



**KENNESAW STATE**  
UNIVERSITY

Policy Title	Alcohol and Other Drug Policy (AOD Policy)
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Responsible Office	Office of the President
Contact Information	<p><u>For Students:</u>          Division of Student Affairs, Office of the Dean of Students          Phone: 470-578-6367          Email: <a href="mailto:deanofstudents@kennesaw.edu">deanofstudents@kennesaw.edu</a></p> <p><u>For Employees:</u>          Human Resources          Phone: 470-578-6030          Email: <a href="mailto:hr@kennesaw.edu">hr@kennesaw.edu</a></p> <p><u>For Information on Serving Alcohol at Campus Events:</u>          Office of University Events and Venue Management          Phone: 470-578-6252          Email: <a href="mailto:events@kennesaw.edu">events@kennesaw.edu</a></p> <p><u>For Drug/Alcohol Emergencies and Non-Emergencies:</u>          Department of Public Safety and University Police          Phone: 470-578-6666 (Emergencies)          470-578-6206 (Non-Emergencies)          Email: <a href="mailto:police@kennesaw.edu">police@kennesaw.edu</a> (Non-Emergencies)</p>

## 1. Policy Purpose Statement

The purpose of the Kennesaw State University (KSU) *Alcohol and Other Drug Policy (AOD Policy)* is to provide guidance to the campus community and ensure compliance with federal and state laws and the Board of Regents (BOR) of the University System of Georgia (USG) policies and procedures.

## 2. Background

KSU is committed to providing a safe, healthy learning community for all its constituencies and to recognizing, upholding, and enforcing the laws of the state of Georgia. As a recipient of federal funds, KSU supports and complies with the provisions of the *Drug-Free Schools and Communities Act Amendments of 1989 (DFSCA)*, as articulated in the *Education Department General Administrative Regulations (EDGAR)*, Part 86 – the Drug Free Schools and Campuses Regulations and the U.S. Department of Labor *Drug-Free Workplace Act of 1988* (see 9. Associated Policies/Regulations). Under these federal acts, the University must have an alcohol and other drug policy and distribute it to all students and employees annually.

The policy must include:

- standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities;
- a description of the applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;
- a description of the health risks associated with the use of illicit drugs and the misuse of alcohol;
- a description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students; and
- a clear statement that the institution will impose sanctions on students and employees (consistent with local, state, and federal law), and a description of those sanctions, up to and including expulsion or termination of employment, and referral for prosecution, for violations of the standards of conduct.

### 3. Scope (Who is Affected)

The University has one AOD policy for all campuses and all KSU employees (faculty and staff) and students; third parties providing products/services to the University; and guests, visitors, or others visiting, working, or attending activities and events on University property or at affiliated locations are affected by it. The rules, oversight, and administration of the AOD policy is the same for all campuses. Students often take classes at more than one campus, faculty and staff may work at more than one campus, and access to resources and educational efforts are the same regardless of campus location.

### 4. Health Risks Associated with Alcohol, Tobacco and other Drugs

Below is a helpful guide to the health-related risks associated with the use of illicit drugs and the misuse of alcohol and/or tobacco (Adapted with permission from the University of Michigan Alcohol and Drug Policy, <http://alcohol-drug-policy.umich.edu/>). Further details of health-related risks and information on the items below are available online at The National Institute on Drug Abuse website (<https://www.drugabuse.gov/>) and at the National Institute on Alcohol Abuse and Alcoholism (NIAAA) fact sheet (<https://www.niaaa.nih.gov/alcohol-health/overview-alcohol-consumption/alcohol-facts-and-statistics>).

- **Alcohol**  
 Can cause short-term effects such as loss of concentration and judgment, slowed reflexes, and disorientation leading to higher risk of accidents and problem behavior. Long-term effects include risk of liver and heart damage, malnutrition, cancer, and other illnesses. Can be highly addictive to some persons. When consumed rapidly and in large amounts, alcohol can cause coma and death.

