

College of Charleston Student Handbook Alcohol Policies 2016-2017

COLLEGE of CHARLESTON

STUDENT AFFAIRS

The College of Charleston reserves the right to make changes in its policies, regulations, and procedures as printed herein through normal channels. The *Student Handbook* is produced by the Division of Student Affairs.

Equal Opportunity / Affirmative Action Statement

The College of Charleston is an Affirmative Action / Equal Opportunity employer and does not discriminate against any individual or group on the basis of gender, sexual orientation, gender identity or expression, age, race, color, religion, national origin, veteran status, genetic information, or disability.

Inquiries and complaints should be directed to the Office of Equal Opportunity Programs, College of Charleston, 66 George St., Charleston, South Carolina 29424, 843.953.5754.

The College's Affirmative Action Plan may be reviewed by contacting the Office of Equal Opportunity Programs or the Office of Human Resources.

Notice of Non-Discrimination

The College of Charleston is committed to a policy of equal opportunity for all persons and does not discriminate on the basis of age, race, color, religion, national origin, sex (including pregnancy), sexual orientation, gender identity or expression, veterans'

status, genetic information, disability or other category protected by applicable law in its educational programs and activities, employment or admissions. The College of Charleston also prohibits retaliation against any person for bringing a complaint of discrimination or for participating in an investigation of a complaint of discrimination.

The Office of Equal Opportunity Programs maintains additional information and policies related to the prohibition of discrimination, harassment, and sexual misconduct as well as access and equity at: eop.cofc.edu/index.php. Inquiries regarding the College of Charleston's non-discrimination policies or complaints of discrimination or harassment may be directed to the director of the Office of Equal Opportunity Programs at 66 George Street, Charleston, SC 29424, 843.953.5754 or eop@cofc.edu.

Questions about Title IX may be directed to the College of Charleston's Title IX coordinator or the deputy Title IX coordinator in the Office of Equal Opportunity Programs at: 66 George Street, Charleston, SC 29424, 843.953.5754 or eop@cofc.edu, or to the assistant secretary for the Office of Civil Rights at the U.S. Department of Education.

An electronic version of the *Student Handbook* is currently available on the World Wide Web. You can access it through the College of Charleston home page at <http://studentaffairs.cofc.edu/honor-system/studenthandbook/index.php>

14. Parental Notification and Alcohol and Drug Violations

1. Achieving autonomy and acceptance of one's personal responsibility are student development goals promoted throughout every facet of collegiate life. Such goals are promoted within the Family Rights and Privacy Act (FERPA). In 1998, however, amendments to FERPA gave colleges and universities the option to notify parents or guardians of a student's violation of any federal, state, or local law, or an institutional disciplinary policy relating to the use or possession of alcohol or a controlled substance. The amendment clearly recognizes the cooperative partnership colleges have with parents and guardians that moves beyond enrollment to those times when intervention is a practical response to prevent the loss of a student's personal and collegiate goals.

2. In support of our mutual investment in the success of each student and the preservation of a climate conducive to living and learning, an official of the College will notify parents or guardians when a student under the age of 21 at the time of disclosure regarding the College's determination that the student violated federal, state or local law or College policy governing the use or possession of alcohol or a controlled substance.

15. Alcohol Policies

1. Residence Life and Housing

1.1. Approximately 85 percent of our residence hall population is not of legal age to purchase or drink alcoholic beverages. Accordingly, the following restrictions apply: a limited amount of beer and wine is allowed in residence halls and houses for students over 21. Where allowed, beer and wine must be in the private possession and control of the owner. All persons consuming alcohol must be of legal drinking age and are responsible for their behavior and actions. NO KEGS, LIQUOR OR CAFFEINATED ALCOHOLIC BEVERAGES are allowed in the residence hall system at any time.

Residential students are strongly encouraged to know the pertinent rules and procedures as listed in *The Guide to Residence Living*.

2. Alcohol-Related Violations (possession, use, public intoxication, possession of multiple empty alcohol containers, etc.). The College of Charleston will impose on students the following sanctions and other sanctions for proven violations of its alcohol policies.

Responses from incidents that originate within the Residence Halls, On Campus or Off Campus.

