12.1 Community Standards

Macalester College does not tolerate harassment or sexual violence in any form. It is inconsistent with the maintenance of academic freedom and violates community standards. The goal of College policies and the harassment complaint procedures is to create a community free of any form of harassment. The College will take immediate and appropriate corrective action when it determines harassment or unwanted or violent sexual activities has occurred.

All harassment complaints will be received and processed by the Macalester College Harassment Committee (MCHC). The MCHC consists of two faculty members and two staff members. Members of the community may also use the MCHC as a resource regarding questions or concerns about an incident or situation without registering a complaint. In these cases one or more MCHC members will provide information and counsel until or unless an official complaint is initiated.

When a member of the Macalester community believes he or she has experienced or is experiencing harassment or has been the victim of a hate crime or unwanted sexual activity, the individual should immediately bring the concern to the MCHC. The same is true if a member of the community suspects or has knowledge that another member of the community has been subject to this behavior.

The MCHC member receiving the complaint will offer support services to the individual and convene the MCHC Review Team (3 MCHC members) to determine the next course of action. This could include mediation, investigation or a finding that the complaint does not constitute an alleged violation of College policy.

If mediation is determined to be the means for resolving conflict or misunderstandings, both parties will be notified and if they agree to participate, a facilitator will be selected to assist with the problem solving process. There are no sanctions involved in the mediation process. A report of the case will be available only to the members of the MCHC.

If the MCHC Review Team determines that an investigation should take place, the investigation will begin as soon as feasible. The Review Team will conduct a thorough and impartial investigation that will normally be completed and reported within two weeks.

Upon completion of the fact-finding report, the MCHC Review Team and the relevant College authority (most often, the senior staff member to whom the respondent reports) will make a determination regarding the case including any sanctions that are warranted. The relevant College authority will prepare a written determination and inform both the complainant (if appropriate) and the respondent of the decision.

When a severe sanction against a faculty member is recommended, a hearing must first be held and conducted according to the rules stipulated by the AAUP. A hearing will take place before the Faculty Personnel Committee. In the case of sanctions against a member of any collective bargaining unit, contractual grievance and arbitration procedures will remain available to the employee.

Appeals to decisions of this process may be brought forward only if there is a belief that the decision was a result of improper procedure. Records of cases brought to the MCHC will be kept for seven years and are available only to members of the MCHC unless it has been determined that a report of the case should be filed in a student educational or employee personnel file.

Questions about these procedures should be directed to the members of the MCHC. The Committee membership is listed in the College directory. A complete copy of the Harassment Complaint/Dispute Resolution Procedures is available in the Dean of Students, MCSG, Provost and Employment Services offices.

There will be no reprisals against an individual or individuals filing a complaint, no matter what process is used for resolution.

Nonretaliation

Macalester College will not retaliate against or take any form of reprisal against a person because that person made a complaint of discrimination or harassment, or opposed a discriminatory practice. Any such retaliation or reprisal by a College employee is forbidden. Any employee who retaliates against another employee or student in violation of this policy will be subject to discipline up to and including immediate termination of employment.

12.1.1 Statement on Harassment

Harassment or personal abuse, whether oral, written or physical, exceeds the bounds of acceptable behavior in the Macalester Community. Any individual who harasses or abuses another is subject to the harassment complaint/dispute resolution and disciplinary procedures of the College and such civil and criminal laws as may pertain. The College expects its members will educate themselves about such behavior and be vigilant in protecting the right to an environment free of harassment and abuse.

In addition, it is a gross misdemeanor to intentionally harass a person by engaging in certain acts which cause the person to feel oppressed, persecuted or intimidated. Such acts include stalking or threatening a person, sending packages, letters or telegrams to a person, and making telephone calls to a person with the intent to harass them.

12.1.2 Hate Incidents Protocol

Macalester College values the right to free speech and the open exchange of ideas and views in our learning environment. We, as a community, are committed to embracing multiculturalism, anti-racism, and a celebration of all forms of diversity. Macalester College is dedicated to assuring dignity for all and desires to be welcoming to every member of the campus community. Any act that has the purpose or effect of unreasonably or substantially interfering with an individual's safety and security by creating an intimidating, hostile, or offensive educational or working environment will not be permitted.

Hate incidents and crimes perpetrated by one's peers, any student, or any employee of the College will not be tolerated in our community and may also be punishable by federal and state law. Possible penalties for those found guilty of perpetrating a hate incident include probation, suspension, expulsion, termination of employment, and/or civil or criminal lawsuits.

