

# The University of Oklahoma 12.6.2 STUDENT ALCOHOL POLICY

Effective August 1, 2024

As a higher education institution in compliance with the Drug-Free Schools and Communities/Campuses Act of 1989, the University of Oklahoma (OU) places significant value on the concepts of healthy and responsible decision-making for all members of the OU community and has established comprehensive policies and programs designed around four guiding principles: education, accountability, environmental management, and resources.

This policy applies to all students and registered student organizations (RSOs), on and off-campus, who are currently enrolled and/or pre-enrolled for subsequent semesters at OU. Students are responsible for following all federal, state and local laws, the Student Rights and Responsibilities Code, and the Student Alcohol Policy, which includes the Three Strikes Procedures.

The Student Alcohol Policy (and revisions thereto) shall be submitted to the Chair(s) of the appropriate Standing Committee(s) of the Board of Regents and the President for consideration and approval, respectively. The Vice President of Student Affairs (VPSA) shall be responsible for the implementation of the Student Alcohol Policy.

#### 1. EDUCATION

# A. Education and Training

- 1. All entering students (including transfer students) will receive an email communication regarding the Student Alcohol Policy and Three Strikes Procedures within the first semester.
- 2. All entering students (including transfer students), twenty (20) years of age and younger, are required to complete the Alcohol and Other Drugs Education training by the fourth week of the semester. Holds on enrollment will be placed for students not in compliance.
- 3. Upon joining a fraternity or sorority, new members will participate in a University-approved alcohol education program within the first year of membership. Fines will be assessed for those not in compliance with this requirement.

#### 2. ACCOUNTABILITY

#### A. Accountability and Enforcement

- 1. Students and registered student organizations in violation of the Student Alcohol Policy and/or the Student Rights and Responsibilities Code will be held accountable through the Three Strikes Procedures and the Student Rights and Responsibilities Code and Procedures.
  - Student Rights and Responsibilities Code, Section II Student Responsibilities, Prohibited Conduct, 2. Alcohol
    - a. Any violation of the University's Student Alcohol Policy.
    - b. Possessing, using, providing, manufacturing, distributing, or selling alcoholic beverages in violation of law or University policy.
    - c. Use or possession of alcoholic beverage(s) by an individual under the age of 21.
    - d. Driving while under the influence of alcohol.
    - e. Intoxication to the point of endangering oneself or another person's health or safety, regardless of age.
    - f. Possessing or presenting false identification to a University official or local, state, federal law enforcement.

- g. Providing alcohol to individual(s) under the age of 21.
- 2. A "strike" is the University's official recognition of a student's or registered student organization's violation of the Student Alcohol Policy. Nothing herein shall waive a student's right to due process. A strike is a final University disciplinary action that finds the respondent (alleged) responsible of an alcohol-related violation. Additionally, students and RSOs may also receive consequences under the Student Rights and Responsibilities Code.

#### 3. ENVIRONMENTAL MANAGEMENT

#### A. University Housing

- 1. Alcohol is not permitted in the Residence Halls or surrounding areas except for approved University events. A list of University Residence Halls may be found on the University Housing website.
- 2. Alcohol may be permitted in private rooms of Traditions Square and Kraettli Apartments by persons 21 years of age or older.
- 3. Events with alcohol (including tailgates) must have the appropriate University approval.
- 4. Bulk or common source alcohol containers (kegs, "trashcan punch," drinking games, etc.) are not permitted in and around University housing under any circumstances.

## B. Fraternity and Sorority Chapter Facilities

- 1. Alcohol is not permitted in fraternity and sorority chapter facilities or surrounding areas except for registered events as outline below.
- 2. Fraternities and sororities may host scheduled alcohol events (including tailgates) following the below criteria. Alcohol events:
  - a. Must be registered with the University through the RSO Event Registration Process five (5) business days prior to the event.
  - b. Must be in adherence to their national/international alcohol-related policies.
  - c. Must have appropriate chapter adviser supervision on site.
  - d. Must include a Risk Management and Harm Prevention Plan along with confirmation of a third-party vendor to serve alcohol as part of the registration process.
  - e. Must provide transportation to and from off-campus events. This may include designated drivers, public transportation, and/or other ride-share platforms.
- 3. Bulk or common source alcohol containers (kegs, "trashcan punch," drinking games, etc.) are not permitted in and around chapter facilities under any circumstances.

