



**Mayville State University  
Mayville, ND  
(Member of the North Dakota University System)**

**Drug-Free Schools and Campuses Regulations [EDGAR Part 86]  
Biennial Review: 2021-2022**

January 2023

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### I. Introduction / Overview

Mayville State University is committed to an environment that supports the academic success and health of our staff and students and has a Drug-Free Campus Program that serves to provide the campus with activities and services designed to encourage a healthy and drug-free lifestyle.

In keeping with the requirements of the Drug-Free Schools and Campuses Regulations [EDGAR Part 86], Mayville State University has policies which address the misuse of alcohol and the use or abuse of other drugs. The University also has

policies that describe standards of conduct that clearly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on University property or as part of any University sponsored activities. See these **Selected Prohibited Acts related to Alcohol**.

*From the Code of Student Rights and Responsibilities and Student Disciplinary Processes:*

- 4.01 Possession of alcohol except when permitted — the Unauthorized Use of Alcoholic Beverages includes the possession, distribution, sale and or solicitation of, or consumption of, alcoholic beverages except during events or in circumstances authorized by University Officials and/or failure to comply with state or University regulations regarding the use or sale of alcoholic beverages.

*From the North Dakota Century Code (Codified State Law):*

Individuals under twenty-one years of age prohibited from using alcoholic beverages...

*From the ND State Board of Higher Education Policy Manual, Section 918, Alcoholic Beverages*

2. The possession, sale, service, use, or consumption of alcoholic beverages upon land or in buildings at institutions under control of the Board is prohibited, except as authorized by the institution's president.
3. Alcoholic beverages may not be purchased with public funds unless the alcoholic beverages will be used for authorized training or educational purposes.

*From the Residence Halls Handbook:*

a. **Alcohol**

The North Dakota State Board of Higher Education prohibits

- the presence of alcoholic beverages within campus residence halls;
- alcoholic beverage distribution, storage, or consumption;
- the storage or display of alcoholic containers, including empty alcohol containers, on state university property.

Students are expected to abide by local ordinances and state laws regarding the consumption or possession of alcoholic beverages. In addition, beverages that are sold as "imitation alcohol products" are not allowed. Individuals in the presence of alcohol or other drugs are subject to conduct procedures. Violation of this policy and/or other policies impacting your fellow residents may result in your removal from the residence halls. Non-college students, who are of minority age, found in situations with alcohol in the residence halls are subject to arrest, as are their hosts.

**Party Rooms – Alcohol** – A room in which four or more persons are present and having alcohol present will be declared a party room. Party Rooms are a violation of the alcohol policy. See the *Code [of Student Rights and Responsibilities and Student Disciplinary Process]*. Residence Hall staff may contact the Traill County Sheriff's Office, which could result in the filing of legal charges.

**Alcohol/Drug Advertisement Posters** and other items advertising alcohol/drugs are prohibited in the public areas of the residence hall and its surrounding grounds. This includes posters and lighted signs in residence hall windows or on residence hall doors.

**Alcohol Containers**, full or empty, are not allowed in MSU residence halls. Violations will be subject to conduct proceedings.

**Incapacitation – Alcohol or other Drugs** Residents who become incapacitated as a result of drinking, drug usage or a medical condition will receive proper emergency medical care when staff members become aware of their condition, EMS will be notified immediately. Residents will be financially responsible for the costs of this medical care including ambulance and/or hospitalization costs.

**Immunity from Prosecution—** “An individual is immune from criminal prosecution if that individual contacted law enforcement or emergency medical services and reported that the individual was or that another individual was in need of emergency medical assistance due to a drug overdose. To receive immunity under this section, the individual receiving immunity must have remained on the scene until assistance arrived, cooperated with emergency medical services and law enforcement personnel in the medical treatment of the reported drug overdosed individual, and the overdosed individual must have been in need of emergency medical services” (NDCC § 19-03.1-23.4).

The University will not take disciplinary action against a student who calls for or who receives medical attention due to alcohol or other drug use such that medical assistance is needed or sought. The University may require compliance with educational initiatives related to the overdose that created the situation.

According to North Dakota Century Code #5-01-05.1, "If a person is hospitalized for detox purposes, law enforcement or campus security personnel must notify the emergency contact." Except as noted above, incapacitated students who are in violation of local, state or federal laws concerning alcohol and other drugs are subject to citation and/or arrest for relevant violation of law. Parental Notification: If a student has been found Responsible for multiple alcohol or drug related offenses under the Code or campus policies, or if it is determined that the student's health and safety is endangered because of his/her use of alcohol or other substances, the University reserves the right to notify the student's parents of these facts and concerns. This notification may occur even if the student is 21 or older. The Director of Student Life will determine if such parental notification is alcohol/alcoholic beverages to be made after consideration of each case and documentation of any such offenses. This process for parental notification is specifically allowed under federal law and is in accordance with the 1998 amendments to the Family Educational Rights and Privacy Act."

As outlined in the “Complying with the Drug-Free Schools and Campuses Regulations” (EDGAR Part 86), the elements in the blue box above are distributed to students in the alcohol training course required of all first-year students and is also generally distributed (bulletin boards and other postings) such that all students and employees might see the information as part of our Drug-Free Campus Program.

This required biennial review has the objectives of determining the effectiveness of, and to implement necessary changes to, the AOD/ATOD Prevention Program.

## II. Biennial Review Process

This Review covers the period of 2021-2022

### A. Biennial Review Preparer

- Jeffrey Powell, the Director of Student Life, prepared the first draft of this document.
- [M376](#) of the Mayville State University Policy Manual, indicates “at least two faculty members, representation from the Athletic Department, at least three student members and at least one member of the community who represents other substance abuse prevention coalitions.” Additionally, “the Vice President for Student Affairs and Institutional Research, the institution’s Student Conduct Officer, counseling staff, [and] residence hall staff” are to be included. A committee was assembled to meet these requirements and the group ratified the report while providing insight on direction and strategy and the elements of the SWOT analysis provided in Section IX of this document.

### Membership:

Faculty	Collette Chrisoffers, MSN, RN, PHN, CNE
Faculty	Jeremiah Moen, Ph.D.
Faculty and President’s Cabinet	Rhonda Nelson, MBA Acting Dean of Student Affairs
Athletic Department and President’s Cabinet	Jay DeCann, M.Ed.
Student Life	Jeffrey Powell, Ph.D., Director
Counselor	Hanna Kaster, M.S.
Student Member	Tucker Bercier, President, Student Senate

B. Location of Biennial Review

- this document is stored under “Consumer Information” in the Mayville State University website environment. If you wish a printed version, please contact Jeffrey Powell in CC 106.