Procedure:

When a member of the Macalester community believes they have been subject to a hate crime, the individual should immediately bring the concern to a member of the Macalester College Harassment Committee (MCHC). The next course of action, which could include mediation, investigation or a finding that the complaint does not constitute an alleged violation of College policy, will be determined. (See Section 12.1 for more information on the complaint procedures.) The MCHC reserves the right to request the involvement of civil and/or criminal authorities, based upon the nature of the situation. Upon receipt of the complaint, one member of the MCHC will serve as the investigator and compile a report for review by the full MCHC.

Because hate incidents and hate crimes are sometimes anonymous, they are considered an affront to the entire community. If such an incident occurs, the entire Macalester College community should be informed. Notification about hate incidents is necessary both to protect the safety of community members, as well as to raise campus awareness. Notification is necessary for facilitating the healing process for the targeted person, group, and the entire community through campus dialogue and collective problem solving.

A Hate Incident Notice should be sent as soon as agreed upon by the investigation team after the incident has been reported to campus officials, and includes:

- A brief description of the incident with non-identifying language in order to protect the identity of the victim(s).
- Information or description of the perpetrator still at large.
- Information about a campus contact where community members can report additional information related to the incident. Methods of circulation of a Hate Incident Notice may include but are not limited to:
    - Safety alerts from campus Security on brightly colored paper, posted on all official campus bulletin boards.
    - Noticed in campus news sources such as the MacWeekly, Bulletin, TODAY, and Announce- L e-mail.

- In response to a severe incident, such as a physical assault or death threat, an immediate all- campus notice should be sent to the community through campus mail.
- In response to a severe incident, a campus dialogue should be called.

12.1.3 Racial Harassment Policy

It is the fundamental belief of Macalester College that the process of learning is best achieved in a community that recognizes and reflects diversity and encourages the open and frank exchange of ideas. Racial harassment can stifle the learning process and discourage that exchange. Macalester College is committed to assuring that students, faculty and staff enjoy an educational environment and a work setting that promotes respect for cultural values and racial differences.

The College believes that intentional behavior by a member of the College community (faculty, staff or student) that interferes with the full participation in the College community by another member, whether by threats, intimidation, harassment or other acts which are disruptive to participation in the college life, is unacceptable.

The College recognizes the complexity of defining language and actions that are not acceptable in a community which values freedom of expression. Freedom of expression does not include the right to intentionally and maliciously aggravate, intimidate, ridicule or humiliate another person. In defining racial harassment, it is necessary to consider the knowledge, intention and willingness of the individual alleged to be guilty of harassment.

Definition

At Macalester, racial harassment is defined as verbal, written or physical conduct which refers to one's race and where such conduct has the purpose or effect of unreasonably interfering with an individual's academic, social or work related participation in the College community.

Racial harassment can include, but is not limited to, hostile or intimidating racially oriented verbal or written statements or symbols, physical threats or intimidating conduct that adversely affects the mental or emotional health of the individual and that interferes with a person's ability to function successfully in her or his academic, work or social life at Macalester College. The definition of harassment includes speech and physical acts which are intended to insult or stigmatize an individual or group of individuals on the basis of their race or color or speech that makes use of "fighting" words or non-verbals. Speech or an act of racial harassment need not be addressed directly to an individual or group of individuals when it insults or stigmatizes. A member of the College community who knowingly, intentionally and willfully participates in activities defined as racially harassing shall be considered in violation of this policy and shall be subject to disciplinary proceedings.

Procedures

Macalester College adopts procedures to ensure that complaints of racial harassment will be dealt with in a fair and effective manner and to promote an atmosphere in which racial harassment will be discouraged.

When a member of the Macalester community believes they have experienced racial harassment, the individual should immediately bring the concern to a member of the Macalester College Harassment Committee (MCHC). The next course of action, which could include mediation, investigation or a finding that the complaint does not constitute an alleged violation of College policy, will be determined. (See Section 12.1 for more information on the complaint procedures.)

As an educational institution placing value on the teaching/learning relationship that exists among faculty, students and staff, and as an institution that intentionally recruits a diverse student body, the intent of the College is to provide procedures that enhance racial understanding while correcting unacceptable behavior. Racial harassment will not be tolerated.

12.1.4 Sexual Harassment and Sexual Violence Policy

Sexual Harassment: Definition

Sexual harassment involves a wide range of verbal and non-verbal behaviors which impose unwelcome sexual attention on an individual. Sexual harassment is unacceptable, may be subject to college discipline and may be subject to criminal proceedings.

Unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when:

- submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or education; or
- submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
- that conduct or communication has the purpose or effect of substantially interfering with an individual's employment or education, or creating an intimidating, hostile employment or educational environment.

The above refer to forms of sexual harassment that occur between people in unequal positions of power. Behavior or speech of a sexual nature, or which employs sexual stereotypes or generalizations which adversely effects the academic or employment climate can be sexual harassment. Harassing behavior can be addressed to an individual or it may be more general sexual or sexist behavior or comments, in or out of the classroom or workplace, to a group of people.