#### C. Registered Student Organizations

(Including Fraternities and Sororities)

- 1. Alcohol Events
  - a. Must be registered with the University through the RSO Event Registration Process five (5) business days prior to the event.
  - b. Must include a Risk Management and Harm Prevention Plan along with confirmation of a third-party vendor to serve alcohol as part of the registration process.
  - c. Must provide transportation to and from off-campus events. This may include designated drivers, public transportation, and/or other ride-share platforms.
- 2. Recruitment Events

a. Alcohol is not permitted at recruitment, intake, and new member events.

#### D. Amnesty

The University strongly supports and encourages students to seek emergency medical assistance for themselves or others experiencing a medical emergency due to alcohol or other drug use. Amnesty pardons OU students from formal Student Conduct disciplinary action and may be granted to students and organizations calling for help, as well as the student who is experiencing the medical emergency. Amnesty eligibility is at the sole discretion of the Office of Student Conduct and may be granted if a student and/or registered student organization seeking help:

- a. contacts emergency, medical, law enforcement and/or University staff promptly for assistance,
- b. remains with the person experiencing the medical emergency until assistance arrives, and
- c. cooperates with all emergency and law enforcement personnel.

Students and registered student organizations who are granted amnesty may still receive communication and resources from University departments to support their well-being and reduce risk in the future.

## 4. RESOURCES

# A. Resources and Reporting

- 1. Resources
  - a. Student Alcohol Policies and Resources Website (Launching Soon)
  - b. <u>University Counseling Center</u> (UCC)
    Students experiencing problematic substance use are encouraged to seek assessment, screening, and individual and group services at the UCC from Licensed Professional Counselors with substance use counseling experience for both voluntary and mandatory visits.
  - c. SafeRide

The program provides safe, no-cost transportation for OU students within the designated Norman zone on Thursdays, Fridays, and Saturdays during late night hours. Visit the SafeRide website for more details.

#### 2. Reporting

Fostering an environment of integrity, respect, and the highest ethical standards is a top priority. Each member of the OU community shares the responsibility of ensuring these values are firmly upheld and concerns and misconduct are promptly reported and addressed.

- a. OU Report It! or 1-844-428-6531
- b. Student Conduct Report an Incident

# The University of Oklahoma THREE STRIKES PROCEDURES

#### **Definition of a Strike**

A "strike" is the University's official recognition of a student's or registered student organization's (RSOs)



violation of the University's Student Alcohol Policy. A strike is a final University disciplinary action that finds the respondent (alleged) responsible of an alcohol-related violation.

A student or RSO may be charged with an alcohol-related violation based on the following:

- 1. A conviction, deferred sentence, or a plea that has the effect of conviction of an alcohol-related violation of which the University is made aware; or
- 2. A University finding or allegation that a student or RSO may have committed an alcohol-related violation prohibited by the Student Rights and Responsibilities Code. Such violations include, but are not limited to
  - a. the conduct prohibited by Section II Student Responsibilities, Prohibited Conduct 2. Alcohol of the Student Rights and Responsibilities Code,
  - b. the Student Alcohol Policy,
  - c. incident reports and citations.

Upon notification of the foregoing, or any other violation reasonably related to alcohol, the University may charge the student pursuant to the Student Rights and Responsibilities Code, and the student shall be entitled to an appropriate hearing to determine responsibility as defined by the Student Rights and Responsibilities Code. Whether by decision of an appropriate disciplinary body, administrative official, or by a negotiated settlement, any final University disciplinary action resulting in a finding of responsibility for an alcohol-related violation shall be considered a strike.

### **Reporting Mechanisms**

The University may act on any reliable information it receives. Although not an exhaustive list, the University may be notified of prohibited conduct in the following ways:

- 1. A police report from any police department or security agency including, but not limited to, the University of Oklahoma Police Department and the Norman Police Department.
- 2. Notification by a University official that an alcohol violation occurred.
- 3. Any information deemed reliable by the University that comes to the attention of a University official including, but not limited to, reports submitted to the University and online and social media posts.

Once notified of alleged prohibited conduct, the University may investigate the information received to determine if the conduct constitutes a violation prior to taking action. Nothing herein shall waive a student's right to due process.