### III. Annual Policy Notification Process

A. Content of Alcohol/Drug Abuse Prevention Statement.

- an email is sent to all students and employees on the eighth day of classes. This email reads, in part:

In regards to alcohol and other drug use and awareness programs, please know:

- alcohol use on campus is prohibited, regardless of age, unless you are at an event for which the President has specifically provided an alcohol permit. In general, these are only for catered events in the Campus Center and in designated areas during football game tailgating. Alcohol is always illegal for those under 21 to possess or use.
- drug use on campus is always illegal. This is true without regard for persons holding a “marijuana card” or other such medical permission. For additional information, see [Drug Free School Policy](#).
- it is the considered opinion of college administrators and health professionals that the misuse of alcohol and the use of illicit drugs poses health risks. Please understand the University provides resources to help you learn about alcohol and other drug use.
- See [Sexual Violence and Substance Abuse Prevention Resources](#).
- students who violate policy may face sanctions through the processes indicated in the [Code of Student Rights and Responsibilities and Student Disciplinary Process](#). The University uses a progressive severity approach to most violations, but repeated violations of the policy can result in the removal of privileges and/or suspension from the institution.
- employees who violate the Alcohol or Drugs on campus policies will be addressed through Human Resources avenues. The University uses a progressive severity approach to most violations, but repeated violations of the policy can result in the termination.
- legal ramifications may, or may not, apply to a given situation. University disciplinary procedures may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus, and the status of civil or criminal charges involving the same incident, whether the case is on-going or dismissed, or whether those charges have been reduced or modifies, have no predetermined impact on the University’s decision regarding a case’s process or resolution.
- the Counseling office has resources for students who may be seeking medical assistance for alcohol and drug dependency concerns.
- information about the Employee Assistance Programs is available on the Human Resources [Sharepoint](#) site.

B. Notification Process for Employees

C. Notification Process for Students

- The information in the blue box, as described prior to that box being used, is from an email that is distributed to all persons who are enrolled or employed at Mayville State, regardless of whether they are physically attending or assigned at the Mayville State campus. Our IT department maintains a mail distribution list that autopopulates [MASU.Students](#), [MASU.Staff](#), or [MASU.Faculty](#) listgroups.

### IV. Alcohol and Other Drug (AOD) Prevalence Rate, Incidence Rate, Needs Assessment, and Trend Data

#### 1. IV. Alcohol and other Drug (AOD) Data / Needs Assessment

Every two years, the North Dakota University System (NDUS) deploys a systemwide survey to capture the impact of alcohol, tobacco, and other drugs on the experiences of students. In 2018, the NDUS stepped away from the CORE Survey format, which had been in place for years, and developed the NDSWAPS: The North Dakota Student Wellness and Perceptions Survey. This comprehensive yet succinct survey tool provided information in all areas of substance misuse, wellness, perceptions of substance use of peers, sexual assault, suicidality, and mental health. Again in 2020, the Systemwide NDSWAPS went to all students.

In 2021, one of the NDUS campuses discovered anomalies in the 2020 data. Upon further inspection in 2022, incongruencies were evident in the 2018 data. From there, the NDUS hired a new researcher to dive into the concerns and find the sources of the issues. After more digging, the researcher was able to identify more concerns that resulted in filing adverse event reports with the Institutional Research Boards at all eleven campuses for both the 2018 and 2020 surveys.

The NDUS is in the process of working with the new research team to correct the data in those reports and to forge ahead with a new survey tool in 2023. Currently, we are not able to share any of the 2018 or 2020 NDSWAPS findings, as the reports are not correct or reliable. We plan to enroll the ACHA/NCHA survey tool in the Fall of 2023 and have fresh data for the 2024 Biennial Review.

Despite concerns about the data integrity, there are some key take away from the 2020 distribution of the survey, trends that are consistent with the concerns of student affairs staff, albeit in proportions that exceeded our expectations. Impressions from watching student behaviors, specifically an explosion in the last year of the number of students who use marijuana, are reflected in the 2020 data. This usage has been most evident in the residence halls, where such behavior is prohibited but where mitigation has been challenging.

## V. AOD Policy, Enforcement, and Compliance Inventory

### A. Policies

#### 1. Federal Drug Free Campus Policy

[https://www.mayvillestate.edu/files/9314/3999/0168/M615\\_Drug\\_Free\\_Schools\\_and\\_Community.pdf](https://www.mayvillestate.edu/files/9314/3999/0168/M615_Drug_Free_Schools_and_Community.pdf)

“As a condition of their employment or enrollment at Mayville State University, a student or employee will not engage in the unlawful manufacture, distribution, possession, or use of a controlled substance nor engage in the unlawful possession, distribution, or use of alcohol on university property or as part of any university activity during the period of employment or enrollment. Furthermore, any employee or student at Mayville State University agrees to obey federal, state, and local laws relating to the unlawful possession or distribution of illicit drugs and alcohol, and to abide by sanctions which the institution may impose for violations of its standards of conduct, up to and including termination or suspension. If an employee or student is convicted of an alcohol or drug related offense occurring on campus, he/she must notify the institution within five days of such a conviction. In addition, federal law mandates that Mayville State must communicate information regarding the conviction of a student or employee for a drug or alcohol related offense which occurs on-campus to the appropriate federal agency within ten days.”

#### 2. Drug and Alcohol Abuse

*The following items are posted in prominent locations; sent as email to all students and all employees twice per year; and appear in the [Code of Student Rights and Responsibilities and Student Disciplinary Procedure](#):*

**Possession of alcohol except when permitted** — the Unauthorized Use of Alcoholic Beverages includes the possession, distribution, sale and or solicitation of, or consumption of, alcoholic beverages except during events or in circumstances authorized by University Officials and/or failure to comply with state or [University regulations regarding the use or sale of alcoholic beverages](#).

*also see:*

North Dakota Century Code: [Individuals under twenty-one years of age prohibited from using alcoholic beverages...](#)

ND State Board Policy Manual, [Section 918, Alcoholic Beverages](#)

Residence Halls Handbook ([http://mayvillestate.edu/index.php/download\\_file/view/708/2486/373/](http://mayvillestate.edu/index.php/download_file/view/708/2486/373/))

**Possession of controlled substances.** The possession, distribution, sale, and/or solicitation of, or consumption of (a) prescription drugs except those proscribed to the person carrying same; (b) illegal drugs or controlled substances; or (c) other intoxicants and/or (d) paraphernalia used for the consumption of such intoxicants, or the (e) possession of household or common items which the Hearing

Officer determines was intended by the Responding Student to be used or trafficked as an intoxicant(s) (e.g., spray paint used for huffing).

**Failure to abide by university or state policy governing tobacco use** in public buildings and/or University residence halls or on campus grounds. Smoking and use of smokeless tobacco products are restricted from use on campus, except in one's personal vehicle. See [M917](#).

3. **Dry Campus Policy**

Although most students would characterize Mayville State and the rules we have as a "dry campus," and colloquially we are probably considered as such, the truth is that no "dry campus" regulations exist. It is true in sweeping general terms, alcohol and controlled drugs are not permitted on campus, but the prohibition is immediately met with the exceptions of:

- apartment in the Mayville Mutual Association Complex when the occupant is 21+ ;
- professional residence hall staff;
- events in the Campus Center or Alumni Center, or other location, when the President or designee gives explicit and time-limited permission for alcohol; or
- tailgating events for football, when the President or designee gives explicit and time-limited permission for alcohol.

4. **Student Code of Conduct – particularly relating to Alcohol and Other Drugs**

(see <http://mayvillestate.edu/files/5215/6623/8543/Code-08-2019-OneColumn.pdf>)

D. Alcohol and Drugs

4.01 **Possession of alcohol except when permitted.** The Unauthorized Use of Alcoholic Beverages includes the possession, distribution, sale and or solicitation of, or consumption of, alcoholic beverages except during events or in circumstances authorized by University Officials and/or failure to comply with state or [University regulations regarding the use or sale of alcoholic beverages](#).