Incidents of unwelcome sexual attention that occur between persons in equal positions of power, such as student/student, will also be addressed.

Sexual Harassment Behaviors

The following behaviors may constitute sexual harassment:

- Use of any offensive or demeaning terms which have sexual connotations including those contained in jokes and humor;
- persistent unwelcome remarks about another person's clothing, body or gender;
- repeated, unwelcome invitations to social engagements;
- attempts of coercion to a sexual relationship;
- any indication that an employee's job security, job assignment, conditions of employment or opportunities for advancement depend on the granting of sexual favors; threats to punish an employee or student for refusal to comply with demands for sexual favors;
- objectionable touching;
- verbal harassment or abuse of a sexual nature;
- deliberate or careless creation of an atmosphere of sexual harassment or intimidation.

Procedures

When a member of the Macalester community believes they have experienced sexual harassment, the individual should immediately bring the concern to a member of the Macalester College Harassment Committee (MCHC). The next course of action, which could include mediation, investigation or a finding that the complaint does not constitute an alleged violation of College policy, will be determined. (See Section 12.1 for more information on the complaint procedures.)

The College is aware of the importance of handling allegations of sexual harassment with sensitivity and to the degree possible, privacy. There will be no reprisals against an individual or individuals filing a sexual harassment complaint, no matter what process is used for resolution.

Sexual Violence / Unwanted Sexual Activity

Sexual violence involves unwelcome physical contact, real or threatened, with a person's bodily orifices (anal, oral, or vaginal), buttocks or breasts or the clothing touching these areas. Sexual violence includes the use of force or coercion, with or without the use of a weapon, to accomplish sexual penetration or sexual contact.

Sexual violence is unwelcome sexual contact to which there has been a lack of consent at the time of the activity. Lack of consent means that a person has not voluntarily agreed to engage in a sexual act. The lack of consent applies to instances when a person is unable to give informed consent because of sleep or influence by alcohol and other drugs. Influence by alcohol and other drugs will not lessen the responsibility of the alleged.

Sexual violence can occur against both males and females. It may be perpetrated by an assailant not known to the victim, or may occur when the victim knows his or her assailant, as in the case of "acquaintance" or "date" rape. Sexual violence is unacceptable regardless of the relationship. Perpetrators of sexual violence may be subject to disciplinary action by the College. Sexual violence can be a felony and may be subject to criminal action.

Immediate Action

Any victim of sexual assault should seek immediate medical and emotional assistance. Assistance is available by calling (911), the St. Paul Police (651-291-1111), Campus Security (651-696-6555), the College Crisis team member on call (612-538-6503), SOS Crisis Line (651-298-5898) or Region Hospital (651-221-2121). Campus Security will help victims with initiating police contact and will assist with transportation arrangements to the hospital. Residence Hall Directors and Campus Security Officers carry vouchers for cab rides for medical assistance.

Reporting a Sexual Assault

When a member of the Macalester community believes they have experienced sexual violence, the individual should immediately bring the concern to a member of the Macalester College Harassment Committee (MCHC) or Campus Security. Reporting the incident allows College personnel to assist with providing services for psychological and medical attention, and other available support. The members of the MCHC and Campus Security will encourage and help the victim file a complaint with the St. Paul Police, when requested. Reporting an incident to the MCHC or Campus Security does not mean an automatic report to the police or referral to the College procedures. The MCHC member will explain the procedures and options available to the victim. These options include mediation or referral to the College Conduct Board or referral to civil authorities. Based upon the details of the situation, the College tries to be flexible to allow for the best possible resolution while still maintaining a sense of process and continuity.

The College is required by the Student Right to Know and Campus Security Act of 1990 to make public the statistics of certain crimes occurring on campus. The Director of Environmental Safety and Security is the College's designee for compiling the number of sexual offenses that occur on College property. Victims of sexual offenses and College personnel are to report knowledge of sexual violence occurring on campus property to the Director of Environmental Safety and Security. The Director uses the information only for compiling the numbers. The Chaplain, licensed counselors, and licensed medical staff can talk about sexual assault and are not obligated to report the incident to the Director.

Filing a Formal Complaint

A faculty, staff, or student complaint may be brought to any member of the MCHC. Formal complaints should be in writing, and contain, to the extent possible, the specific nature and effects of the conduct in question, the time and circumstances in which it occurred, and the names of other persons who may have relevant information. The complainant is encouraged to write the document themselves, however, a member of the MCHC may interview the complainant and write the statement on his/her behalf. In such cases the complainant will be able to read and suggest corrections to the document. The complainant is required to sign a formal complaint before it will be brought forward for further action. The investigating member of the MCHC will advise the complainant of the likely scope and nature of the investigation and the procedures that will apply if formal charges are brought. In addition, the complainant will receive a copy of this policy and other appropriate materials pertaining to their status as student, faculty or staff.