Combining other drugs with alcohol can have unpredictable and unwanted consequences. Visit the University of Michigan's The Effects of Combining Alcohol with Other Drugs (<https://uhs.umich.edu/combine>) to learn more about these effects.

- **Amphetamines** (Adderall, Concerta, Ritalin, Methamphetamine, etc.)  
 Can cause short-term effects such as rushed, careless behavior and pushing beyond your physical capacity, leading to exhaustion. Tolerance increases rapidly. Long-term effects

include physical and psychological dependence, and withdrawal can result in depression and suicide. Continued high doses can cause heart problems, infections, malnutrition, and death.

- **Cannabis** (marijuana, THC products)  
Can cause short-term effects such as slow reflexes and increase in forgetfulness. Alters judgment of space and distance. Aggravates pre-existing heart and/or mental health problems. Long-term health effects include permanent damage to lungs, reproductive organs and brain function. Can interfere with physical, psychological, and social development of young users.
- **Cocaine** (crack)  
Can cause short-term effects such as impaired judgment, increased breathing and heart rate, heart palpitations, anxiety, restlessness, hostility, paranoia, and confusion. Long-term effects may include damage to respiratory and immune systems, malnutrition, seizures, and loss of brain function. Highly addictive.
- **Designer Drugs/Synthetic Cannabinoids** (bath salts, K2, spice, etc.)  
Can cause short-term effects such as elevated heart rate and blood pressure, chest pain, hallucinations, seizures, violent behavior, and paranoia. May lead to lack of appetite, vomiting, and tremors. Long-term use may result in kidney/liver failure, increased risk of suicide, and death.
- **Hallucinogens** (PCP, LSD, ecstasy, dextromethorphan, etc.)  
Can cause extreme distortions of what's seen and heard. Induces sudden changes in behavior, and loss of concentration and memory. Increases risk of birth defects in user's children. Overdose can cause psychosis, convulsions, coma, and death. Frequent and long-term use can cause permanent loss of mental function.
- **Inhalants** (nitrous oxide, amyl nitrite, butyl nitrite, chlorohydrocarbons, hydrocarbons, etc.)  
Can cause short-term effects such as nausea, dizziness, fatigue, slurred speech, and hallucinations or delusions. May lead to rapid and irregular heart rhythms, heart failure, and death. Long-term use may result in loss of feeling, hearing, and vision. Can result in permanent damage to the brain, heart, lungs, liver, and kidneys.
- **Opiates/Narcotics** (heroin, morphine, opium, codeine, oxycodone, fentanyl, china white, etc.)  
Can cause physical and psychological dependence. Overdose can cause coma, convulsions, respiratory arrest, and death. Long-term use may lead to malnutrition, infection, and hepatitis. Sharing needles is a leading cause of the spread of HIV and hepatitis. Highly addictive and tolerance increases rapidly. The use of opioids with alcohol, or other prescription or illicit drugs can cause unpredictable and unwanted consequences.
- **Prescription Medication Misuse**  
Can cause a variety of health risks based on type of medication. Prescription drug misuse is the intentional or unintentional use of medication without a prescription, in a way other than prescribed, or for the experience or feeling it causes. Visit the National Institute on Drug Abuse (<https://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts>) to learn more about the effects on your health.

Combining medications (prescribed or not prescribed) with alcohol can have unpredictable and unwanted consequences. Visit the National Institute on Alcohol Abuse and Alcoholism

(<https://www.niaaa.nih.gov/publications/brochures-and-fact-sheets/harmful-interactions-mixing-alcohol-with-medicines>) to learn more about these effects.

- **Sedatives**  
 Can cause reduced reaction time and confusion. Overdose can cause coma, respiratory arrest, convulsions, and death. Withdrawal can be dangerous. In combination with other controlled substances, can quickly cause coma and death. Long-term use can produce physical and psychological dependence. Tolerance can increase rapidly.
- **Tobacco** (cigarettes, cigars, chewing tobacco, etc.)  
 Can cause diseases of the cardiovascular system, in particular smoking being a major risk factor for a myocardial infarction (heart attack), diseases of the respiratory tract such as Chronic Obstructive Pulmonary Disease (COPD) and emphysema, and cancer, particularly lung cancer and cancers of the larynx and mouth.
- **Electronic Nicotine Delivery Systems (ENDS)** (vape devices, JUUL, e-cigarettes)  
 Nicotine is highly addictive. These products contain nicotine, potential carcinogens, and may cause addiction. ENDS can cause severe obstructive lung disease (popcorn lung) in addition to other cardiovascular and pulmonary diseases.