*also see:*

North Dakota Century Code: [Individuals under twenty-one years of age prohibited from using alcoholic beverages...](#)

ND State Board Policy Manual, [Section 918, Alcoholic Beverages](#)

4.02 **Possession of controlled substances.** The possession, distribution, sale, and/or solicitation of, or consumption of (a) prescription drugs except those proscribed to the person carrying same; (b) illegal drugs or controlled substances; or (c) other intoxicants and/or (d) paraphernalia used for the consumption of such intoxicants, or the (e) possession of household or common items which the Hearing Officer determines was intended by the Responding Student to be used or trafficked as an intoxicant(s).

5. **Alcoholic Beverages - Payment from University Accounts**

see [https://mayvillestate.edu/index.php/download\\_file/view/2609/1959/](https://mayvillestate.edu/index.php/download_file/view/2609/1959/)

3. Alcoholic beverages may not be purchased with public funds.

6. **Alcoholic Beverages - Sale, Serving, and Consumption**

*ibid*

2. Possession, sale, dispensation, use or consumption of alcoholic beverages upon land or in buildings owned by Mayville State University is prohibited, except as provided by this subsection.

- a) This policy does not apply to family housing, married student housing, faculty housing or offcampus guest housing.
- b) Alcoholic beverages may be permitted, subject to applicable state and local laws and ordinances, at events in facilities or upon land owned by the institution

pursuant to a permit signed by the President or his/her designee. The permit must describe the nature of the event and the date(s), time(s) and place where consumption of alcoholic beverages is permitted. The permit may be for a single event or for events occurring periodically at the designated place during a period of not more than one year. Events where alcohol is served and approved by the President also require the following additional stipulations:

- 1) Events sponsored by the university or the Mayville State University Foundation and which are intended to be fund raisers to directly benefit the institution will be permitted and alcohol may be served or sold as long as a third party with an appropriate liquor license is utilized.
- 2) Any group that is not directly affiliated with the university who wishes to rent or utilize a campus facility must provide proof of liability insurance prior to final approval. An event at which alcohol will be sold, requires that the renter arrange for a third party with an appropriate liquor license to actually sell the alcohol. In these cases, the third party with the liquor license must also provide proof of liability insurance for the specific event prior to approval.
- 3) Events hosted by a renter at which alcohol will be sold, will also be required to hire adequate security officers to monitor access to alcohol. These security officers must meet city ordinance and/or state law requirements.
- 4) The university does not intend to compete with private businesses in the area. The rental of university facilities by an individual or group not affiliated with the institution, and at which alcohol will be served or sold will be approved only after the renter has satisfactorily verified that they have been unable to secure other, adequate facilities in the community.
- 5) With events such as wedding receptions, dinners, or dances there is an expectation that food will be served and the renter will be required to utilize MSU Food Services for all food items.

## 7. Tailgating

[https://mayvillestate.edu/index.php/download\\_file/view/2631/1967/](https://mayvillestate.edu/index.php/download_file/view/2631/1967/)

### Football Tailgating Policy

The following standards have been developed so that Mayville State University students, faculty, staff, alumni and fans may enjoy their game day experience to the fullest. We anticipate your cooperation in observing each of these points which are provided in the best interest of health and safety.

### Tailgating Area

The tailgating area will be open 3 hours prior to kickoff. All spots will be marked for the benefits of patrons. All guests who occupy the tailgating area will have to provide proof of ticket purchase to get into the stadium. Security will be present at all times.

### Tailgating Hours

- Lot is open 3 hours prior to kickoff.
- Tailgating is allowed up to game time and at half-time
- No tailgating is to take place during the game.
- Lot closes 1 hour after the game.

### Rules & Regulations

1. The University reserves the right to restrict any vehicle or person for reasons of safety or legality.
2. All beverages must be consumed from plastic or paper cups only.
3. Under no circumstances shall persons under 21 years of age have possession or consume alcohol in the tailgating area. Persons under the age of 21 must be accompanied by a parent or guardian.
4. Beer kegs, party balls, open cans and glass bottle are prohibited in the tailgating area.
5. No open containers of alcoholic beverages will be permitted outside the tailgating area.



6. Individuals who interfere with the rights of other people by use of loud, abusive language and behavior that prevent others from enjoying tailgating and the game will be asked to cease the behavior or leave the event.
7. Tailgating participants are responsible for keeping the tailgating and stadium areas clean. Trash cans are located in the area. Trash bags are available. It is the responsibility of tailgating participants to keep their area picked up.
8. Driving under the influence is illegal in the state of North Dakota. State drinking and driving laws will be enforced in and around University property.
9. Open flame fires, including fire pits, are prohibited in the tailgating area. Propane and charcoal grills are permitted.
10. Stadium restroom is available outside the stadium. Please utilize this facility.
11. Drinking games (included but not limited to beer pong) and the use of devices intended to accelerate the consumption of alcohol (including but not limited to funnels or beer bongs) are prohibited.
12. Please be aware that individuals who violate the above rules and regulations will be asked to leave the property and be subject to legal penalties. Mayville State has graciously granted this tailgating policy to help fans enjoy the game day experience. All participants are asked to act responsibly and adhere to the policy.

**8. Alcoholic Beverages- Campus Housing**

[http://mayvillestate.edu/index.php/download\\_file/view/708/2486/373/](http://mayvillestate.edu/index.php/download_file/view/708/2486/373/)

Residence Hall Policies > Acts in Violation of Established Student Housing and Student Life Policies or Procedures (p. 2).

- “a. Alcohol - Violation of established Student Housing and Student Life policies regarding the possession, distribution and consumption of alcoholic beverages including:
1. Consuming or transporting open alcoholic beverages in residence hall common areas including, but not limited to, hallways, lounges, stairways, and/or community bathrooms.
  2. No possessing alcohol paraphernalia including, but not limited to, empty alcoholic beverage containers, beer bongs, and/or kegs.
  3. No providing open access to alcohol including, but not limited to, access to bulk or common source alcohol containers or access to devices or games used in or intended for the rapid consumption of alcoholic beverages.

“Students are expected to abide by local ordinances and state laws regarding the consumption or possession of alcoholic beverages. In addition, beverages that are sold as ‘imitation alcohol products’ are not allowed. Individuals in the presence of alcohol or other drugs are subject to conduct procedures. Violation of this policy and/or other policies impacting your fellow residents may result in your removal from the residence halls. Non-college students, who are of minority age, found in situations with alcohol in the residence halls are subject to arrest, as are their hosts.”

**9. Substance Abuse Policy – Campus Housing**

See above. Additionally:

“Drugs (p. 9).

“The State of North Dakota prohibits the sale, possession, and use of marijuana, depressants, stimulants, hallucinogenic drugs and/or paraphernalia. The University cooperates fully with state authorities seeking to enforce drug abuse laws. Students receive no immunity from arrest or prosecution by law enforcement officials as a result of their residence in University housing. Residence hall students are expected to abide by Federal, State, Local, and City laws and ordinances with respect to the use of dangerous/illegal drugs and narcotics. Situations involving student drug possession/abuse will be reported to the Director of Student Life and/or civil authorities for appropriate disciplinary and/or legal action. This may include removal from the residence hall and/or the university.”

10. Guidelines for Fraternity and Sorority Use of Alcohol

Mayville State does not have recognized greek-letter organizations.