2.1. First Violation (Resolution by Residence Life and Housing staff/Student Affairs official)
Sanctions may include, but are not limited to:

- A. Receive a probation period or be placed on residence life probation for a set amount of time if a residential student and incident occurs within the residential system;
- B. Have a parental/guardian notification letter sent concerning the violation;
- C. Participate in an alcohol risk reduction program and/or assessment at Counseling and Substance Abuse Services. Fees will be charged; and/or
- D. Educational activities.

Failure to complete first offense sanctions will result in a fine (\$150.00 or more) and other sanctions.

2.2. Second Violation (Resolution by Residence Life and Housing staff/Student Affairs official/Conduct Body) Sanctions may include, but are not limited to:

A. Be placed on probation, residence life probation or deferred disciplinary suspension (one more violation and student is suspended from enrollment) and possibly moved within or removed from residence life housing for a minimum of one semester, depending on the specific circumstances;

If a student is removed from residence life housing for disciplinary reasons full payment of the contract is due if a residential student and incident occurs within the residential system;

B. Have a parental/guardian notification letter sent concerning the violation;

C. Participate in an alcohol risk reduction program and/or assessment at Counseling and Substance Abuse Services or through an off-campus provider. Fees will be charged.

Failure to complete second offense sanctions will result in a fine (\$200.00 or more) and other sanctions unless student is on deferred suspension.

2.3. Third Violation (Resolution by Student Affairs official/Conduct Body) Sanctions may include, but are not limited to:

A. Be removed from residence life housing with full payment of the contract due if a residential student and incident occurs within the residential system;

B. Be placed on disciplinary suspension from the College for a minimum of one semester;

C. Have re-admission to the College dependent on successful completion of a pre-approved substance abuse counseling program; and

D. Have a parental/guardian notification letter sent concerning the violation.

3. Noise Violations and other Related Disruptive Behaviors –Responses for Off-Campus Incidences

3.1. First Violation (Resolution by Student Affairs official) Sanctions may include, but are not limited to:

A. Receiving a warning or probationary period; and

B. Educational and restorative activity.

3.2. Second Violation (Resolution by Student Affairs official/Conduct Body) Sanctions may include, but are not limited to:

A. Be placed on probation or deferred disciplinary suspension for a minimum of one semester;

- B.** Have a parental/guardian notification letter sent concerning the violation if appropriate;
- C.** Educational and restorative activity;
- D.** Denial of on-campus housing and other privileges; and
- E.** Complete a pre-approved substance abuse/risk reduction program or assessment at Counseling and Substance Abuse Services or an off-campus provider. Fees will be charged.

Failure to complete second offense sanctions will result in a fine (\$200 or more) and other sanctions unless student is on deferred suspension.

3.3. Third Violation (Resolution by Student Affairs official/Conduct Body) Sanctions may include, but are not limited to:

- A.** Be placed on disciplinary suspension from the College for a minimum of one semester;
- B.** Have re-admission to the College dependent on successful completion of a pre-approved substance abuse counseling program; and
- C.** Have a parental/guardian notification letter sent concerning the violation if appropriate.

4. South Carolina Scholarships – Hope, Life, Palmetto – and Violations of State Alcohol and Drug Laws

Students who have been adjudicated delinquent or have been convicted or pled guilty or nolo contendere to any South Carolina alcohol or other drug-related misdemeanor offense more than once are ineligible for the scholarship for one academic year after the adjudication, conviction, or plea occurred. The student will lose eligibility the next academic year immediately following conviction and will lose the scholarship for the fall and spring terms.

17. Alcohol Use on Campus during Events

1.0 Policy Statement

1.1 These Procedures describe the process that will be used by the College to review requests for allowing alcohol beverages to be available during events where students are present that are held on College Property, individually referred to as “an Event”. When the term “Event” is used in these Procedures, it means any College gathering where alcohol will be available. The procedures are not intended to change the existing substantive policies dealing with permitted uses of alcohol on campus or on College-owned (“College Property”). Those policies are recited in the Employee Drug and Alcohol Abuse Policy (for faculty and other employees) and in the Student Handbook and other publications directed to students (for students and student organizations).

1.2 Events include gatherings that are:

- A.** Sponsored by the College or an approved College organization to take place on College Property
- B.** Advertised or promoted using the name and/or resources of the College

- C. Held on College Property by third-parties.