Visit KSU Smoke/Tobacco-Free website (<http://smokefree.kennesaw.edu/>) to learn more about cessation/recovery programs.

## 5. KSU Alcohol and Other Drug Education, Counseling, and Assistance Programs

Several campus offices provide programs and assistance, act as a referring agency for the University, and/or provide AOD education and assistance to students and employees. These include, but are not limited to, the following:

- Counseling and Psychological Services (CPS)  
 CPS has professional counselors available to work with students who have mental health problems and issues associated with alcohol and/or other drug misuse and substance use disorders. CPS perform in-house evaluations for alcohol and other drug use. CPS has a case manager to support transition off campus for mental health needs and when returning to campus. CPS services are available to all enrolled students.

### Contact Information:

Counseling and Psychological Services (CPS)  
 Phone: 470-578-6600  
 Email: [jgunn@kennesaw.edu](mailto:jgunn@kennesaw.edu)  
 Website: <http://counseling.kennesaw.edu/>

- Center for Young Adult Addiction and Recovery (CYAAR)  
 The CYAAR has licensed professional counselors who specialize in addiction education, prevention, counseling, and recovery. The CYAAR provides a centralized office for ATOD education and addiction prevention programs through outreach to high-risk populations, invitation by faculty and staff, and through individual counseling. CYAAR also perform in-house evaluations for alcohol and drug use. The CYAAR maintains a list of referral agencies

for off-campus assistance when such assistance is more appropriate. CYAAR services are available to all enrolled students.

The CYAAR is home to multiple on-campus recovery meetings per week. The CYAAR educates and trains ATOD peer educators who in turn present to the general campus population upon request. Staff specializing in substance use and addiction teach alcohol and other drug classes for students found responsible for alcohol and/or other drug-related code of conduct violations, as mandated by the Department of Student Conduct and Academic Integrity.

Contact Information:

Center for Young Adult Addiction and Recovery (CYAAR)  
Phone: 470-578-2538  
Email: [recovery@kennesaw.edu](mailto:recovery@kennesaw.edu)  
Website: <http://cyaar.kennesaw.edu/>

- Human Resources (HR)

HR coordinates all employee-related action related to AOD violations. The Drug-Free Workplace coordinator is the assistant vice president of Human Resources. For more information on the Employee Assistance Programs (EAP) relating to drug and alcohol use, see <http://hr.kennesaw.edu/benefits/employee-assistance-program.php>. Employee medical insurance plans also include some level of coverage for substance misuse.

HR also implements KSU's Drug and Alcohol Testing Policy and BOR's Voluntary Disclosure of Drug Use, which can help facilitate recovery and job preservation for employees who voluntarily come forward for help. For details on these programs, see <http://hr.kennesaw.edu/policies/drug-alcohol-testing.php>.

Contact Information:

Human Resources  
Phone: 470-578-6030  
Email: [hr@kennesaw.edu](mailto:hr@kennesaw.edu)  
Website: <http://hr.kennesaw.edu/>

- Health Promotion and Wellness (HPW)

KSU Health Promotion and Wellness improves the health and well-being of students and employees through awareness and education. The department encourages students and employees to assume more responsibility for their health and well-being. The department's primary goal is to enhance and provide a balance in the intellectual, emotional, physical, social, environmental, and spiritual development of the whole person. The department also strives to provide an environment that is supportive of positive health practices. Programming focuses on helping students and employees reduce lifestyle risk factors. Health Promotion and Wellness participates each year in the National Collegiate Alcohol Awareness Week in October, sponsoring many interactive programs designed to educate students, faculty, and staff on issues associated with alcohol use and misuse. HPW also has received Young Adult Program grants from the Georgia Governor's Office of Highway Safety since 2008. These grants are used to promote education and awareness to young adults about safety issues, such as underage drinking, impaired driving, destructive decisions, and other high-risk behaviors to decrease crashes, injuries, and fatalities in young adult drivers and passengers.