11. Smoke Free/Tobacco Free Campus

(<http://mayvillestate.edu/files/5215/6623/8543/Code-08-2019-OneColumn.pdf>)

"D. Alcohol and Drugs

"4.03 **Failure to abide by university or state policy governing tobacco use** in public buildings and/or University residence halls or on campus grounds. Smoking and use of smokeless tobacco products are restricted from use on campus, except in one's personal vehicle. See [M917](#)."

and

[http://mayvillestate.edu/index.php/download\\_file/view/708/2486/373/](http://mayvillestate.edu/index.php/download_file/view/708/2486/373/)

Residence Hall Policies > Acts in Violation of Established Student Housing and Student Life Policies or Procedures

"b. Tobacco on Campus – Smoking, the use of E-Cigarettes or similar devices, and the use of smokeless or chewing tobacco are prohibited on all University Grounds, with the exception of personal vehicles. Smoking, Vaping, or use of smokeless or chew tobacco is not allowed in the residence halls. also see: [Tobacco Free Campus](#) (M917)"

12. Amnesty/Responsible Action/Good Samaritan Protocol Policies

(listed on page 4 of the [Code of Student Rights and Responsibilities](#) and page 2 of the [Residence Hall Handbook](#)):

**"Immunity from Prosecution—**

"An individual is immune from criminal prosecution if that individual contacted law enforcement or emergency medical services and reported that the individual was or that another individual was in need of emergency medical assistance due to a drug overdose. To receive immunity under this section, the individual receiving immunity must have remained on the scene until assistance arrived, cooperated with emergency medical services and law enforcement personnel in the medical treatment of the reported drug overdosed individual, and the overdosed individual must have been in need of emergency medical services" (NDCC § 19-03.1-23.4)

13. Athletic Department Alcohol and Other Drug Use Policy

Beer, wine, liquor or any other form of alcoholic beverages or any form of tobacco product shall not be endorsed by the NAIA. The advertisement of such products in connection with NAIA postseason events, as well as sponsorship, is permissible under the following conditions:

1. All such advertisements must receive advance approval from the NAIA President/Chief Executive Officer.
2. Alcoholic beverages in any form shall not be allowed to be sold, disbursed or brought into the public area of any event.

<https://www.naia.org/legislative/2019-20/files/NAIA-2019Official-Handbook.pdf?page=17>

14. Athletic Department Alcohol and Other Drug Testing Policy

The NAIA conducts testing for performance enhancing drugs at NAIA National Championship and NAIA Invitational competitions. The following penalties and processes shall apply for any student(s) who test positive on such a drug test.

VIII SECTION A: APPEAL OF A POSITIVE TEST

An institution may challenge the results of a positive test. The National Drug Testing and Education Committee will consider all such challenges, and will consider any applicable medical exemptions.

VIII SECTION B: PENALTIES

A student-athlete who tests positive for use of a banned substance, as defined by the NAIA banned substances list, shall be sanctioned as outlined below.

1. As a first offense, a student-athlete who tests positive for the use of any banned substance:
  - a. Shall be immediately suspended from further competition in all sports;
  - b. Shall be suspended in all sports for a minimum of 365 days from the date of the specimen collection that led to the positive test result;
  - c. Shall be charged one additional season of competition in the applicable sport as a punitive measure (in addition to being charged a season of competition for the student's actual participation); and
  - d. Shall be charged one punitive season of competition in all additional sports because of the positive test result (in addition to any seasons of competition the student may have been charged for actual participation).
2. As a second offense, a student-athlete who tests positive for the use of any banned substance: Shall immediately lose all remaining eligibility within the NAIA in all sports. A positive test on an exit test (see Article VIII, Section D, Item 3) taken during the reinstatement process shall constitute a second offense. An institution's athletics program(s) or staff member(s) may be brought before the National Conduct and Ethics Committee for additional penalties if the institutional staff member(s) provided or required the student's use of the banned substances that led to a positive test.

<https://www.naia.org/legislative/2019-20/files/NAIA-2019Official-Handbook.pdf?page=17>

15. **Employee Assistance Program Referral Policy**

See

<https://my.mayvillestate.edu/ws/departments/hr/SitePages/Home.aspx?RootFolder=%2Fws%2Fdepartments%2Fhr%2Fshared%20Documents%2FEmployee%20Handbooks&FolderCTID=0x012000F8955C9765DEC540A4A1DE1E916883F1&View=%7B10A4AE35%2D5F7A%2D4AA9%2DB165%2D433232461E1B%7D>

16. **Financial Aid Drug Convictions Policy**

If your eligibility for federal student aid has been suspended due to a drug conviction, you can regain eligibility early by successfully completing an [approved drug rehabilitation program](#) or by passing two unannounced drug tests administered by an approved drug rehabilitation program. If you regain eligibility during the [award year](#), notify your [financial aid office](#) immediately so you can get any aid you're eligible for.

If you are convicted of a drug-related offense after you submit the FAFSA form, you might lose eligibility for federal student aid, and you might be liable for returning any financial aid you received during a period of ineligibility.

<https://studentaid.ed.gov/sa/eligibility#criminal-convictions>

17. **Sexual Assault and other Violence related policies that relate to alcohol/other drug use**

[https://mayvillestate.edu/index.php/download\\_file/view/2570/2486/](https://mayvillestate.edu/index.php/download_file/view/2570/2486/)

(M613): Sexual Misconduct and Title IX Policy and Procedure

2) POLICY: ...

- b. Sexual misconduct is prohibited in all forms, regardless of intent to harm. Sexual assault, sexual exploitation, coercion and sexual harassment are examples of sexual misconduct, and all are prohibited.

*definitions:*

"Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the "who, what, when, where, why, or how" of their sexual interaction)."

- h. Sexual Assault: Any sexual act between two or more people to which one person does not or cannot consent. This includes sexual acts or contacts with others that can involve:
  1. Compelling a person to submit to sexual acts or contacts by force, threat of force, or intimidation;
  2. Use of intoxicants to substantially impair the person's power to give consent;
  3. Engaging in such acts when the person suffers from a mental state that renders him or her incapable of understanding the nature of the contact. This includes, but is not limited to, situations when an individual is intoxicated, "high", scared, physically or psychologically pressured or forced, passed out, unconscious, intimidated, coerced, mentally or physically impaired, beaten, isolated, or confined; or
  4. A victim under fifteen (15) years of age. (Do note the age of consent may vary depending on the ages of the individuals involved in the act.)

18. **Alcohol/Drug Use in the Classroom Policies**

(M918) [Alcohol Policy](#) prohibits the "Possession, sale, dispensation, use or consumption of alcoholic beverages upon land or in buildings owned by Mayville State University..."

There is no specific "classroom" phrase in this policy.

19. **Alcohol Poisoning Protocols**

Residence Hall Handbook:

[http://mayvillestate.edu/index.php/download\\_file/view/708/2486/373/](http://mayvillestate.edu/index.php/download_file/view/708/2486/373/)

**Incapacitation** – Alcohol or other Drugs Residents who become incapacitated as a result of drinking, drug usage or a medical condition will receive proper emergency medical care when staff members become aware of their condition, EMS will be notified immediately. Residents will be financially responsible for the costs of this medical care including ambulance and/or hospitalization costs.

