Dixie State University
Policy 5-37

Addendum 1: Student Alcohol Violation Procedures

General

A. Alcohol offenses include but are not limited to the on campus use, consumption, storage, possession, manufacture, distribution, or sale of any alcoholic beverage; being legally intoxicated on campus; and the use, consumption, storage, possession, manufacture, distribution, or sale of alcohol on- or off- campus for students under age 21.

~~37.9.1 The use, consumption, distribution, storage, or sale of any alcoholic beverage by anyone of any age, or the possession of any container of said beverage by any Dixie State College student under the age of 21, on or off campus, is prohibited. Also see Student Code of Conduct Policy 5-33.~~

B. Although the disciplinary procedures for alcohol offenses include three progressive levels, any serious offense, including but not limited to driving while intoxicated (DUI), contributing to the delinquency of a minor, and exhibiting drunk and disorderly conduct, will be treated as a third offense. In such cases, the student may incur interim administrative suspension at the discretion of the Vice President of Student Services and will immediately be referred to the Student Conduct Committee.

~~37.11 Serious Offenses Involving Alcohol: In the event that a student is charged for offenses which involve the negligent use of alcohol, such as, but not limited to, driving while intoxicated, contributing to the delinquency of a minor, or exhibiting drunk and disorderly conduct, and the offense is clearly established by the office of the vice president of student services to be in violation of the Code of Conduct which is displayed in the Dixie State College Student Handbook, the offense shall be treated as a third offense (as described above).~~

~~37.11.1 This offense is subject to disciplinary action up to and including dismissal.~~

C. A student who receives any sanction to which s/he did not consent can appeal that sanction according to the provisions in the Student Code.

D. Other than the DSU Alcohol, Tobacco, or Other Drugs (ATOD) program, the University incurs no liability for costs associated with in-patient or out-programs to which a student might be referred.

E. The University maintains the option of notifying the parent or legal guardian of a student under age 21 who incurs a second or third alcohol violation.

Disciplinary Procedures for Alcohol Offenses

1. First offense violations may result in disciplinary probation for a period of time not to exceed 90 calendar days. The student must enroll in and successfully complete the appropriate Level I Dixie State University Alcohol, Tobacco, and Other Drugs program (ATOD) and pay the fee associated with that program. A disciplinary hold and notation will be placed on the student's academic record until such time as the sanctions have been completed.

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a. Satisfactory program completion is determined by the ATOD Program Coordinator and the Dean of Students based on attendance, compliance with program requirements, and fulfillment of course requirements. After the specified disciplinary probation period and the ATOD program are completed in a satisfactory manner, the disciplinary hold will be removed.

b. Students who are not compliant with program requirements or who do not complete the ATOD program satisfactorily will have a permanent disciplinary hold placed on their record, which will only be removed when the Dean of Students determines that the program requirements have been met.

~~37.10.1 First Offense: Any Dixie State College student who is a minor, and who is in possession of or under the influence of alcohol, is considered in violation of this policy. Also, any infraction of Section 37.7.3 for legal age students is a violation of this policy.~~

~~37.10.1.1 A violation shall result in probation for one semester or up to 100 consecutive days from the time of the violation.~~

~~37.10.1.2 The offending student must enroll in a college approved alcohol/drug education and awareness program designated Level I.~~

~~37.10.1.3 The Level I course will consist of a minimum of ten hours of compulsory attendance, and will be determined by the program coordinator.~~

~~37.10.1.4 Satisfactory compliance of attendance and requirements for the course shall be determined by the program coordinator.~~

2. Second offense violations may result in disciplinary probation for a period of time not to exceed one (1) calendar year from the date of the infraction, and the student must enroll in and satisfactorily complete the appropriate Level II Dixie State University Alcohol, Tobacco, and Other Drugs program (ATOD) and pay the fee associated with that program. A disciplinary hold and notation will be placed on the student's academic record until such time as the sanctions have been completed.

a. Satisfactory program completion is determined by the ATOD Program Coordinator and the Dean of Students based on attendance, compliance with program requirements, and fulfillment of course requirements. After the specified disciplinary probation period and the ATOD program are completed in a satisfactory manner, the disciplinary hold will be removed.

b. Students who are not compliant with program requirements or who do not complete the ATOD program satisfactorily will have a permanent disciplinary hold placed on their record, which will only be removed when the Dean of Students determines that the program requirements have been met.