Contact Information:

Health Promotion and Wellness

Phone: 470-578-6394

Email: [wellctr@kennesaw.edu](mailto:wellctr@kennesaw.edu)

Website: <http://wellness.kennesaw.edu/>

- Student Health Services (WellStar)

Student Health Services has multiple locations to serve student health needs. Alcohol and/or drug use is inquired about individually during most patient visits. Individual consultation regarding use of alcohol and drugs is done in both a preventive visit setting and in acute visits deemed to be alcohol/drug related. Referrals are made to CPS if medication management is needed. Student Health Services also refers and works closely with CPS, CYAAR, and Health Promotion and Wellness.

Contact Information:

Student Health Services (WellStar)

Phone: 470-578-6644

Website: <http://studenthealth.kennesaw.edu/>

- Housing and Residence Life

Housing and Residence Life has multiple locations across the various residential communities. It provides ATOD education to residential students throughout the year in both small and large group settings. Housing and Residence Life staff also actively monitor the KSU residential communities.

Contact Information:

Residence Life

Phone: 470-578-4388

Email: [reslife@kennesaw.edu](mailto:reslife@kennesaw.edu)

Website: <http://ksuhousing.kennesaw.edu/>

## 6. Exclusions or Exceptions

Currently, there is a general policy of no alcohol on campus. There are exceptions to this policy including:

- From time to time, alcohol may be permitted at the discretion of the president through delegates. Presidential permission may be obtained only through the completion of an appropriate form obtained from University Events and Venue Management (<http://events.kennesaw.edu/>, 470-578-6252) and a signed agreement that includes the following statements.
  - I will attest that no guests under the age of 21 will be in attendance.
  - Catering is required as the event caterer and must provide food along with a licensed bartender at the Host's expense.
  - A campus police officer may be required to be in attendance at the Host's expense.
  - If a campus police officer is not required, the Host is responsible for ensuring all guests safety and monitoring of alcohol consumption.
  - Event Host is required to comply with all of Kennesaw State University's alcohol policy



requirements and the State of Georgia laws.

- Within the KSU residence halls by those 21 or older who are not in either a substance-free community or a unit where all residents assigned to the unit are under 21 years of age. For complete rules, see KSU Students Code of Conduct, Section 5: The Codes of Conduct (the Rules), B. Residential Code of Conduct, Sections 1. Alcohol and 2. Drugs.
- At social events from time to time, within KSU on-campus housing specifically limited to registered student organizations (this may include fraternities and sororities) that maintain house contracts in the University Columns on the Marietta campus, when those organizations register the event with the KSU Department of Public Safety, Residence Life, and the Office of Fraternity and Sorority Life, receive permission to host the event, and follow stated rules relating to alcohol. See <http://greeklife.kennesaw.edu/resources/chapter-resources.php>.
- University courses that involve serving and tastings by those 21 or older of brews, beers, spirits, and wines for education purposes and that may be held in either state- or KSU Foundation-owned or leased properties and/or may be held at off-campus facilities and locations. Such courses require advance approval by the KSU president on a semester-by-semester basis for inclusion in the Banner system course schedule builder for registration before the course begins. Additionally, the program is required to maintain documented procedures for monitoring and recording an inventory of alcohol served and consumed during the president-approved courses and for checking identification to confirm attendees are 21 or older.
- KSU tailgating areas for sports events as approved by the KSU president and the KSU Sports and Entertainment Park for those 21 or older. Tailgates, picnics etc. are permitted for pre-approved and scheduled events but will not be allowed in general. When tailgating is approved for a specific event/ date that information and the rules related will be posted on the park website and at the event.
- Service and sales of alcohol at certain sporting and recreational events and concerts open to the public under the authority of the general manager of the KSU Sports and Entertainment Park may be permitted. Limits and guidelines apply. See <http://sportspark.kennesaw.edu/park-info/policies.php>.