B. **Oversight of Policy**

1. **Administration of Policy**

Code of Student Rights and Responsibilities and Student Disciplinary Process

(<http://mayvillestate.edu/files/5215/6623/8543/Code-08-2019-OneColumn.pdf>)

**Part I: Student Conduct Authority**

Under the direction of the North Dakota State Board of Higher Education, Mayville State University has the authority and the responsibility to establish policies necessary for the general business of the institution. The President of the University and the executive cabinet approves the Code of Student Rights and Responsibilities and Student Disciplinary Process. The disciplinary process is administered under a Supervising Hearing Officer, usually the Director of Student Life, who has been charged with the day-to-day responsibilities for the administration of the student disciplinary process; or in some cases the Coordinator or a Deputy Coordinator for Title IX responses. The Director of Student Life shall coordinate recommendations from members of the university community regarding suggested revisions to this Code or its policies and shall present substantive changes to appropriate parties.

2. **Discipline/Sanctioning/Adjudication of Policy**

*From the Code of Student Rights and Responsibilities and Student Disciplinary Process:*

**Part VII: Sanctions**

A. **Philosophy**

Mayville State University recognizes its first obligation is to respond to allegations of the Code in a manner that encourages ongoing safety for all members of the University. The University also adheres to and upholds a philosophy of progressive discipline whenever appropriate. The conduct system and imposition of sanctions contribute to the teaching of appropriate individual and group behavior and foster the ethical development and personal integrity of students.

1. In determining a Sanction, the Responsible Student's present demeanor, past disciplinary history, the nature of the offense, the resulting severity of any damage, injury or harm, and other factors may be considered.
  2. If a student is determined to have violated the Code, any one or more of the following Sanctions may be imposed, deferred, or held in abeyance by the Hearing Officer. Generally, a student is issued a status sanction (B) and one or more active sanctions (C).
- B. Disciplinary Status Sanctions
1. Censure. Verbal or written notice that the behavior has been inappropriate. May be considered part of student conduct record in future disciplinary action.
  2. Disciplinary Probation. A period of time during which a student's behavior is subject to close examination. Restrictions may be imposed by the Hearing Officer, restrictions such as prohibiting a student from holding elected or appointed office in a student organization or participating in intercollegiate athletics, required ongoing mentoring sessions for a period of time, and/or assigning one or more items from (C) herein.
  3. Deferred Suspension. A delayed removal from class/the university for a period up to two semesters. Any adjudicated violation during this period may result in immediate suspension for a specific period of time. Restrictions may be imposed by the hearing officer, restrictions such as prohibiting a student from holding elected or appointed office in a student organization or participating in intercollegiate athletics, required ongoing mentoring sessions for a period of time, and/or assigning one or more items from (C) herein.
  4. Suspension. Removal from class/the university for a specified period of time ranging up to a maximum of two years. Suspended students must remove themselves from the campus totally. Students suspended from the university may not attend online classes during their suspensions. The expiration of the suspension period is no guarantee of readmittance.
  5. Dismissal. Removal from the university, in principle considered to be permanent; in all cases to be observed for no fewer than five years.
  6. Deferred Loss of Recognition. A delayed removal of recognition as a recognized student organization. Any adjudicated violation during this period may result in immediate loss of recognition for a specified period of time.
  7. Loss of Recognition. During this time, a recognized student organization may not associate itself with the university by using the university name, facilities, and/or other rights and privileges of recognized student organizations. The expiration of the loss of recognition period is no guarantee of re-recognition.
- C. Active Disciplinary Sanctions
- Assigned active statuses generally require the student to do something and will have a "due date" by which the activity must be completed and/or a date when progress regarding the assignment has been made. Due dates may be structured as incremental timeposts rather than completion of the activity and these dates may be extended by the Director of Student Life when a student is expected to receive on-going assistance or is expected to comply with Sanctions in an ongoing fashion. See Part III, G, 7.08
1. University/educational service. Assignment of an appropriate project that will benefit the university community, responsible student or others, or attendance at an educational workshop, including on-line trainings or assessments.
  2. User Fee(s) associated with training, community service observation, or other cost associated with any sanction issued.
  3. Restriction. Denial of access to any campus facility, activity, class or program, or denial of student privileges.
  4. No Contact Directive. A directive to refrain from any intentional contact, direct, or indirect, with one or more designated persons or group(s) through any means, including personal contact, email, telephone, or through third parties. Failure to adhere to a no contact directive may result in further disciplinary action, including the placement or expansion of interim measures.
  5. Referral. A student may be referred to counseling services, substance awareness, health services, or other appropriate offices or local agencies.
  6. Fine. A fine is a fee or a financial sanction, imposed for alcohol, drug, and/ or other violations, the payment of which will be used toward alcohol and/or other drug education and alternative programming.

7. Restitution. Financial compensation to the University for cleaning, replacing, or restoring a specific area or thing when loss or damage was a result of the student's disciplinary violation. The University does not manage restitution to other students, but a failure to comply with a mediated Agreement is a violation of the Code.
8. Housing Ban. Residence hall transfer, residence hall floor transfer, restricted access within the residence halls, restricted access to dining services, and removal and/or ban from the residence halls and/or dining services for a specified period of time.
9. Deferred Loss of Residence. A delayed removal from university operated residence halls for a period of up to two semesters. Any proven offense during this period may result in immediate loss of residence.
10. Notification. Parents, faculty/staff, or others may be notified or contacted regarding a student's behavior consistent with applicable law.
11. Other Sanctions. Other Sanctions that advance the safety concerns or the educational concerns of the University may be also or alternatively be imposed.

C. Enforcement

1. On-Campus Authorities

From the Definitions section of the *Code of Student Rights and Responsibilities and Student Discipline Process*:

**Hearing Officer** — a North Dakota University System ("NDUS") employee who is designated by the Vice President for Student Affairs to determine the appropriate resolution of an alleged violation of the Code, and/or authorized to impose sanctions or affect other remedies as appropriate. A Hearing Officer is also vested with the authority to, among other duties, investigate a complaint of an alleged violation of the Code, decline to pursue a complaint, refer identified disputants to mediation or other appropriate resources.

**Supervising Hearing Officer** — In general, the Director of Student Life or a Title IX Coordinator or Deputy Coordinator. These University Officials ensure the efficacy of the discipline process, determine whether investigations should occur, and assign investigations to approved Investigators and cases to appropriate Hearing Officers. A Supervising Hearing Officer may appoint themselves as a Hearing Officer or Investigator.

**Decision** — a determination reached by a Hearing Officer regarding the alleged violations of the Code or by a Supervising Hearing Officer regarding an allegation of the Sexual Misconduct and Title IX Policy and Procedure. Available Decisions are "Responsible for the Violation" or "Not Responsible for the Violation." The Decision is made using the available facts and information presented in the case and such a determination is recorded in the Student Conduct File. Decisions of "Responsible" may result in the issuance of Sanctions.

2. Off-Campus Authorities

**Trail County Sheriff's Department** — In addition to other sworn law agencies, Mayville State is subject to service and law enforcement provided by the Trail County Sheriff's Department. The University maintains a Memorandum of Understanding with the Department. Deputies of the Department patrol and respond to calls both on campus and in neighborhoods surrounding the campus.