Complaints will be treated confidentially to the extent permitted by this policy's reporting requirements and the College's need to investigate and resolve the reported problem. If at all possible, especially during the investigation of the complaint, the complainant's identity will not be disclosed without the complainant's consent. However, disciplinary action cannot be taken without information the respondent of the complainant's identity, unless the charges could be effectively rebutted without knowing who made them. The College may need to initiate a disciplinary action, even if the complainant does not request it, because the College has an obligation to resolve any reported harassment problem, including sexual harassment.

Victims Services

All victims have access, when appropriate, to the following services and assistance:

- File criminal charges with local law enforcement.
- Assistance by Macalester authorities upon request by the victim, including notifying law enforcement agencies.
- Contact the Minnesota Crime Victim Ombudsman for assistance. The Ombudsman helps to ensure a victim's rights are safeguarded.
- Contact the Minnesota Crime Victims Reparation Board. The Board may provide monetary compensation for certain crime victims.
- An investigation and resolution of complaints of sexual violence through the Macalester disciplinary and judicial procedures.
- The victim's participation in and the presence of the victim's attorney or other support person at any campus disciplinary proceeding.
- Notice of outcome of a disciplinary hearing consistent with state and federal law and Macalester procedures.
- Assistance of Macalester authorities in obtaining and maintaining evidence.
- Assistance of Macalester authorities in preserving materials relevant to a campus disciplinary hearing.
- Change of victim's on-campus housing and classroom schedule, if those changes are requested by the student and are reasonably available.

Resources For Victims

- Safety and Security Office 651-696-6555
- Dean of Students Office 651-696-6220
- Crisis Team Pager 612-538-6503
- Macalester College MCHC members
- Residential Life Office 651-696-6215
- Winton Health Services 651-696-6275
    a. Counseling
    b. Medical
- Macalester Safe Walk Program 651-696-6699
- Sexual Offense Services [crisis line] 651-643-3022
- St. Paul Police 911
- Region Hospital 651-254-0855
- MN Crime Victims Ombudsman 651-282-6258
- Crime Victims Reparation Board 651-201-7300
- EAR (Employee Assistance Program) 1-800-854-1446

12.1.5 Computer Harassment

Incidents of computer harassment should be reported to the Associate Vice President for Information Technology Services. Immediate steps will be taken to prevent the receipt of offending messages while the complaint is investigated. Computing's initial response will be educational with a goal of having the behavior cease. Electronic harassment between members of the Macalester community, or if a member of the community harasses someone at another institution, the matter will be handled according to the the College Harassment Complaint Procedures (Notify a member of the Macalester College Harassment Committee by calling 651-696-6990.)

Macalester College takes computer harassment seriously and will take steps to deal with it promptly when it is reported. Complete procedures for response to incidents of electronic harassment are available from Information Technology Services staff or the Dean of Students. The Information Technology Responsible Use Policy is in the Employee and Student Handbooks.

12.1.6 Pets on Campus

Employees are not allowed to bring pets to the workplace. During business hours, the College receives many guests, and in some cases, guests may have a fear of animals, whether justified or not. In addition, guests or employees may have a susceptibility to an allergic reaction to an animal. The College endeavors to provide a welcoming setting for guests and employees, and the presence of animals is inconsistent with the atmosphere that the College is trying to provide. Also, many times outside of business hours, the College's maintenance personnel may be working in the buildings and the surprise of the presence of an animal may cause injury to an employee engaged in work activity.

(NOTE: College grounds are considered common, non-working space; however, Macalester employees work to maintain the grounds. Employees are asked to use discretion, and to maintain control, when bringing pets on College grounds at times when workers are present.)

12.1.7 Telephone Use

You are welcome to use college phones to make a limited, reasonable number of local calls, the duration of which is not so long as to interfere with your work. You may make long distance calls when necessary but only after arranging to charge a personal account, e.g., via a prepaid card or an 800# call to your home carrier.

12.1.8 Firecrackers, Sparklers and other Pyrotechnic Devices

Firecrackers, sparklers and any other pyrotechnic devices may not be purchased for use, stored in any campus building, or used on campus property.

The following exception may be allowed with pre-approval by the Safety and Security Office: firecrackers, sparklers, and other pyrotechnic devices may be purchased by a college purchase order and used on college grounds by approved vendors that are properly licensed by the State of Minnesota and/or the City of St. Paul and are fully insured (with proof of insurance submitted to the Safety and Security Office.) For more information please contact the Safety and Security Office.