## 7. Definitions and Acronyms

**Alcohol:** Ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced.

**Alcoholic beverages:** Includes all alcohol, distilled spirits, beer, malt beverages, wine, or fortified wine.

**Affiliated locations:** Any land and/or property leased and/or utilized for KSU-sponsored activities and programs.

**AOD:** Acronym for alcohol and other drug and/or drugs.

**ATOD:** Acronym for alcohol, tobacco, and other drug and/or drugs.

**Campus constituency:** The people involved in or served by Kennesaw State University, including University employees and students, and/or third parties providing products/services to the University.

**Institutional funds:** Includes all funds controlled, held, or administered by the University. This includes all funds to which an institution holds title, including, but not limited to, student fees, auxiliary revenues, state appropriated funds, etc.

**Student Activity funds:** Includes all funds collected by any campus constituency for the sole purpose of funding any student activities.

**University property:** All land and improvements owned, occupied, leased, or controlled by the University or the University System of Georgia. This includes, but is not limited to, buildings, offices, meeting rooms, residence halls (including private rooms), parking garages, parking lots, athletic fields, stadium seating areas, and other property or locations affiliated with KSU.

**Visitors and third parties:** Contractors and subcontractors, spectators and guests, visitors, or others visiting, working, or attending activities and events on University property or at affiliated locations.

## 8. Alcohol and Other Drug (AOD) Policy

KSU expressly prohibits the use, misuse, possession, sale, or distribution of illicit drugs and alcoholic beverages on University property or at KSU-affiliated locations by any campus constituency. Alcoholic beverages may be served at off-campus activities to adults of legal drinking age for the state in which the activity is being held, providing that a responsible club or organization representative acknowledges responsibility for monitoring alcohol consumption. In addition, the University president or designee may, from time to time, permit and approve other exceptions to the KSU Alcohol and Other Drug Policy. See section 6, Exceptions or Exclusions, for more information. Student Activity funds or institutional funds may not be used for the purchase of alcoholic beverages. KSU is committed to recognizing, upholding, and enforcing the laws of the state of Georgia, which are hereby incorporated into the KSU Alcohol and Other Drug Policy. See section 11, State and Federal Regulations.

KSU is a smoke/tobacco-free campus. Smoking and all other use of tobacco and all use of e-cigarettes, personal vaporizers (PV), and/or electronic nicotine delivery systems (ENDS) on property owned, leased, rented or in the possession or control of the University System of Georgia. For more information, see KSU Codes of Conduct, section 5.A.17.

### Procedures

Procedures and guidelines related to the KSU Alcohol and Other Drug Policy are the shared responsibility of various KSU divisions/departments, including, but not limited to, those listed below. These divisions/departments are responsible for managing and publishing on their websites and/or communicating to campus the procedures, guidelines and/or forms related to this policy. See section 10, Procedures Associated with this Policy.

- i. Office of the President: The University president or designee is responsible for approving any exceptions to any campus constituency serving alcoholic beverages on University property or at affiliated locations.