D. Record of Violations

Number of violations observed/reported for each judicial/discipline related policy  
see [http://mayvillestate.edu/index.php/download\\_file/6292/](http://mayvillestate.edu/index.php/download_file/6292/)

## VI. AOD Comprehensive Program /Intervention Inventory & Related Process and Outcomes/Data

### A. Community Activities/Initiatives

Mayville State University is sited in the City of Mayville, having a population of approximate 1100 persons. To the author's knowledge, Mayville has no private or not-for-profit programs which provide support regarding alcohol and other drug use mitigation.

Trail District Health Unit (office at Hillsboro, the county seat) does have outreach and support programs. Their office does have a contracted presence on campus and we are working to identify how to implement the resources and knowledge base of this important service.

**B. College/University Activities/Initiatives**

Please see Appendices B – D for information related to events, including those that encourage or include drug and alcohol awareness goals or purposes

**C. Programs for Special Populations (such as athletes, international students, etc.)**

Approximately ¼ of our “face to face” or traditional delivery students participate in a varsity sports team. There is no efficiency of scale or other rationale we have discovered that causes us to program for these students differently.

**D. Individual Based Programs/Interventions**

Electronic Check-Up to Go (E-CHUG)

Mayville State University uses this resource for alcohol violation sanctions or other follow up. We do not have a full time AOD person on campus.

Electronic THC Online Knowledge Experience (E-TOKE)

Mayville State University has not used this resource, but is actively exploring it for marijuana violation sanctions or other follow up. We do not have a full time AOD person on campus.

**E. Group Based Programs/Interventions**

Mayville State University does not have any group-based programs or interventions.

Sanford Health Hospital in Mayville has an Alcohol Anonymous group that meets weekly in their facility.

**F. Universal or Entire Population Based Programs Programs/Interventions**

1. On-Line Alcohol Education Programs as AlcoholEdu, MyStudent Body  
Mayville State University holds a contract with Ever-Fi to deliver:

**a. AlcoholEdu for College**

AlcoholEdu for College inspires students to reflect on their drinking and encourages safe decision-making—making campuses safer for all.

**b. AlcoholEdu for College -Part Two**

AlcoholEdu for College Part 2 – A quick followup to AlcoholEdu for College.

**c. Sexual Assault Prevention: Undergraduate**

Sexual Assault Prevention for Undergraduates (primary prevention)

2. Social Marketing Campaigns

Mayville State University does not have a FT person with exclusive responsibility for AOD or other safety-issues marketing. We have generated some in-house posters to address alcohol use and to mitigate the use of other drugs. See attached.

**G. Environmental/Socio-Ecological Based Programs**

none

**VII. AOD Comprehensive Program Goals and Objectives for Biennium Period**

In the prior Biennial Review report, the following recommendations that were made for the reported upon biennium, based off of 2019's Review

**1. Increasing the use of evidence-based practices**

Commentary: As the committee discussed this item during a review session, we came to the recognition this was both a good goal and not a specific goal. We did not complete this goal.

**2. Addressing the most salient issues for your campus and community based on the 2016 and 2018 CORE survey**

Commentary: We have some usage patterns that are concerning, and while we can point to specific actions we've taken to either offer alternative programming or to support public health-related information, the reported usage patterns have not changed significantly. We did not complete this goal.

**3. Increasing late-night programming for both weeknights and weekends**

Commentary: As the committee discussed this item, we are of the opinion we have increased weekend program, albeit through "smaller" events. Those weekend events are more regular. We also determined we have not collected information that would support, or refute, a belief this increase in programming had provided an impact to our student body in regards to their AOD usage.

**4. Implementation of e-TOKE to address increased issues with marijuana**

Commentary: Director of Student Life has been provided a login to "sample" this product. The goal has not been completed.



## VIII. AOD Strengths, Weaknesses

<p>Strengths</p> <ul style="list-style-type: none"> <li>• Attention to Alcohol use expectations and campus resources covered in freshmen-based SOS classes</li> <li>• RA programming for students is Alcohol-Free</li> <li>• Various student organizations and other groups – a nod, in particular, to Peer Leaders – host alcohol-free programming</li> <li>• Wellness/HPER classes frequently have ‘effects of alcohol’ modules</li> <li>• About ⅓ of our students (on campus, traditional delivery) are on a varsity team.</li> <li>• Drug tests can be ordered for, and are randomly done, for student athletes.</li> <li>• Coaches provide strict expectations of student athletes as it relates to alcohol and other drugs, at least within the context of the “season.”</li> </ul>	<p>Weaknesses</p> <ul style="list-style-type: none"> <li>• Lack of alternative venues and events occurring in community</li> <li>• Two convenience stores are open overnight, but after 10:00 there is no other business or venue in Mayville that is open</li> <li>• There are weekends in the calendar that do not have any programming</li> <li>• There is limited professional staff presence over the weekends</li> <li>• It is not known: the frequency of patrols completed by Sheriffs Deputies, the numbers of citations or the location in town where citations and interventions occur, or the characteristics of most students’ interactions with Sheriffs Deputies</li> </ul>
<p>Opportunities</p> <ul style="list-style-type: none"> <li>• The community of Mayville really is a partner for our campus. If we can identify “reasonable” requests, it’s likely we have fertile ground to succeed.</li> <li>• Our geographic situation, between UND at Grand Forks and NDSU at Fargo, do make some services/programming opportunities accessible. Cost and distance do play a role in limiting this opportunity set.</li> <li>• Traill District Health Unit has public health expertise and stands as a partner in providing education to students related to risks posed by the use or misuse of alcohol, tobacco, e-cigarette, and other drug.</li> </ul>	<p>Threats</p> <ul style="list-style-type: none"> <li>• Limited staff presence, limited law enforcement presence, and “small town” lacking resources/venues for activities makes having an impact on alcohol/other drug use more difficult.</li> </ul>

## IX. Conclusion

### A. General summary of findings of review (were previous goals met?)

As addressed in VIII, we accomplished one of the four [Goals and Objectives](#) indicated in the 2019 Biennium Report, and completed in some part elements of the other three. All four goals identified items remain good and well-meaning objectives, but three of these goals were not completed.

### B. General strengths and weakness of institution

#### Size

Mayville State is a small campus with a small student body – especially as it relates to our on-campus, residential and/or ‘in-town commuter’ population. It is located in a remote location in a small, North Dakota community. There are some terrific benefits to our students and to the community from this arrangement, but its size does pose some limitations.

#### Limitations of small town/small county

First among these limitations is the lack of medical, especially psychology and psychiatry, providers. We see students needing counseling services and, though this is a report on alcohol and other drug use and the prevention strategies and programs, the concern persists. While we do not have 2022 NDSWAPS data and there are concerns about the 2020 dataset, the reported rate of self-harm and suicide ideation in that [NDSWAPS data](#) raised alarms that have effected our staffing. Identifying a means and mechanism to address this self-harm rate is critical.

While we are fortunate to have access to a branch of Sanford Health in our neighborhood, they have been an unsteady resource for the purposes of alcohol, drug, or suicidality prevention. As a branch clinic and emergency department affiliated with a large regional hospital chain, their placement in Mayville is premised upon rural health, and is not focused on collegiate health. They are competent and their work is appreciated, but their mission limits their role in matters central to this report.

In the last five years, Governor Burgum has led open sessions related to alcohol and drug rehabilitation and described small “main street” initiatives. Mayville State believes a program that combines these initiatives could be beneficial.