12.1.9 Policy Regarding Weapons on Campus/Violence

Macalester College policy restricts the possession by employees of weapons of any kind, including firearms, pistols and guns, on College property or while acting in the course and scope of their employment. Macalester College does not tolerate acts or threats of violence.

a. All employees are prohibited from carrying or possessing firearms, guns, (including but not limited to pistols) and weapons of any kind while on College property.

b. All employees are also prohibited from carrying or possessing firearms and guns (including but not limited to pistols) and weapons of any kind at all times in all places while engaged in the course and scope of their employment, including when operating College vehicles or otherwise representing the College.

c. Acts of violence or threats of violence on College property or while acting in the course and scope of employment are prohibited.

d. Violations of this policy will result in disciplinary action, up to and including immediate termination of employment for the first offense.

e. Employees are expected to report violations of this policy to the Security office, or a member of the Employment Services Department, or any College employee in a management or supervisory position.

13.2 Work-related Injuries

The "Employee Accident Report" and the "Supervisor Checklist for Work-Related Injuries" form must be completed and returned to the Employment Services Department immediately following any work-related accident or injury. (See Section 11.16 Worker's Compensation for more information.)

Macalester College Employee Accident Report

Macalester College supports the practice of bringing injured employees back to work, as soon as they are medically able, to a position compatible with any physical restrictions as assessed by competent medical personnel. The College believes that this practice serves the best interests of its employees and the institution.

The prompt return of injured employees to positions within their medical restrictions will potentially minimize the impact of work-related injuries. Coming back to work at the earliest time in a position accommodating rehabilitation of an injury helps employees remain functional as they recover. It also provides the College with the use of the employee's valuable talents and helps control workers' compensation costs.

If you are injured or think you have been injured while working, no matter how slightly, you must report the injury immediately to your supervisor and the Employment Services Department to protect your eligibility for compensation. Any questions concerning workers' compensation should be directed to Karen Bergstrom, Benefits Manager at x6454.

Your supervisor and/or the Benefits Manager will help arrange for medical treatment following an injury. Prompt, quality medical treatment can be assured through the use of our primary care clinic.

Designated Medical Providers

Emergency Facilities:

Regions Hospital
640 Jackson Street
St. Paul, MN 55101

651-221-2121

Open 24 hours a day

NOTE: If an employee is seen in the Emergency Room, request that they be followed-up at the designated medical clinic.

Medical Clinic

Minnesota Occupational Health
1661 St. Anthony Avenue, 2nd Floor
St. Paul, MN 55104

651-842-5300

Open Monday through Friday, 8:00 a.m. to 5:00 p.m.

Designated Chiropractic Clinic

Hynan Chiropractic Clinic
475 University Avenue West
St. Paul, MN 55103

651-222-7331

13.3 Emergency Procedures

13.3.1 Accident or Injury

If an employee is seriously ill or injured, call 911 and describe the emergency and location; also call the Security Office at 651-696-6555 for assistance. The St. Paul paramedics will respond to stabilize and transport the employee. If the injury is work-related, request that the ambulance be sent to Regions Hospital. In the case of an illness or non-work-related injury/illness, the employee's health insurance will dictate which hospital the employee is transported to.

The College strongly recommends that you do not transport injured or ill persons to the hospital. Call 911. If responding paramedics refuse to transport, please contact the Security Office for other transportation.Notify the Employment Services Department of the situation. The Employment Services Department will notify family members. The department head (or designee) will be responsible for maintaining contact with the injured person.

13.3.2 Fire

When visible fire or smoke is discovered:

- Sound the alarm activate the closest manual pull alarm, and
- Telephone St. Paul Fire Department at 911 and report precise location of fire, and
- Call Security Office (651-696-6555) and,
- Exit building, only attempt to extinguish a fire if it presents no risk to your health or safety.
- Vacate building, and proceed to pre-determined or central meeting area.
- Account for all employees in your department.
- Remain in area to guide the Fire Department to the fire.

13.3.3 Severe Weather

Macalester College is a residential college, and as such, must make every effort to remain open and provide essential services to the College community. Call 651-696-6397 (696-NEWS) to obtain information about possible College closing.

In the event of a severe thunderstorm or tornado watch, listen to the radio (WCCO 830 AM) or KSTP television for further information. The National Weather Service will issue a forecast.

In the event of a severe thunderstorm warning, notices are given by the National Weather Service on radio and television. If threatening conditions develop, be prepared to go to your building's basement or lower floor inner hallway. Stay away from windows or large open rooms that may have poorly supported roofs.

In the event of a tornado warning, sirens will sound steadily for 5 minutes, notices will be given on radio and television. Go to the basement of your building or inner hallway on a lower floor. Stay away from windows and large open rooms that may have poorly supported roofs.