- ii. Office of University Events and Venue Management: This office oversees requests to serve alcohol at events on University property or affiliated locations, and coordinates obtaining authorization and signature from the University president.
- iii. Human Resources: This department is responsible for managing procedures and guidelines related to this policy with respect to KSU employees, including sanctions for violations and providing information to employees regarding alcohol and other drug education and assistance programs. Discipline for faculty is governed by the policies of the Board of Regents and the KSU Faculty Handbook. See <http://www.usg.edu/policymanual/section8/C245/#p8.3.9> discipline and removal of faculty members and section 4.1.9 in the KSU Faculty handbook (<http://handbooks.kennesaw.edu>).
- iv. The Vice President for Student Affairs is responsible for managing procedures and guidelines related to this policy with respect to KSU students and student organizations, including determination of sanctions for violations, and providing information to students and student organizations regarding alcohol and other drug education and assistance programs. This includes, but is not limited to, the following departments/units within this division:
  - 1) Office of the Dean of Students: The dean of students is responsible for oversight and distribution of policies and compliance standards related to alcohol and other drugs, including ensuring that the KSU AOD Policy is distributed annually by KSU email to each student and employee.
  - 2) Department of Student Conduct and Academic Integrity: This department oversees conduct cases against KSU students involving allegations of academic and disciplinary misconduct, including alcohol and drug violations by students and student organizations.
- v. Department of Public Safety and University Police (DPS): DPS is responsible for responding to reports of illegal alcohol and other drug violations on University property or at affiliated locations. The DPS also communicates any report of alcohol and other drug use
  - 1) by KSU students or student organizations, whether at an activity or on an individual basis, to the dean of students or designee, who is responsible for referring the report and alleged violation to SCAI for appropriate adjudication, according to established University non-academic disciplinary procedures.
  - 2) by KSU employees, to Human Resources to determine and coordinate any necessary resolution for the alleged violation.

## 9. Associated Policies/Regulations

- a. [BOR Policy Manual, Section 4.6.3, Student Organization Responsibility for Drug Abuse](#)
- b. [BOR Policy Manual, Section 4.6.4, Alcohol and Drugs on Campus](#)
- c. [BOR Policy Manual, Section 6.10, Tobacco and Smoke-Free Campuses](#)
- d. [BOR Policy Manual, Section 8.2.17, Voluntary Disclosure of Drug Use](#)
- e. [BOR Policy Manual, Section 8.3.91, Grounds for Removal](#)
- f. U.S. Department of Labor, [Drug-Free Schools Act 1988](#)
- g. [KSU Division of Student Affairs Policies and Procedures](#)

- h. [KSU Drug and Alcohol Testing](#)
- i. [KSU Employee Handbook](#)
- j. [KSU Faculty Handbook](#)
- k. [KSU Game Day: Tailgating General Rules](#)
- l. [KSU Parental Notification Policy: Drug and Alcohol Violations](#)
- m. [KSU Student Codes of Conduct, Section 5: The Codes of Conduct \(the Rules\), A. Student Conduct, Sections 34. Alcohol, 35. Drugs, and 36. Prescription Medication](#)
- n. [KSU Student Codes of Conduct, Section 5: The Codes of Conduct \(the Rules\), B. Residential Code of Conduct, Sections 1. Alcohol and 2. Drugs](#)
- o. [KSU Student Codes of Conduct, Section 5: The Codes of Conduct \(The Rules\), A. Student Code of Conduct, Section 17. Smoking and Tobacco Use](#)
- p. [KSU Student Handbook](#)
- q. [NCAA Drug Testing Program](#)
- r. [Official Code of Georgia Annotated \(O.C.G.A.\) Title 3. Alcoholic Beverages, Chapter 1 General Provisions, Article 2. Definitions \(O.C.G.A. § 3-1-2\)](#)
- s. [Official Code of Georgia Annotated \(O.C.G.A.\) Title 3. Alcoholic Beverages, Chapter 2 State Administration and Enforcement, Article 2. Enforcement, Section 36 Arrest and prosecution of violators of title \(O.C.G.A. § 3-2-36\)](#)
- t. [Official Code of Georgia Annotated \(O.C.G.A.\) Title 3. Alcoholic Beverages, Chapter 3 Regulation of Alcoholic Beverages Generally, Article 2. Prohibited Acts, Section 21. Sales of alcoholic beverages near churches, school buildings, or other sites \(O.C.G.A. § 3-3-21\)](#)
- u. [Official Code of Georgia Annotated \(O.C.G.A.\) Title 3. Alcoholic Beverages, Chapter 3 Regulation of Alcoholic Beverages Generally, Article 2. Prohibited Acts, Section 22. Sale or furnishing of alcoholic beverages to intoxicated persons \(O.C.G.A. § 3-3-22\)](#)
- v. [Official Code of Georgia Annotated \(O.C.G.A.\) Title 3. Alcoholic Beverages, Chapter 3 Regulation of Alcoholic Beverages Generally, Article 2. Prohibited Acts, Section 23. Furnishing to, purchase of, or possession by persons under 21 years of age \(O.C.G.A § 3-3-23\)](#)
- w. [Official Code of Georgia Annotated \(O.C.G.A.\) Title 3. Alcoholic Beverages, Chapter 3 Regulation of Alcoholic Beverages Generally, Article 2. Prohibited Acts, Section 23.1 Procedure and penalties upon violation of Code Section 3-3-23 \(O.C.G.A § 3-3-23.1\)](#)
- x. [Title IV – 21<sup>st</sup> Century Schools, Part A - Safe and Drug-Free Schools and Communities](#)
- y. [U.S. Code of Federal Regulations \(CFR\), Title 34, Subtitle A, Chapter 1, § 86, Drug and Alcohol Abuse Prevention](#)
- z. [U.S. Code of Federal Regulations \(CFR\), Title 41, Subtitle IV, Chapter 81, § 8102 - Drug-free workplace requirements for Federal contractors](#)
- aa. [U.S. Department of Education, Office of Safe and Drug-Free Schools, Higher Education Center for Alcohol and Other Drug Abuse and Violence Preventions, \*Complying with the Drug-Free Schools and Campus Regulations\* \[EDGAR Part 86\], \*A Guide for College Administrators\*, Washington, D.C., 2006](#)
- bb. [USG Human Resources Administrative Practice Manual, Safety & Security, Drug Testing](#)