As a community of approximately 1400 residents, there are limited eateries and nighttime entertainment sites. There is no public transportation in town or to/from either Fargo or Grand Forks. We trust most students exercise “designated drivers” when they travel to Fargo or Grand Forks for evening entertainment, but we have not asked that question specifically in surveys.

#### Resources

Our resources are limited. We do not have a dedicated Public Health position or office, rather public health is treated as a consortium of staff who have task-adjacent roles and are interested in students’ wellbeing. We do benefit vis-à-vis alcohol and other drug use, and in particular the encouragement of use in moderation, from two dynamics:

- a significant portion of our population are students from our small county or those than neighbor it; another portion of our student body hails from Fargo or Grand Forks (or Cass or Grand Forks Counties). These students typically arrive at college with (relatively) little experience with drug use and the use of these carries, with some students, a certain stigma.
- a significant portion of our residential population are students who are involved in varsity sports. At least in season, the encouragement of coaches to refrain from use and the threat of chemical use tests act as deterrents against use or misuse of alcohol and other drugs.

In this regard, our community and our region, and our coaches, are resources.

### Budget

We are purposefully cautious of raising our tuition and fees, and a consequence of that is we consequently have limited funds from several aspects of student education or development.

We spend:

- approximately \$13,000 on students programming, engaging programs that provide entertainment value, are intended to provide “alternatives to drinking” activities, and sometimes include specific AOD prevention content.
- approximately \$300 per year of passive programming – posters, bulletin boards, and the like, that include specific AOD prevention content.
- Resident Assistants spend approximately \$2200 per year for nighttime programming – usually small programs designed to create a sense of community on a residence hall floor, but does include substance use awareness and other programming as topics.
- Our Peer Leaders have monthly programs and typically spend about \$1000 on costs and fees. These are popular and address nighttime programming and non-alcohol entertainment.
- \$4,500 per year on Ever-Fi, a training platform assigned to “new” students. The platform includes both sexual assault awareness/prevention information and AOD prevention content.
- \$6,200 per year is budgeted for intramural sports programming, which is our most popular and most consistent evening programming. The majority of this budget pays for officials and referees and is paid as student labor wages.

Additionally,

- the chancellor’s office provides a subscription to “e-CHUG” (or e-Check Up to Go). We use this subscription for alcohol sanction/education after a violation has been determined. The chancellor’s office pays approximately \$800 for this subscription for Mayville State.

### C. Summary of recommendations, goals, and objectives

This report identifies five goals for the next reporting period. Despite concerns about the statistical derivation of the 2020 data, our of these are derived from an examination of [NDSWAPS data](#) and its consistency with our observations of students and their concerns.

#### 1. **address tobacco use and vaping.**

##### Commentary:

In the last NDSWAPS data, Mayville State reported the third highest rates of “Used Tobacco in the last 30 days” (14.9%) and the eighth highest “Used e-cigarettes in the last 30 days” (20.2%) amongst the eleven NDUS institutions.

#### 2. **address marijuana use.**

##### Commentary:

In the last NDSWAPS data, Mayville State reported the sixth highest rates of “Used Marijuana in the last 30 days” (12.5%). Mayville State has the third highest rates of “Used Marijuana in Past Year” (21.7%) and, related but not precisely on point, third highest rates of “Used Other Illegal Drugs in Past Year” (6.9%). In the Resources section immediately above, we indicated that our local students and our student athletes – in season – do help mitigate the use of drugs-other-than-alcohol. The balance against that is (1) more general acceptance of marijuana usage in all parts of our national society and (2) a notable portion of our student body comes from out of state, and that group is disproportionately urban and accustomed to either the use of drugs or the acceptance of their use.

#### 3. **address suicidality.**

##### Commentary:

In the last NDSWAPS data, Mayville State reported the highest rates of “Suicidal Thoughts in Past Year” (31.2%) and “Suicidal Plan in Past Year” (14.8%). Mayville State has the second highest rates of “Suicide Attempt in Past Year” (7.0%).

#### 4. **Address alcohol use.**

##### Commentary:

In the last NDSWAPS data, Mayville State reported the fourth highest rates of “Alcohol Use in last 30 days” (62.2%) and third highest rates of “Alcohol Use in Past Year” (77.6%). Mayville State students report drinks-

consumed-in-single-sitting higher than all other NDUS members and at double or triple the drinks-consumed-in-single-sitting of every other IHE.

Separate from this report and the work involved in it, Student Life has listed and hopes to hire additional student workers related to a fifth goal:

**5. address “boots on the ground” compliance issues**

Commentary:

Annual statistics related to on-campus violations, including those related to alcohol, suggest that increased “security” presence results in an [uptick in documented violations](#), especially in the residence halls. While “writing up more people” is not actually the goal, ensuring students have a safe and comfortable residence hall experience is valuable to our community..

In the last NDSWAPS data, 17.5% of Mayville State respondents agreed greater enforcement of the rules would result in fewer rules violations (ninth of eleven campuses). It might be interesting to test that hypothesis.

**X. Appendices**

Appendix A	Email sent to all Students, Faculty
Appendix B	Link to Mayville State University DAAPP (Drug and Alcohol Abuse Prevention and Program Statement (forthcoming)
Appendix C	Edgar 86 form, 2022

## Mayville State University

### ND University System Part 86 Compliance Checklist

Part 86, Drug-Free Schools and Campuses Regulations Compliance Checklist 2022

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- 1. Does the institution maintain a copy of its drug prevention program?** Yes ☒ No ☐

If yes, where is it located?

<https://mayvillestate.edu/student-resources/sexual-violence-substance-abuse-prevention-resources/>

- 2. Does the institution provide *annually* to *each employee* and *each student*, who is taking one or more classes for any type of academic credit except for continuing education units, written materials that adequately describe and contain the following?**

- a. Standards of conduct that prohibit unlawful possession, use, or distribution of illicit drugs and alcohol on its property or as a part of its activities**

Students: Yes ☒ No ☐ Staff and Faculty: Yes ☒ No ☐

- b. A description of the health risks associated with the use of illicit drugs and the abuse of alcohol**

Students: Yes ☒ No ☐ Staff and Faculty: Yes ☒ No ☐

- c. A description of applicable legal sanctions under local, state, or federal law**

Students: Yes ☒ No ☐ Staff and Faculty: Yes ☒ No ☐

- d. A description of applicable counseling, treatment, or rehabilitation or re-entry programs**

Students: Yes ☒ No ☐ Staff and Faculty: Yes ☒ No ☐

- e. A clear statement of the disciplinary sanctions the institution will impose on students and employees, and a description of those sanctions**

Students: Yes ☒ No ☐ Staff and Faculty: Yes ☒ No ☐

**Any comments or clarifications on items 2 a-e:**

Comes in the form of an Email. See attached.

- 3. Are the above materials distributed to students in one of the following ways?**

- a. Mailed to each student (separately or included in another mailing)**

Yes ☒ No ☐

- b. Through campus post offices boxes**

Yes ☐ No ☒

- c. Class schedules which are mailed to each student**

Yes ☐ No ☒

**d. During freshman orientation**

Yes ☐ No ☒

**e. During new student orientation**

Yes ☐ No ☒

**f. In another manner**

Yes ☐ No ☒

**Any comments or clarifications on items 3 a-f:**

d & e are verbally discussed and people are pointed toward the website. No other information is given at that time.