# 1. INDIVIDUAL SANCTIONS:

The following sanctions are mandatory minimum sanctions for alcohol violations. Based on the severity of the infraction, the University reserves the right to impose any appropriate additional sanction(s). Any violation by an individual student remains part of the individual's record until graduation.

#### **Deferred Strike**

- A deferred first strike will not be considered a "violation" and will not be maintained as a disciplinary record of the University unless the student commits another alcohol violation of any nature, within the 12-month period of deferral. In such event, the deferral of the first strike shall be revoked and the second alcohol violation shall be considered a second strike.
- Minor in possession and/or public intoxication alcohol violations shall be eligible for an automatic deferred first strike. A Driving Under the Influence (DUI) incident is not eligible for deferral. In other similar, limited circumstances the Vice President for Student Affairs, at their sole discretion, may grant a deferral for a first strike.
- To qualify for the ultimate removal of the deferred first strike, the student must not commit any other alcohol violation for a period of twelve (12) months from the date the student is found responsible by the University for the deferred alcohol violation.



- Students are only entitled to one (1) deferred strike during their attendance at the University.
- Satisfactorily complete an alcohol education session.
- \$75.00 Total administrative fee and session cost.

#### 1st Strike

- Satisfactorily complete an approved alcohol education program.
- \$100.00 Total administrative fee and program cost.
- Censure. An official reprimand. The notation of Censure shall be removed upon graduation from the University of Oklahoma subject to completion of disciplinary sanctions.

## 2<sup>nd</sup> Strike

- Satisfactorily complete an approved alcohol counseling program. All costs assessed to the student.
- \$150.00 Administrative fee.
- Satisfactorily complete twenty (20) hours of approved community service.
- Disciplinary probation as defined by the Student Rights and Responsibilities Code. The notation of Disciplinary probation shall be removed upon graduation from the University of Oklahoma subject to completion of disciplinary sanctions.
- Parent/Guardian notification via the listed contact information in the student's file.

## 3rd Strike

- Suspension as defined by the Student Rights and Responsibilities Code for a minimum of one (1) semester up to a maximum of two (2) years.
  - The charged student may appeal the sanction within forty-eight (48) hours of notice of the decision. The appeal should be submitted via email to the Office of Student Conduct. Upon request of an appeal, the VPSA or their designee shall have five (5) business days to review and determine the outcome. The VPSA/designee's decision is final.
- Parent/Guardian notification via the listed contact information in the student's file.
- A student suspended after the 3<sup>rd</sup> strike and readmitted to the University of Oklahoma, is readmitted with two (2) strikes.

#### **Individual Strike Removal**

A student who has received a first strike may request, via email to the Office of Student Conduct, that the strike and the record be removed from their student file provided the student meets the relevant eligibility criteria and provides documents evidencing the following:

- 1. It has been one (1) year since the student was found responsible by the University for an alcohol violation.
- 2. The student has not received any additional charges or alcohol-related violations on or off-campus since the student was found responsible by the University for the alcohol violation at issue.
- 3. The student timely completed and exceeded all sanctions required by the University.

Removal of the strike is at the sole discretion of the Vice President for Student Affairs or their designee. Additionally, this opportunity for a student to have a first strike removed from their University record applies only to charges under the University's Three Strike Procedures and in no way limits any other available action by the University including, but not limited to, any violation of the Student Rights and Responsibilities Code. Moreover, a removal of a strike does not apply to DUIs, and a student is only eligible for one (1) strike removal during their attendance at the University.

#### 2. RSO SANCTIONS:

Before imposing an RSO sanction, as opposed to solely an individual sanction, the University will consider the entirety of the circumstances surrounding the RSO alcohol violation, including, but not limited to, whether the RSO:

- 1. endorsed, sponsored, sanctioned, enabled, furthered, or funded, in whole or in part, by the RSO, its officers, or the officers of its local, state, or national organization acting with actual or apparent authority, and any of them knew or should have known of the alcohol violation and they took insufficient action to prevent or cease the violation; or
- 2. event/violation occurred on property owned, leased, rented or occupied by the RSO (e.g. fraternity/sorority chapter facilities, satellite houses or "sat house," RSO-affiliated residence, etc.), alumni, and/or members, and the officers of the RSO took insufficient action to prevent or cease an alcohol violation they knew or should have known existed; or
- 3. event/violation occurred at any gathering of the RSO conducted in furtherance of the mission or purpose of the RSO or designed to circumvent these rules, including any event, program or ceremony; or
- 4. event/violation occurred at any gathering utilizing the RSO's name or logo, or that was advertised, marketed and/or promoted by the RSO.