## 10. State and Federal Regulations

State regulations incorporated in this KSU policy regarding the use, sale, or possession of intoxicating beverages are listed with citations to the full Official Code of Georgia Annotated (O.C.G.A.) in section 9, Associated Policies/Regulations. Summaries of these regulations include, but are not limited, to the following:

- a. O.C.G.A. § 3-1-2: Defines “alcoholic beverages” to mean all alcohol, distilled spirits, beer, malt beverages, wine, or fortified wine.
- b. O.C.G.A. § 3-2-36: Provides for criminal process against any person who violates the law in counties and municipalities where the sale of alcoholic beverages is not authorized or where alcoholic beverages are being sold contrary to law.
- c. O.C.G.A. § 3-3-21: Provides that no person knowingly or intentionally may sell or offer to sell any wine or malt beverages within 100 yards of any school building, school grounds, or college campus. Provides further that distilled spirits may not be sold within 200 yards of a school building, educational building, school grounds, or college campus.
- d. O.C.G.A. § 3-3-22: States that no alcoholic beverage shall be sold, bartered, exchanged, given, provided, or furnished to any person who is in a state of noticeable intoxication.
- e. O.C.G.A. § 3-3-23: Prohibits the furnishing to, purchasing of, or possession of alcoholic beverages by persons under 21 years of age.
- f. O.C.G.A. § 3-3-23.1: Provides that any person furnishing or possessing alcoholic beverages in violation of the previous Code Section shall be guilty of a misdemeanor. Establishes procedures for arrest by law enforcement officers.
- g. For more details on State laws regarding illicit drugs (controlled substances), and the penalties for violating those laws, see Title 16, Chapter 13 of the O.C.G.A. and Title 20, Chapter 3, Article 2, Part 3 of the O.C.G.A. O.C.G.A. § 20-3-90 (<http://www.lexisnexis.com/hottopics/gacode/default.asp>).
- h. O.C.G.A § 16-13-5 allows for immunity from arrest or prosecution if medical assistance is being sought by or for a person experiencing a drug overdose. This is known as the medical amnesty law.
- i. O.C.G.A. § 20-3-90 states that any student organization found responsible for knowingly permitting the sale, distribution, serving, possession, consumption, or use of marijuana or dangerous drug at any affair, function, or activity shall have its recognition as a student organization withdrawn and shall be expelled from campus for a minimum of one year.
- j. For more details on federal laws and penalties regarding controlled substances, see <https://www.dea.gov/druginfo/factsheets.shtml>.