Severe Weather Information

Macalester College Suggested Tornado Shelters on Campus

13.3.4 Bomb Threat Policy

In the event that a bomb threat is received by telephone:

- write down the exact message, asking for the bomb's location and time of detonation.
- notify the Security Office at 651-696-6555, or Physical Plant at 651-696- 6278.
- notify the St. Paul police by calling 911

13.7 Hazard Information

13.7.1 Employee Right to Know

www.damarco.com

Login name: Macalester
Password: Scots

The Minnesota 1983 Employee Right to Know Act is intended to ensure that employees are aware of the dangers associated with hazardous substances, harmful physical agents (in hospitals and clinics) that they may be exposed to in their work place. Written information on hazardous substances, harmful physical agents, or infectious agents is readily available on MSDS sheets located within your department, or with the Employee Right-to-Know Hazard Hotline (612-617-0995). For more information, call the Safety Office at 651-696-6278.

13.7.2 Bloodborne Pathogens

Current medical evidence indicates that the actual safety risks created for the transmission of the Hepatitis B (HBV) or HIV (AIDS) viruses are low in the College's normal academic and employment setting. Any employee who may be exposed to body fluids in the course of employment duties will be given protective wear in order to minimize the risk of transmission of communicable disease. The College will make available the Hepatitis B vaccination series to all employees who have the potential for occupational exposure. Training is provided at the time of initial assignments to tasks where occupational exposure may occur, and will be repeated within twelve months of the previous training. For more detailed information, contact the Safety Office at 651-696-6278.

13.7.3 Infectious Waste

Macalester College has an infectious waste management plan. The plan is designed to ensure that all infectious waste is disposed of in a safe manner, avoiding any risk to employees. For more information, contact Health Services at 651-696-6199.

13.7.4 Hazardous Waste

To comply with the federal and state right-to-know laws, and as an effective loss control/risk management program, the College has adopted a Hazard Information/Right to Know and Emergency Medical Response Program. The program provides for emergency response to chemical spills, and other chemical emergencies, as well as immediate access to toxicology and medical information, please call 612-617-0995. Employees who work with hazardous chemicals will receive medical examinations and consultation with a licensed physician at no cost to the employee and without loss of pay. For general information about hazardous waste, contact the Safety Office at 651- 696-6278.

13.8 College Alcohol and Drug Policy

Macalester College prohibits the unlawful possession, use and distribution of illicit drugs and alcohol, and expects that student, faculty and staff members of the College community will conduct themselves in a responsible manner that shows respect for others and the community at large. This prohibition applies to all activities sponsored by the College whether on college owned property or at other locations. The same behavioral standards apply to all individuals: students, faculty and staff and guests of the College community. As part of the larger community, Macalester College is subject to, abides by and supports Minnesota state statutes and local ordinances.

General Alcohol Regulations

- Alcoholic beverages may not be sold on campus unless the College has secured a license for sale.

- Alcoholic beverages may not be served to or consumed by individuals under the legal drinking age.
- Members of the College community are legally and ethically responsible for the actions of their guests relating to the consumption of alcoholic beverages. This includes ensuring that guests' actions and behavior, whether the guest is attending a registered event or visiting a residence hall.
- Alcoholic beverages may not be consumed in public areas, even on an individual basis, without prior registration of the event at which alcohol is being consumed. Public areas include: lounges and hallways of residence halls, the Dining Commons, the Student Union, athletic fields and facilities, all outdoor areas and other academic and administrative buildings.
- Areas where registration is not necessary include the Alumni House, President's House and guest rooms and private rooms in the residence halls.
- Members of the College community are legally responsible for injuries to their guests and others as a result of alcoholic beverages which they serve.
- The service of alcoholic beverages at College events may not be advertised, on or off campus. Copies of advertising for events at which alcohol is to be served must be submitted at the time of the event registration. The name of the sponsor or sponsoring organization must be indicated on all advertising.

Macalester College respects the rights of community members to exercise their legal options regarding alcohol consumption. Violation of College policies regarding the use, distribution or possession of chemicals and alcohol will result in sanctions ranging from warning or probation through temporary or permanent separation from the College, and may also include referral to civil authorities for prosecution. The College may require chemical or alcohol assessment or treatment in addition to disciplinary sanctions which may be imposed. Violations of College policy with the range of appropriate sanctions is listed below:

- Violation of College Policy - Range of Sanctions
- Possession of illicit drugs - Official warning through expulsion/termination
- Use of illicit drugs
- Distribution of illicit drugs - Suspension for fixed period through expulsion/termination
- Unlawful possession of alcohol- Official warning through
- Unlawful use of alcohol - expulsion/termination
- Unlawful distribution of alcohol

As part of the larger community, Macalester College is subject to and abides by Minnesota state statutes and local ordinances regarding the consumption of alcoholic beverages.