2.0 Purpose/Reason for the Policy

2.1 The purpose for Events can be diverse, and many include such matters as raising funds for the College, enhancing the College's public image, hosting Alumni gatherings or other cultural, social or professional meetings, or merely providing a meeting place or performance space for third parties not affiliated with the College. In general, however, these Procedures recognize three different types of entities that may host an Event. The types that may host an Event are categorized as follows:

- A. **Affiliate of Third Party Sponsored Events:** These Events could be hosted by the College Foundation, the College Alumni Association or non-affiliated third parties such as a business, a non-profit organization or other legal entity
- B. **Student-Sponsored Events:** These Events would include those sponsored by an approved student organization, such as a sorority or a fraternity, as well as any other approved group or organization of students.
- C. **College Employee or College-Sponsored Events:** These Events would be hosted by the President, Board of Trustees, The Faculty Senate, a School or a department, a College manager, or any recognized academic or employee unit or organization.

2.2 Risk Assessment

When determining the risk of alcohol abuse associated with an Event, College reviewing authorities will consider at least the following factors:

- The location of the Event;
- The number of underage students or other underage persons who are expected to be in attendance as guests;
- The number of underage persons who will have access to the Event by, for example, working as servers or volunteers;
- The sponsor of the Event and of the conduct of participants during the Event;
- The history of the Event and of the conduct of participants during the Event;
- The estimated number of total guests to attend the Event;
- The primary purpose of the Event; and
- The publicity surrounding the Event and/or the public perception of the Event.

2.3 Standards

The considerations and standards used by the College to review an application for an Event shall include the following:

- A. The College will not approve an Event if, in the exercise of its sole discretion, it has determined that holding the Event will present an unreasonable risk to the health or safety of the College community and/or to the property of the College or that the Event will be conducted in a way that would portray the College or the members of the College Community in a false light or otherwise subject it or them to public ridicule or disgrace.
- B. The higher the risk assessment, the more stringent shall be the requirements of the *Alcohol Management Plan* described in section 3.3.

3.0 Procedures Related to the Policy

3.1. All sponsors of Events must complete and submit the appropriate approval form to the College office having management responsibility of the College location of the event. Sponsors of Affiliate or Third-Party Sponsored Events, Student-Sponsored Events, or College Employee or College-Sponsored Events utilizing College-owned property shall complete the **Event Planning and Notification Form**, which includes the *Alcohol Management Plan*.

3.2. If any alcohol will be available at a student-sponsored event, there shall be a conclusive presumption that underage students will be in attendance.

3.3. The *Alcohol Management Plan* shall be required for every Event where alcohol will be served on College property. Depending on the risk assessment made pursuant in the Purpose/Reason for the Policy statement above, the Alcohol Management Plan shall address the following issues with the specificity needed to adequately address the perceived risk:

- A. How the organization will prevent underage persons from having access to alcohol
- B. The type and amount of alcohol that will be available at the event
- C. The type and amount of food that will be served
- D. The starting time and ending time of the Event
- E. The Event security that will be provided by the organization members themselves
- F. The number of police requested from College Public Safety

If a student-sponsored event, appropriate acknowledgement that Public Safety will contact the Student Affairs staff member on-call if a police action is required or similar serious or exigent circumstances arise.

3.4. In addition to any other form that may be required to rent or use a College Facility, all Forms for Events, described in the above section, where alcohol will be available, must also be pre-approved by Public Safety before an Event may be held. In addition, all forms for student-sponsored Events, including those prepared by student organizations, must also be preapproved by the Office of Student Life or the Office of Fraternity and Sorority Life, as appropriate.

All forms for other Events that do not include students, where alcohol will be available shall also be pre-approved by the College's director of institutional events.

4.0 ON CAMPUS ALCOHOL SERVICE PROVIDERS

4.1 The College's director of institutional events is authorized to review the licensure of any alcohol service provider that is named for a particular Event. The director shall also issue such guidance as may be appropriate, from time to time, to promote the safe use of alcohol during approved Events including, but not limited to, the training of alcohol servers. The direction will act for the Office of the President in all such matters.

Notification of Alcohol Availability at Off Campus Events Sponsored by Student Organizations

1.0 Policy Statement: This policy outlines the procedures for student organization notification to the College of Charleston ("College") of intent to host an event off campus where alcohol will be present and/or served to students or guests who are legally able to consume alcohol.

2.0 Policy: This policy outlines the procedures for student organization notification to the College of Charleston ("College") of intent to host an event off campus where alcohol will be present and/or served to students or guests who are legally able to consume alcohol.