The Office of Student Conduct has the discretion to determine whether, based on the criteria above and the totality of the circumstances, the alcohol violation occurred and warrants an RSO sanction.

## 1st Strike

#### Administrative Fee: \$500+

A minimum administrative fee of \$500.00 or a per capita rate of \$1.00 to \$20.00 based on the RSO's membership at the time of the violation, whichever is more appropriate.

# Alcohol Education Program

A defined number or percentage of the RSO's membership must complete an approved alcohol education program.

# Community Service

An aggregate community service requirement for the RSO of 10-25 hours per capita based on the RSO's membership at the time of the violation. It is at the discretion of the University as to whether pledges or associate members will be included in fulfilling the requirements of the sanction.

#### Censure

A written reprimand for violation of specified regulations, including the possibility of more severe disciplinary sanctions in the event of the finding of a violation of any University regulation within a stated period of time.

#### 2<sup>nd</sup> Strike

#### Administrative Fee: \$1,000+

A minimum administrative fee of \$1,000.00 or a per capita rate of \$5.00 to \$20.00 based on the RSO's membership at the time of the violation, whichever is more appropriate.

# Alcohol Education Program

A defined number or percentage of the RSO's membership must complete an approved alcohol education program.

# Community Service

An aggregate community service requirement for the RSO of 10-25 hours per capita based on the RSO's membership at the time of the violation. It is at the discretion of the University as to whether pledges or associate members will be included in fulfilling the requirements of the sanction.

## Disciplinary Probation

Exclusion from participation in privileged or extracurricular and University activities set forth in the notice for a period of time specified. Other conditions of the probation may apply to any other activities of the RSO in the University community, except those that would affect the RSO's academic pursuits.

# 3<sup>rd</sup> Strike

#### Administrative Fee: \$1.500+

A minimum administrative fee of \$1,500.00 or a per capita rate of \$10.00 to \$20.00 based on the RSO's membership at the time of the violation, whichever is more appropriate.

#### Alcohol Education Program

A defined number or percentage of the RSO's membership must complete an approved alcohol education program.



#### Community Service

• An aggregate community service requirement for the RSO of 10-25 hours per capita based on the RSO's membership at the time of the violation. It is at the discretion of the University as to whether pledges or associate members will be included in fulfilling the requirements of the sanction.

#### RSO Suspension

The RSO will be suspended for a minimum of one (1) semester up to a maximum of two (2) years. University approval is required before the RSO will be reinstated.

• The charged RSO may appeal the sanction within forty-eight (48) hours of notice of the decision. The appeal should be submitted via email to the Office of Student Conduct. Upon request of an appeal, the VPSA or their designee shall have five (5) business days to review and determine the outcome. The VPSA/designee's decision is final.

Any violation by the RSO remains part of its "Three Strikes" record for a period of three (3) calendar years, unless the RSO requests and the University grants removal of an eligible first strike in accordance with the below criteria.

#### **RSO Strike Removal**

An RSO that has received a first strike may request, via email to the Office of Student Conduct, that the strike and the record be removed from its file provided the RSO meets the relevant eligibility criteria and provides documents evidencing the following:

- 1. it has been one (1) year since the RSO was found responsible by the University for an alcohol violation;
- 2. the RSO has not received any additional charges or alcohol-related violations on or off-campus, since receiving the alcohol violation at issue; and
- 3. the RSO timely completed and exceeded all sanctions required by the University.

Removal of an RSO strike is at the sole discretion of the Vice President for Student Affairs or their designee. Additionally, this opportunity for an RSO to have a first strike removed from its University record applies only to charges under the University's Three Strikes Procedures and in no way limits any other available action by the University including, but not limited to, any violation of the Student Rights and Responsibilities Code. If removal of the strike is granted, the RSO cannot request the removal of another strike for a period of three (3) calendar years from the date the strike is removed. RSOs are not eligible for deferred strikes.