Alcohol Laws

Local Laws

The City of St. Paul and the City of Minneapolis have an ordinance prohibiting the consumption of, or possession of an open container containing an alcoholic beverage in any public place or on private property without the owner's permission. In accordance with the ordinance, Macalester has an event policy where registration of events and permission to provide alcohol is required.

State Laws

Minnesota state law provides that it is a misdemeanor if a person under 21 consumes alcohol, attempts to purchase alcohol, possess alcohol with intent to consume, enters a licensed establishment or municipal liquor store for the purpose of purchasing or being served alcohol, or misrepresents his or her age. Misdemeanors are punishable by imprisonment for up to 90 days and/or up to a $700 fine.

It is a gross misdemeanor to give or sell alcohol to a person under the age of 21, or to procure alcohol for an obviously intoxicated person. It is also a gross misdemeanor (punishable by imprisonment for up to 90 days and/or up to a $3000 fine) to induce a person under the age of 21 to purchase alcohol, or to knowingly permit a person under 21 to use one's drivers license or

other identification for the purpose of procuring alcohol. Selling alcohol to a person under the age of 21 who becomes intoxicated and causes death or serious bodily harm to him/herself or another is a felony, punishable by imprisonment in excess of one year and/or a fine in excess of $3000.

If an individual in Minnesota drives under the influence of drugs or alcohol, possible sentences include revocation of driving privileges, fines, imprisonment and participation in rehabilitation programs. If a person drives under the influence of alcohol and death or injury results, the intoxicated driver can be convicted of murder, manslaughter or battery.

Drug Laws

State Laws

Minnesota laws covers a wide range of drug offenses, including the sale or the possession of various types of drugs. Penalties are harsher for sale than possession.

Following is a list of the penalties for first time offenses that can result from the unlawful sale or possession of certain drugs:

- **Cocaine** - penalties range from up to 5 years in prison and/or up to a $10,000 fine to up to 30 years in prison and/or up to a $1,000,000 fine.
- **Marijuana/Hashish** - penalties range from up to a $200 fine and participation in a drug education program to up to 30 years in prison and/or up to a $1,000,000 fine.
- **Narcotic Drugs** - penalties range from up to 5 years in prison and/or up to a $10,000 fine and up to 30 years in prison and/or up to a $1,000,000 fine.

Federal Laws

In addition to state laws, federal laws prohibit the manufacture, distribution, possession with intent to manufacture or distribute and simple possession of drugs.

Following is a list of the penalties for first time offenses:

- Cocaine, crack, heroin, morphine, PCP, LSD, or marijuana (1,000 kg or more) - minimum of 10 years and a maximum of life imprisonment and/or up to a $4,000,000 fine for knowing or intentional manufacture, sale or possession with intent to sell of large amounts. Smaller amounts of heroin, morphine, cocaine, crack and marijuana (100kg+) have penalties of 5-40 years imprisonment and/or up to a $2,000,000 fine.
- Marijuana (50 kg-), hashish, hashish oil, amphetamines, barbiturates and other controlled stimulants and depressives - maximum of five years and/or up to a $250,000 fine.
- Also, for using mail, telephone, radio or other public or private means of communication to commit acts that violate the laws against the manufacture, sale and possession of drugs - maximum of four years in prison and/or up to a $30,000 fine.

Federal law also allows for doubling the penalties when a person at least 18 years of age: 1) distributes to a person under 21, or 2) distributes, possesses with intent to distribute, or manufactures a controlled substance in or on, or within one thousand feet of a public or private elementary or secondary school, or a public or private college.

Persons convicted of possession or distribution of controlled substances may be ineligible for federal benefits (including grants, contracts and loans) from one to five years.

Health Risks

Drugs and alcohol are toxic to the human body and if abused can have serious health consequences.

Following is a summary of health risks associated with alcohol abuse and the use of specific types of drugs:

- **Alcohol** - alcohol consumption has acute effects on the body and causes a number of marked behavior changes. Even low doses significantly impair the judgment and coordination required to drive a car safely. Moderate to high doses increase the incidence of a variety of aggressive acts including risk-taking behaviors. Moderate to high doses of alcohol cause marked impairments in mental functions, severely affecting a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol can be fatal.
- **Illicit drugs** - drugs interfere with the brain's ability to take in, sort and synthesize information. They distort perception, affect sensations and impair memory. Specific health risks associated with particular types of drugs are listed below:
- **Cocaine/crack** - Cocaine stimulates the nervous system, elevates blood pressure, increases heart and respiratory rates and elevates body temperature. Cocaine can produce psychological and physical dependency. Effects of the use of crack include increased pulse rate, insomnia, loss of appetite, tactile hallucinations, paranoia and seizures. Crack is far more addictive than heroin or barbiturates. Repeated use of crack can to lead to addiction within a few days. Continued use can produce violent behavior and psychotic states similar to schizophrenia. Cocaine in any form, but particularly crack, can cause sudden death from cardiac arrest or respiratory failure.
- **Marijuana** - Marijuana may increase the heart rate, produce bloodshot eyes, a dry mouth and increased appetite. It may impair short term memory, alter sense of time and reduce the ability to perform tasks requiring coordination and concentration. Research show that motivation and cognition may be altered and that marijuana can cause severe psychological damage. marijuana also damages the lungs and pulmonary system and contains more cancer-causing agents than tobacco smoke.
- **Narcotics** - Narcotics produce a feeling of euphoria that is often followed by drowsiness, nausea and vomiting. An overdose may produce slow and shallow breathing, clammy skin, convulsions, coma and possible death.
- **Amphetamines** - Amphetamines (uppers) can cause increased heart and respiratory rates, elevated blood pressure and decreased appetite. Extremely high doses can cause a rapid or irregular heartbeat, tremors, loss of coordination and even physical collapse.
- **Barbiturates** - Barbiturates (downers) have many of the same effects as alcohol. Small amounts can produce calmness and relaxed muscles, but larger doses can cause slurred speech, staggering and altered perception. Very large doses can cause respiratory depression, coma and death. The combination of alcohol and barbiturates will multiply the effects, thereby multiplying the risks. The use of depressants can cause both physical and psychological dependence.
- **Hallucinogens** - Hallucinogens interrupt the functions of the brain that control the intellect and keep instincts in check. The use of hallucinogens may produce a sense of distance and estrangement, panic, confusion, suspicion, anxiety and loss of control. Large doses may produce convulsions and coma, and heart and lung failure.
- **Inhalants** - The immediate negative effects of inhalants include nausea, sneezing, coughing, nosebleeds, fatigue, lack of coordination and loss of appetite. Solvents and aerosol sprays can decrease the heart and respiratory rates and impair judgement. Deeply inhaling vapors, or using large amounts over a short time, may result in disorientation, violent behavior, unconsciousness or death. High concentrations of inhalants can cause suffocation by displacing the oxygen in the lungs or by depressing the central nervous system to the point that breathing stops.

Drug and Alcohol Counseling

The College is concerned with the number of health risks associated with the illegal use of illicit drugs and alcohol. Macalester College supports a Chemical Health Program which promotes responsible and informed community members and supports College- wide programs, training and activities which promote responsible use of alcohol and encourages healthy alternatives to alcohol consumption. The Chemical Health Committee is open to any interested students, faculty and staff.

Winton Health Services provide professional help and referral for students concerned about alcohol or drug use. Faculty and staff may voluntarily request assistance from the Employment Services Office in dealing with drug and alcohol issues. The cost of treatment may be covered by health insurance benefits.

Other local sources available for assistance and counseling include:

- First Call for Help Hotline - 612-335-5000
- Chrysalis (Center for Battered Women - chemical dependency program) - 612-871-0118
- Hazelden Metro Line - 651-257-4010
- St. Mary's and Riverside Hospitals (chemical dependency service) - 612-672-6000
- Narcotics Anonymous - 612-822-7965
- National Hotlines providing service:
- Cocaine Helpline - 1-800-COCAINE
- NCA Info Line - 1-800-NCA-CALL (National Counsel on Alcoholism)
- NIDA Hotline - 1-800-662-HELP (National Institute on Drug Abuse)
- PRIDE Drug Information - 1-800-241-9746 (Parents' Resource Institute for Drug Education)
- EAR (Employee Assistance Program) - 1-800-854-1446

Compliance with the Drug Free Schools/Communities and the Drug Free Workplace Acts

Macalester College is committed to complying with the requirements of the Drug Free Schools and Communities Act and the Drug Free Workplace Act. The requirements for compliance with the Drug Free Schools and Communities Act of 1989 are addressed in the alcohol policy section of the student, staff and faculty handbooks. The College conducts biennial reviews of its alcohol and drug program to determine its effectiveness, implement needed changes and insure that disciplinary sanctions are consistently enforced.

Additional requirements for compliance with the Drug Free Workplace Act of 1988 state that employees of the College are required to report to work on time and in appropriate mental and physical condition for work and to remain in that condition during the work shift. Employees must, as a condition of employment, abide by the terms of this policy and report any criminal convictions under a criminal drug stature for violations occurring on or off campus premises while conducting college business. A report of conviction must be made within five days of conviction.

Within thirty days after receiving notification that an employee has been convicted under a criminal drug statute for violation occurring in the workplace, Macalester will either take disciplinary action against the employee (up to and including termination) or will require the employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by federal, state or local health, law enforcement or appropriate agency.