**4. Does the means of distribution provide reasonable assurance that each student receives the materials annually?**

Yes ☒ No ☐

**5. Does the institution's distribution plan make provisions for providing these materials to students who enroll at some date after the initial distribution?**

Yes ☒ No ☐

Students are emailed on the 8<sup>th</sup> day of class and you can register up until the 10<sup>th</sup> day of class.

**6. Are the above materials distributed to staff and faculty in one of the following ways?**

**a. Mailed**

Staff: Yes ☐ No ☒ Faculty: Yes ☐ No ☒

**b. Through campus post office boxes**

Staff: Yes ☐ No ☒ Faculty: Yes ☐ No ☒

**c. During new employee orientation**

Staff: Yes ☐ No ☒ Faculty: Yes ☐ No ☒

**d. In another manner**

Faculty and staff are CC'd or sent the same email on the same day as students

**Any comments or clarifications on items 6 a-d:**

none

**7. Does the means of distribution provide reasonable assurance that each staff and faculty member receives the materials annually?**

Staff: Yes ☒ No ☐ Faculty: Yes ☒ No ☐

- 8. Does the institution's distribution plan make provisions for providing these materials to staff and faculty who are hired after the initial distribution?**

Staff: Yes ☒ No ☐ Faculty: Yes ☒ No ☐

Email is distributed on the 8<sup>th</sup> day of both the fall and spring semester, therefore any faculty member that starts after the first semester would be emailed in January.

- 9. In what ways does the institution conduct biennial reviews of its drug prevention program to determine effectiveness, implement necessary changes, and ensure that disciplinary sanctions are enforced?**

- a. Conduct student alcohol and drug use survey**

Yes ☒ No ☐

- b. Conduct opinion survey of its students, staff, and faculty**

Students: Yes ☒ No ☐ Staff and Faculty: Yes ☒ No ☐

- c. Evaluate comments obtained from a suggestion box**

Students: Yes ☒ No ☐ Staff and Faculty: Yes ☒ No ☐

- d. Conduct focus groups**

Students: Yes ☒ No ☐ Staff and Faculty: Yes ☒ No ☐

- e. Conduct intercept interviews**

Students: Yes ☒ No ☐ Staff and Faculty: Yes ☒ No ☐

- f. Assess effectiveness of documented mandatory drug treatment referrals for students and employees**

Students: Yes ☒ No ☐ Staff and Faculty: Yes ☒ No ☐

- g. Assess effectiveness of documented cases of disciplinary sanctions imposed on students and employees**

Students: Yes ☒ No ☐ Staff and Faculty: Yes ☒ No ☐

**Any comments or clarifications on items 9 a-g:**

The biennial review is located in an internal server on sharepoint. See attached link:

<https://my.mayvillestate.edu/ws/departments/StudentLife/Biennial%20Review%20Documents/Fo rms/current.aspx>

- 10. Who is responsible for conducting the biennial reviews?**

Director of Student Life

- 11. If requested, has the institution made available, to the Secretary and the public, a copy of each requested item in the drug prevention program and the results of the biennial review?**

Yes ☐ No ☐ Other ☒

Will comply with request.

**12. Where is the biennial review documentation located?**

[http://mayvillestate.edu/files/8515/7411/0810/2019\\_Biennial\\_Review\\_Document.pdf](http://mayvillestate.edu/files/8515/7411/0810/2019_Biennial_Review_Document.pdf)

**13. Comments or clarifications on any above items:**

N/A



**From:** [Nelson, Rhonda](#)  
**Subject:** Student Right to Know and Consumer Information, Jeanne Clery Campus Security and Campus Crime Statistics Report, and other resources  
**Date:** Saturday, December 3, 2022 5:59:11 AM

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***This email is being sent to all faculty, staff, and students at Mayville State University***

Mayville State University is committed to providing current students, prospective students and families, current and prospective employees, and all additional stakeholders with certain consumer information about the institution to which you are entitled by regulations outlined by the U.S. Department of Education. Mayville State complies with federal regulations and provides reports and institutional data as outlined by the Student Right to Know Act within the Higher Education Amendments of 1998, The Clery Campus Security Policy and Campus Crime Statistics Act (1990), the Drug Free Schools and Communities Acts (1989), and other legislative statutes.

The Student Right to Know and Consumer Information pertaining to the University is listed below. It is our intention to make this information as clear and accessible as possible. All documents are available online, and selected document may also be obtained, upon request, in printed copy from the Office of Student Life, located in the Campus Center, Room 106. A request for such documents can be made by telephone (701-788-4697) or by emailing [student.life@mayvillestate.edu](mailto:student.life@mayvillestate.edu).

For students in particular, information about the rules and responses to rules violations the University applies and uses are contained in the following three documents:

- [Student Handbook](#) (includes info about safety and academic and campus services)
- [Code of Student Rights and Responsibilities and Student Disciplinary Process](#)
- [Residence Hall Handbook](#)

In regard to alcohol and other drug use and awareness programs, please know:

- Alcohol use on campus is prohibited, regardless of age, unless you are at an event for which the President has specifically provided an alcohol permit.
  - In general, these are only for catered events in the Campus Center and for designated areas for tailgating. Alcohol is always illegal for those under 21 to possess or use.
- Drug use on campus is always illegal. This is true regardless of whether you think you have a "marijuana card" or other such medical permission. For additional information, see [Drug Free School Policy](#)
- It is the considered opinion of college administrators and health professionals that the misuse of alcohol and the use of illicit drugs poses health risks. Please understand the University provides resources to help you learn about alcohol and other drug use. Please see [Drug and Alcohol Abuse Prevention Program \(DAAPP\)](#).
- Students who violate policy may face sanctions through the processes indicated in the [Code of Student Rights and Responsibilities and Student Disciplinary Process](#). The University uses a progressive severity approach to most violations, but repeated violations of the policy can result in the removal of privileges and/or suspension from the institution.
- Employees who violate the Alcohol or Drugs on campus policies will be addressed through Human Resources avenues. The University uses a progressive severity approach to most violations, but repeated violations of the policy can result in the termination.
- Legal ramifications may, or may not, apply to a given situation. University disciplinary procedures may be carried out prior to, simultaneously with, or following civil or criminal

proceedings off campus, and the status of civil or criminal charges involving the same incident, whether the case is on-going or dismissed, or whether those charges have been reduced or modified, have no predetermined impact on the University's decision regarding a case's process or resolution.

- The Counseling office has resources for students who may be seeking medical assistance for alcohol and drug dependency concerns.
- Information about the Employee Assistance Programs is available on the [Human Resources SharePoint](#).

As required by the **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**, each year Mayville State must:

- collect, classify, and count crime reports and crime statistics.
- issue campus alerts.
- publish an annual security report containing safety and security related policy statements and crime statistics and distribute it to all current students and employees, and submit crime statistics to the Department of Education (ED).

In compliance with this law, Mayville State has submitted statistics for crime and [completed our Security Report and Annual Fire Report for the calendar years: 2018, 2019, and 2020](#).

Finally, there are additional resources we wanted you to know about. Please see this website for policies on Missing Student Notification, Title IX, Emergency Notification System, Emergency Contact Information, Emergency Procedures, Active Shooter Preparedness, Tobacco Free Campus and more. <https://www.mayvillestate.edu/about-msu/consumer-information/#security>

Rhonda

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