## 11. Violations-University Sanctions

Faculty, staff, students, visitors, and third parties are expected to adhere to the policies of the University and observe the basic standards of good conduct; meet appropriate standards of performance; and observe all local, state and federal laws relative to unlawful use of illicit drugs and alcohol. Penalties for violations of these standards range from warnings and probation to expulsion, loss of academic credit, suspension, temporary or permanent suspension, withdrawal of organization recognition, referral to the legal system for prosecution, demotion, and termination of employment. Individuals in violation of this policy are subject to a range of sanctions, including but not limited to, disciplinary action and dismissal from the University as follows:

- Any faculty or staff member, administrator, or other employee who violates the KSU Alcohol and Other Drug Policy shall be subject to disciplinary action up to and including the possibility of dismissal and referral to the appropriate federal, state, or local authorities for prosecution.
- Any student or student organization that violates the KSU Alcohol and Other Drug Policy shall be subject to disciplinary action in accordance with the KSU Student Codes of Conduct up to and including educational sanctions, possible loss of on-campus housing, suspension and/or expulsion from the University, and referral to the appropriate federal, state, or local authorities

for prosecution in the courts. Any student organization shall be subject to disciplinary action up to and including educational sanctions, suspension and/or revocation of its registration with Student Activities or Fraternity and Sorority Life, and referral to the appropriate federal, state, or local authorities for prosecution.

- Any student who is a member of a University athletic team may face additional sanctions when there is an alcohol or other drug (AOD) violation, in addition to any criminal prosecution or University Student Codes of Conduct sanction, based on rules established by the National Collegiate Athletic Association (NCAA), athletics department, and/or the team.
- Any visitor or third party who is visiting, working, or attending activities and events on University property or at affiliated locations and who violates the KSU Alcohol and Other Drug Policy shall be subject to disciplinary action that could include being charged with criminal trespass from the University and/or referral to the appropriate federal, state, or local authorities for prosecution. Student and employee hosts of visitors and/or third parties may also be held responsible for the actions of their guests while involved in University activities.

Additional information regarding sanctions and situations where amnesty may apply may be found in the *KSU Student Handbook*, *KSU Student Code of Conduct*, *BOR Policy Manual*, *KSU Faculty Handbook*, and *KSU Employee Handbook* (see section 9, *Associated Policies/Regulations for additional information*).

## 12. Violations-External Sanctions

(Adapted with permission from the University of Michigan Alcohol and Drug Policy, <http://alcohol-drug-policy.umich.edu/>.)

Violations of state and federal laws may result in misdemeanor or felony convictions accompanied by the imposition of legal sanctions, which include, but are not limited to, the following:

- Fines as determined under local, state, or federal laws;
- Imprisonment, including up to life imprisonment, for possession or trafficking in drugs such as heroin, cocaine, marijuana, and prescription drugs;
- Forfeiture of personal and real property;
- Denial of federal benefits such as grants, contracts and student loans;
- Loss of driving privileges; and
- Required attendance at substance misuse education or treatment programs.

## 13. Review Schedule

This policy is reviewed annually by the vice president for Student Affairs, the associate vice president and dean of students, the assistant vice president of Human Resources, and the director of University Events and Venue Management, and/or their designee(s).

Kennesaw State University  
Policy: Alcohol and Other Drug Policy  
KSU Policy Category: Legal Affairs, Human Resources, Student Affairs

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At Kennesaw State University, institutional policies that have undergone the established shared governance review and feedback process are presented to the President and Provost for final approval. The signatures below indicate this institutional policy has been reviewed and approved by the President and Provost.

DocuSigned by:  
*Dr. Kathy Schwaig* July 11, 2023  
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Dr. Kathy S. Schwaig,  
President  
Kennesaw State University

DocuSigned by:  
*Ivan Pulinkala* July 11, 2023  
02FA0CC7B24D4B3...  
Dr. Ivan Pulinkala  
Provost and Senior Vice President for Academic  
Affairs  
Kennesaw State University