

## University of Louisiana System

**Title: ALCOHOL AND ILLEGAL  
CONTROLLED SUBSTANCES**

**Effective Date: Fall Session, 2000**

**Cancellation: None**

**Chapter: Students**

### **Policies and Procedures Memorandum**

Institutions may choose to designate the campus “alcohol free.” However, should campuses allow use of alcohol by students, then such use shall be in accordance with state and local laws and ordinances, and the Drug Free Schools and Communities Act.

- I. Louisiana Revised Statutes
  - A. Louisiana law (R.S. 14:93.12) states that it is unlawful for any person under twenty-one (21) years of age to purchase or have public possession of any alcoholic beverage unless exempted by law. Current sanctions include a fine not more than one hundred dollars or imprisonment for not more than six months, or both.
  - B. Louisiana law (R.S. 14:93.13) states that it is unlawful for any person, other than a parent, spouse, or legal guardian, as specified in R.S. 14:93.10(2)(a)(ii), to purchase on behalf of a person under twenty-one years of age any alcoholic beverage. Current sanctions include a fine not more than five hundred dollars or imprisonment for not more than 30 days, or both.
  - C. Criminal sanctions shall be included in the student handbook or catalog and posted in the student union and at other appropriate locations.
- II. The unlawful manufacture, distribution, possession or use of illegal controlled substances or alcohol, or underage consumption of alcohol is strictly prohibited on university properties and/or as part of any university activity. Such behavior may be grounds for campus disciplinary action. The Code of Student Conduct shall identify the grounds for campus discipline and possible sanctions by the university.

- III. Definitions shall include but are not limited to:
- A. Alcoholic beverage – (pursuant to R.S. 26:241.1) any fluid or any solid capable of being converted into liquid suitable for human consumption, and containing more than one-half of one percent alcohol by volume including malt, vinous, spirituous, alcoholic or intoxicating liquors, beer, porter, ale, stout fruit juices, cider, or wine.
  - B. Illegal Controlled Substance – (pursuant to R.S. 9:2800.62.2) means cocaine, phencyclidine, heroin, or methamphetamine and any other illegal controlled dangerous substance the possession or distribution of which is a violation of the Uniform Controlled Dangerous Substances Law, R.S. 40:961 et seq.
  - C. Public possession – (pursuant to R.S. 14:93.10) possession of any alcoholic beverage for any reason, including consumption on any street or highway or in any public place or any place open to the public, including a club that is de facto open to the public. Public possession does not include possession or consumption of any alcoholic beverage:
    - 1. For an established religious purpose
    - 2. When a person under 21 years of age is accompanied by a parent, spouse, or legal guardian twenty-one years of age or older
    - 3. For medical purposes when purchased as an over the counter medication, or when prescribed or administered by a licensed physician, pharmacist, dentist, nurse, hospital, or medical institution
    - 4. In private residences
  - D. Purchase – (pursuant to R.S. 14:93.1) acquisition by the payment of money or other consideration
- IV. Rules and regulations for public possession and consumption of alcohol and/or illegal drugs shall include but not be limited to:
- A. Authorized university personnel or law enforcement officers may require proof of age of an individual who is in possession of alcohol or when an individual is purchasing alcohol.
  - B. Beverages sold must be consumed in the room or area in which served.
  - C. Alcohol shall not be allowed in residence hall rooms or on campus for students under the age of 21.
  - D. The administration reserves the right to refuse to serve alcoholic beverages to any patron whose behavior is disorderly.
  - E. Wherever alcoholic beverages are consumed, food, soft drinks and other non-alcoholic beverages must be available and featured as prominently as the alcoholic beverages.

- F. All advertising of alcoholic beverages shall promote and subscribe to the philosophy of responsible and legal use of the products represented. Contracts for advertisements with campus media (radio station, TV station, yearbook, literary magazine, or newspaper) should include a statement regarding educational value and subscribe to the philosophy of responsible and legal use of the products represented.
  - G. Beverage alcohol shall not be provided as free awards to individual students or campus organizations.
- V. Sanctions
- A. Students are governed by the university's Code of Student Conduct and by all other policies that outline student rights and responsibilities.
  - B. Violations of the Code of Student Conduct and other policies specific to alcohol and other illegal controlled substances include unlawful possession, use, manufacture, sale or distribution.
  - C. Illegal possession, use, manufacture, sale or distribution of alcohol or illegal controlled substances may result in disciplinary action if such behavior occurs on campus or at a university sponsored event.
  - D. The Code of Student conduct shall outline the judicial proceedings and sanctions imposed when such rules are violated. The sanctions may include but are not limited to:
    - 1. Formal Reprimand
    - 2. Counseling
    - 3. Community Service
    - 4. Seminar/Workshop
    - 5. Restitution
    - 6. University Housing Transfer or Removal
    - 7. Suspension from Specific Activities
    - 8. Combined Sanctions
    - 9. Suspension
    - 10. Expulsion
  - E. Students who have violated local alcohol ordinances, city and/or state alcohol laws, and federal illegal controlled substance laws are also subject to being prosecuted by the appropriate criminal justice system.
- VI. Prevention and Assistance
- A. The university shall facilitate the prevention of problems through: promoting and supporting alcohol-free institutional programming, informing students regarding policies related to alcohol and other drugs, training students in the provision of assistance, and creating an atmosphere in which those with problems are encouraged to seek help. Each university's prevention efforts shall include:

1. Building awareness of the scope of the problem of alcohol and other drug abuse, and specific policies regarding the use of alcohol and other drugs. This information can be communicated through student handbooks, orientation programs, residence hall meetings, letters to students, etc. There will be a special emphasis on providing such information to first-time students (e.g. freshmen orientation sessions).
2. Discouraging the promotion and advertising of alcohol, tobacco, and other drug use.
3. Supporting social events not centered around alcohol and other drug use.
4. Providing educational programs for students in academic and non-academic settings. Such programs will include a variety of topics that may include: problems associated with alcohol and other drug misuse, development of healthier lifestyles, skills in decision making, stress management, resistance to peer pressure, risk reduction, and identifying and helping others with alcohol and other drug problems.
5. Supporting and encouraging faculty to incorporate alcohol education and other drug education in the curriculum where appropriate.
6. Developing a coordinated effort across campus regarding alcohol and other drug education, treatment, and referral.
7. Supporting and encouraging student organizations to incorporate alcohol and other drug education into programs and events when appropriate.
8. Working toward early identification of behaviors or factors that place students at high risk for alcohol and other drug problems.
9. Collecting and using alcohol and other drug related statistics from available surveys and reports to guide program development.
10. Encouraging early intervention and assistance for those with alcohol and other drug problems.

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*Policy References:*

Louisiana Revised Statutes

University of Louisiana System's University Catalogs

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*Review Process:*

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*Distribution:*

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