in the Alcohol Wellness Alternatives, Research & Education (A.W.A.R.E.) Program.

2. Any student cited for an alcohol or other drug offense (Minor in Possession, and/or Minor Under the Influence, etc.) whose conduct was deemed disorderly on University property, not within the jurisdiction of the Departments of Residence Life or Dining Services, may be handled by a University Hearing Officer appointed by the Dean of Students Office for disciplinary action and participation in the Alcohol Wellness Alternatives, Research & Education (A.W.A.R.E.) Program.

3. Any student who destroys property or inflicts harm on another person while under the influence of alcohol or other drugs on University owned or controlled property may be subject to criminal action and may be subject to more severe University disciplinary sanctions, such as dismissal, suspension, and/or fines or those sanctions set forth in the *Student Code of Conduct*.

B. Infractions by Employees

Employees of the University who violate this policy are subject to disciplinary action pursuant to the University's established policies, as outlined in the Employee Handbook.

C. Infractions by non-University Employees and Guests

The University of Wyoming Police Department is responsible for handling suspected violations of this policy by invitees, contracted workers, visitors or guests on University owned or controlled property.

VI. DOCUMENTS CITED IN THIS POLICY

University Regulation 30, rev. 1 – www.uwyo.edu/legal/Uniregs/ur030.htm

University Regulation 39, rev. 3 – www.uwyo.edu/legal/Uniregs/ur039.htm

Student Code of Conduct – www.uwyo.edu/DOS/filesWORD/code.doc

Students' Responsibilities and Rights for Residence Halls & Dining Services – www.uwyo.edu/reslife-dining/halls/Handbook/Rights2006-2007.pdf

University of Wyoming Department of Athletics Substance Abuse Policy – www.fansonly.com/photos/schools/wyo/genrel/auto_pdf/2006-2007SAhandbook.pdf (page 30)

Drug-Free Schools and Communities Act of 1989 –

Drug-Free Workplace Policy of 1988 – 41 U.S.C. 701

Request for Permission to Serve Alcohol – Appendix A

Malt Beverage Service in the Wyoming Union – Appendix B

**APPENDIX A: REQUEST FOR PERMISSION TO SERVE ALCOHOL
ON UNIVERSITY OF WYOMING PROPERTY
(Excluding the Union)**

1. Name of Event:

2. Date of Event:

3. Event start time: Event end time:

4. Sponsoring organization/individual:

5. Person making the request:

Address:

Telephone: Email:

6. Desired location:

7. Description of event:

8. Alcohol service is limited to a three-hour timeframe. Alcohol will be served between the hours of:

9. Will the event be open to the public or a specific list of attendees:

Will this be a cash bar? Or will it be freely served?

If you indicate that this event is open to the public or is a cash bar - you will be required to obtain an open container permit from the City. We will provide you with a letter to take to the city to obtain this permit based on what you have indicated on this form. Please return a copy of the permit to our office for the official letter of approval. City Clerk information. Contact:

City Clerk	Sue Morris-Jones	721-5233	smorrisjonesj@ci.laramie.wy.us
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10. Food and non-alcoholic beverages are required at events serving alcohol. What food will be available?

11. The service of alcohol, responsibility for age verification and responsible drinking at the event rests on the sponsoring organization/individuals in compliance with University of Wyoming regulations. How will appropriate staff and security determine the verification of age and compliance?

12. It is the responsibility of the sponsoring organization/individual to post one 8 ½ x 11” sign at each bar. It should state that alcohol will not be served to persons under age 21.

13. Alcohol will be delivered to the event site by:

Date: Time:

Leftover alcohol will be picked up by:

Date: Time:

14. Alcohol can only be served by persons having TIPS training. Do your servers have this training?

(UW Catering servers are trained with TIPS Training)

15. It is University policy that no State of Wyoming funds be used to purchase alcohol. What is your source of funding?

Signature of Sponsor’s Representative

Date

Sponsoring Organization

Additional Information

OFFICE USE ONLY

10/5/2007 1:45 PM

Approved Not Approved

Comments:

Vice President for Administration (or designee)

Date

All activities involved with this planned event will be in accordance with the applicable University policies, procedures, and regulations. This authorization is contingent upon complete adherence to all pertinent laws of this state, provisions of the Laramie Municipal code relating to the regulation of alcoholic beverages, and University Regulation 39.

APPENDIX B

Regulations for the Operation of a Malt Beverage Service and Facilities in the Wyoming Union

1. GENERAL INFORMATION. The Trustees of the University may, on a yearly basis, apply for a special malt beverage permit from the City of Laramie for the Wyoming Union building by which malt beverages may be served in a regular designated malt beverage dispensing room, and temporary dispensing areas for special events, within the Wyoming Union.

2. MALT BEVERAGE FACILITY AND PROVISIONS FOR DISPENSING.

a. The malt beverage service and facilities shall be located in that portion of the Wyoming Union as are described in the approved application for the special malt beverage permit.

b. Malt beverages shall be consumed only in the designated dispensing room area.

c. The furnishing or sale of malt beverages in the Wyoming Union is restricted solely to the holder and designated seller for the specified service area, and other individuals, groups or associations will not be allowed to bring alcoholic beverages onto the premises of the Wyoming Union for sale or consumption by themselves or others without approval by the Vice President for Administration.

d. The hours during which the malt beverage facility shall be available to serve malt beverages shall not exceed the following:

(1) Monday through Thursday, 3:00 p.m. to 10:00 p.m.

(2) Friday, 3:00 p.m. to 12:00 midnight

(3) Saturday, 10:00 a.m. to 12:00 midnight

For reasons related to economic trends, factors in utilization or problems of management, the Director of the Wyoming Union, in consultation with the Wyoming Union Board, may further limit these hours.

e. The clientele for which the malt beverage facility is intended includes students, University personnel, alumni, and University guests. During the hours of operation, only persons who are 21 years of age or older, as required by state and federal law, and who present appropriate government-issued identification will be served malt beverages in the facility.

Individuals who fail to properly identify themselves or who refuse to peaceably leave the premises upon request by the management of the malt beverage facility shall be subject to prosecution pursuant to Wyoming Statutes. Misconduct by students may also be subject to University disciplinary action in accordance with University Regulation 30 and the *Student Code of Conduct*.

f. During hours other than those designated for the dispensing of malt beverages, the dispensing facilities shall be closed and malt beverages shall not be consumed on the premises; however, at such times, the general premises approved for this facility may be used for alternative purposes including activities for persons under the age of 21.

g. Lunches, foods, snack items, non-alcoholic beverages and related condiments may be made available for consumption in the malt beverage facility during the hours it is in operation.

h. It is the responsibility of the management of the malt beverage facility to refuse to sell malt beverages to any person who is or becomes obviously incompetent due to the influence of alcohol or who is a habitual source of behavioral problems in the malt beverage facility area.

i. Determinations regarding appropriate staffing and security for the malt beverage facility are the responsibility of the Director of the Wyoming Union.