



MINNESOTA STATE
Board of Trustees

AGENDA ITEM SUMMARY

NAME: Finance and Facilities Committee

DATE: April 15, 2025

TITLE: Proposed Amendment to Board Policy 5.18 Alcoholic Beverages or Controlled Substances on Campus (Second Reading)

☒ Action

☐ Review and Discussion

☒ *This item is required by policy*

PRESENTERS

Brian Swanson, Associate Vice Chancellor for Facilities, System Office
Keswic Joiner, Director, Risk Management, System Office

PURPOSE

Board Policy 1A.1 Minnesota State Colleges and Universities Organization and Administration, Part 6. Board Policies and System Procedures requires board review and approval of proposed board policy changes and that each board policy is reviewed at least once every five years.

BACKGROUND INFORMATION

The proposed amendment consists of updates and stylistic changes since the last time the policy was reviewed. It acknowledges tailgating and campus-owned liquor licenses. It also clarifies that Marijuana remains a prohibited controlled substance despite recent changes in State law. There have been no changes since the first reading of this document.

RECOMMENDED ACTION

The Finance and Facilities Committee recommends that the Board of Trustees approve the proposed amendment to Policy 5.18 Alcoholic Beverages or Controlled Substances on Campus.

Date Presented to the Finance and Facilities Committee: 4/15/25

Date Presented to the Board of Trustees: 4/15/25

Date of Implementation: 4/16/25

PROPOSED CHANGES (SECOND READING DRAFT)

Single underlining represents proposed new language.

Strikeouts represent existing language proposed to be removed.

5.18 Alcoholic Beverages or Controlled Substances on Campus

Part 1. Policy Statement Purpose

The Board of Trustees requires that any college or university using alcohol and/or controlled substances must be in compliance with this policy. ~~It is the policy of the Board of Trustees that any college or university using alcohol and/or controlled substances will do so only in accordance with this policy.~~

Part 2. Compliance with Federal Law ~~Use or Possession of Alcohol and Controlled Substances at Minnesota State Colleges and Universities and System Office.~~

~~Subpart A. Compliance with Federal Law.~~

In order to comply with Federal ~~federal~~ law, including, but not limited to, the Drug-Free Schools and Communities Act (34 CFR Part 86), the Drug- Free Workplace Act (34 CFR Part 85) and the Campus Security Clery Act, ~~the~~ Minnesota State cColleges and Universities and the system office will adopt and implement a policy which is designed to prevent abuse of alcohol and the use of controlled substances.

~~Subpart B.~~ Part 3. Compliance with State Law.

Minnesota State ~~Colleges and Universities~~ prohibits unlawful use, possession, production, manufacture, and distribution of alcohol and other drugs and controlled substances.

~~Part 4. Subpart C. Policy Applicable Locations~~

Except as provided in this policy, unlawful use, possession, production, manufacture, and distribution of alcohol and other drugs and controlled substances, ~~the possession, use, sale or distribution of alcoholic beverages and 3.2% malt liquor~~ at Minnesota State Colleges and Universities and institution-sponsored events on or off campus is prohibited.

~~Subpart D~~ Part 5. Exception for Instructional Purposes.

Use or possession of alcohol in laboratory and classroom ~~instruction,~~ research or approved academic programs is not prohibited.

Part 36. Responsibilities.

Subpart A. Approver Responsibilities

The chancellor for the system office and the president for the college or university are delegated authority to approve use of alcohol at specific special events on campus or college or university ~~university~~-sponsored events off campus. Approval shall be consistent with the system office or campus drug and alcohol policy and with system procedures. The procedures shall address the following: compliance with local ordinances and state law relating to sale, possession or consumption of alcohol; providing adequate dram shop/public liability insurance; and any other matters deemed

necessary by the chancellor.

Subpart B. Requestor Responsibilities

The individual or group seeking to use alcohol at specific special events on campus or college- or university-sponsored events off campus must obtain advance approval from the Chancellor or appropriate college or university president.

Part 47. Accountability/Reporting.

Records regarding approval of the use of alcohol at specific events ~~must~~ be maintained by the college or university in accordance with approved records retention schedules.

Related Documents:

- **System Procedure 5.18.1** Alcohol or Controlled Substances Use Procedure
- **System Procedure 5.18.2** Approval Check List

To view any of the following related statutes, go to the Revisor's Office website. You can conduct a search from this site by typing in the statute number.

- Minnesota Statute Chapter 340A, Alcohol

Policy History:

Date of Adoption:	06/21/00
Date of Implementation:	06/21/00
Last Date of Review:	04/16/25

Date & Subject of ~~Amendment~~Revisions:

~~Xx/xx/xx—Add Summary~~ Xx/xx/25 – Policy 5.18 was reviewed. The format was updated to the current template. Requestor responsibilities were added.

11/26/12 - Policy 5.18 was reviewed. No changes were recommended.

11/16/11 - Effective 1/1/12, the Board of Trustees amends all board policies to change the term "Office of the Chancellor" to "system office," and to make necessary related grammatical changes.

06/18/03 - changes "MnSCU" to "Minnesota State Colleges and Universities", changes "system office" to "office of the chancellor"

06/21/00 - Contains language formerly in Board policy 1A.9; Added Part 2, Responsibilities and Part 3, Accountability /Reporting;

PROPOSED CHANGES (SECOND READING DRAFT)

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5.18 Alcoholic Beverages or Controlled Substances on Campus

Part 1. Purpose

The Board of Trustees requires that any college or university using alcohol and/or controlled substances must be in compliance with this policy.

Part 2. Compliance with Federal Law

In order to comply with federal law, including, but not limited to, the Drug-Free Schools and Communities Act (34 CFR Part 86), the Drug- Free Workplace Act (34 CFR Part 85) and the Clery Act, Minnesota State colleges and universities and the system office will adopt and implement a policy which is designed to prevent abuse of alcohol and the use of controlled substances.

Part 3. Compliance with State Law.

Minnesota State prohibits unlawful use, possession, production, manufacture, and distribution of alcohol and other drugs and controlled substances.

Part 4. Applicable Locations

Except as provided in this policy, unlawful use, possession, production, manufacture, and distribution of alcohol and other drugs and controlled substances at Minnesota State colleges and universities and institution-sponsored events on or off campus is prohibited.

Part 5. Exception for Instructional Purposes

Use or possession of alcohol in laboratory and classroom instruction, research or approved academic programs is not prohibited.

Part 6. Responsibilities

Subpart A. Approver Responsibilities

The chancellor for the system office and the president for the college or university are delegated authority to approve use of alcohol at specific special events on campus or college- or university-sponsored events off campus. Approval shall be consistent with the system office or campus drug and alcohol policy and with system procedures. The procedures shall address the following: compliance with local ordinances and state law relating to sale, possession or consumption of alcohol; providing adequate dram shop/public liability insurance; and any other matters deemed necessary by the chancellor.

Subpart B. Requestor Responsibilities

The individual or group seeking to use alcohol at specific special events on campus or college- or university-sponsored events off campus must obtain advance approval from

the chancellor or appropriate college or university president.

Part 7. Accountability/Reporting.

Records regarding approval of the use of alcohol at specific events must be maintained by the college or university in accordance with approved records retention schedules.

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