~~37.10 Consequences for Alcohol Related Violations~~

~~37.10.2 Second Offense: Any Dixie State College student who is a minor, and who is in possession of alcohol, is considered in violation of this policy. Also, any infraction of Section 37.9.3 for legal age students is a violation of this policy.~~

~~37.10.2.1 A second violation shall result in probation for a period of one calendar year from the time of the infraction and enrollment in a alcohol/drug education and prevention program, designated Level II.~~

~~37.10.2.2 The Level II program shall consist of twenty hours of compulsory attendance as required by the program coordinator.~~

~~37.10.2.3 Completion of all requirements for the Level II course and completion of Level I requirements presented in Section 37.8.1 will be mandatory.~~

~~37.10.2.4 In accordance with the State Board of Regents Policy No. R261, Parental Notification Regarding Alcohol and Drug Violations applies to any Dixie State College student who has a second alcohol violation. Upon the college officials becoming aware of the second alcohol violation for any student under 21 years of age, the college has the option of notifying his/her parents of the violation by the vice president of student services or his/her designee.~~

3. Third offense violations incur a disciplinary hold and are automatically referred to the Student Conduct Committee which may impose one of the following sanctions according to the guidelines in the Student Code:

a. Immediate suspension for a period of time up to one (1) calendar year.

b. Allow the student to complete the current semester but then impose a suspension.

c. Impose permanent disciplinary probation as long as the student is enrolled at DSU.

d. Referral to professional treatment.

e. Other appropriate sanctions as specified in the Student Code.

f. Immediate dismissal from the University.

~~37.10.3 Third Offense: Any Dixie State College student who is a minor, and who is in possession of or under the influence of alcohol, is considered in violation of this policy. Also, any infraction of Section 37.9.3 for legal age students is a violation of this policy. The student will be referred to the college's student affairs disciplinary process hearing boards which may choose to:~~

~~37.10.3.1 Immediately suspend the student, with dismissal possible, subject to appeal;~~

~~37.10.3.2 Allow the student to complete the remainder of the semester for which s/he is currently enrolled, followed by suspension from the college; or~~

~~37.10.3.3 Allow the student to continue for the current and subsequent semesters.~~

~~37.10.3.4 The latter alternative shall require a mandatory probationary period for as long as the student is attending Dixie State College, and under professional treatment.~~

~~37.10.3.5 The committee may also take other action deemed appropriate for the violation of alcohol/drug offenses.~~

~~37.10.3.6 If the student is allowed to continue on campus subsequent to the violation, the student affairs committee shall refer the student to the college alcohol/drug prevention center.~~

~~37.10.3.7 This may result in the requirement that the student enter an in-patient treatment program of up to thirty days duration. Should this occur, the student will be given an opportunity to complete the rehabilitation with the least interference to his/her college education. This may include postponement of treatment until the completion of the semester, or until summer.~~

~~37.10.3.8 The in-patient program will be at the expense of the student.~~

~~37.10.3.9 Non-compliance with recommended treatment by the alcohol/drug prevention staff will result in automatic suspension for a minimum of one year.~~

~~37.10.3.10 Treatment must begin no more than thirty days from the date of the alcohol/drug prevention staff mandate.~~

~~37.10.3.11 This student shall remain on probation for the entire duration of enrollment at Dixie State College and shall be placed into rehabilitation activities in the alcohol/drug center until in-patient treatment begins.~~

~~37.10.3.12 A minimum requirement of this waiting period will include weekly reports to the program coordinator, until the student enters the treatment program, and involvement in campus alcohol/drug education activities as directed by the professional staff of the center.~~

~~37.13 Alcohol Offenses - Referral Procedures For On-Campus Agencies:~~

~~37.13.1 General Conditions: Referrals typically arise from concerned departments on campus. If such a referral is made too late in the semester for the student to complete program requirements, the student must contact the alcohol/drug prevention center and request a program extension. The student's enrollment will automatically extend into the next academic semester.~~

~~37.13.2 This will include summer semester unless the student does not enroll for summer semester, in which case the terms of program enrollment will extend to fall semester.~~

~~37.16 Non-compliance Procedure: The office of alcohol/drug prevention shall issue a report of non-compliance for each student who fails to maintain standard progress in any of its alcohol/drug education and prevention programs. The report will be issued to the referring campus agency.~~

~~37.16.1 The agency will be responsible for any disciplinary action taken beyond that point.~~

~~37.16.2 It is required that the referring agency notify the vice president of student services in all cases of non-compliance.~~

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