3.0 Procedures Related to the Policy

- Each organization is to complete the Off Campus Event Notification Form and submit to the Office of Student Life (for all-non Fraternity and Sorority organizations) or to the Office of Fraternity and Sorority Life (for Fraternities and Sororities).
- The form must be submitted at least two weeks prior to the date of the event.
- Organizations must abide by all relevant policies included in the Compass (Student Organization Handbook) and any relevant policies for those organizations affiliated with national or international organizations.
- Advisors must be aware that the organization is hosting the event.
- Organizations must indicate their understanding that the College has no supervisory duty or liability regarding this type of off-campus event. Any injuries, damages or claims, including alcohol liability claims, are the sole responsibility of the organization's individual members and the event venue.
- If any student fee or other state funding is being utilized to fund any portion of the event, all College procurement and contractual policies must be followed. (NOTE, no student fee or other state funding may be used for the purchase of alcohol.)

18. Student Tailgate Policy

1. SUMMARY OF POLICY

In an effort to continue to develop student life at the College of Charleston and promote an increased sense of institutional pride and school spirit, this policy has been created for use of the space and facilities adjacent to the Carolina First Arena for student tailgates and events held prior to athletic contests.

1.1 PURPOSE

The purpose of the Student Tailgate Policy is to assist student organizations and/or on-campus departments in the coordination of tailgates and activities and ensure that existing institutional policies related to event planning and risk management are appropriately applied.

1.2. DEFINITIONS

- A. **Facilities** – the facilities that will be available for use for student tailgates will include the area adjacent to the student entrance to the Carolina First Arena and the Practice Gym.
- B. **Reservable Space** – the facilities included in this policy are to be considered reservable space. Use of the space for tailgates activities must be scheduled in advance through the Director of Operations for Athletics.
- C. **Sponsoring Organization** – recognized student organization or on-campus department hosting the event.
- D. **Amplified Sound** – use of a public address system and/or speakers to broadcast information or music

1.3. PROCEDURES

- A. Limitations of use** – tailgates and pre-game activities must be limited to the area adjacent to the student entrance to the Carolina First Arena and the Practice Gym. Reservation of the space is limited to recognized student organizations and on-campus departments for student-only events. Individual tailgating will not be permitted.
- B. Reservation/ Preparation of Space** – sponsoring organizations must reserve the facilities no less than one week prior to the date of the proposed event. Reservations will be coordinated by the Director of Operations for Athletics. Athletics will provide and install the floor covering in the Practice Gym prior to the scheduled event. In the event that no activity is scheduled, the Practice Gym will not be available for pre-game activities and will remain locked.
- I. Occupancy** – Attendance at events in the facilities will be limited to occupancy rates established by the Fire Marshal.
 - II. Responsibilities of Sponsoring Organizations** – student organizations or on-campus departments hosting the event are responsible for providing all staffing and equipment for the proposed activity (this includes security personnel, sound equipment, tables, trash cans, recycling bins, etc.) as well as set-up and clean-up related to the activity.
 - III. Entry/Exit** – A valid College of Charleston student identification card will be required to enter the event or activity. Individuals that leave the area prior to the end of the scheduled activity will be denied re-entry and will be ineligible for access to the athletic contest. All student participants will be required to enter the Carolina First Arena through the designated student entrance.
 - IV. Use of Alcohol** – The College of Charleston’s alcohol policy shall regulate any use of alcohol at pre-game activities within the facilities. The Authorization to Host a Student Event form must be completed and submitted to the Office of Student Life for review no less than two weeks (fourteen business days) prior to the date of the proposed event. Individuals determined to be inebriated or unable to care for themselves will be denied entry to the activity and/or to the athletic contest.
 - V. Duration of Tailgates/Activities** – Pre-game activities will be limited to two (2) hours. Activities must end 15 minutes prior to the start of the scheduled athletic contest.
 - VI. Use of Amplified Sound** – Due to the proximity of the facilities to local business and residences, amplified sound must be limited to the Practice Gym.
 - VII. Open Flames/Personal Grills** – No open flames or personal grills may be used.
 - VIII. Damages** – Sponsoring organizations are responsible for all costs associated with any damage and/or repairs that result from the scheduled activity.

1.4. FUTURE REVISION

This Student Tailgate Policy can be revised at any time in accordance with the College’s *Campus Wide Policy Making Procedures*.
