



DRUG-FREE SCHOOLS AND COMMUNITIES ACT (DFSCA)
ALCOHOL AND OTHER DRUG (AOD) REPORT
ACADEMIC YEAR 2015-16 TO ACADEMIC 2016-17
BIENNIAL PROGRAM REVIEW

Conducted by: Vice President of Student Services

Date: April 24, 2019

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OTERO JUNIOR COLLEGE
DRUG-FREE SCHOOLS AND COMMUNITIES ACT (DFSCA)
ALCOHOL AND OTHER DRUG (AOD) REPORT
BIENNIAL PROGRAM REVIEW
2015-2016 to 2016-2017

To: Dr. Timothy Alvarez, President

From: Jeff Paolucci, Vice President of Student Services

Date: April 24, 2019

Subject: DFSCA Federal Mandated Biennial Program Review

Please find the federally mandated biennial review of Otero Junior College substance abuse prevention education efforts for academic years 2015-16 and 2015-2017. The Drug-Free Schools and Communities Act of 1989 and subsequent legislation require an institution of higher education (IHE) to abide by the regulations to be eligible to receive funds or any other form of financial assistance under any Federal program, including participation in any federally funded or guaranteed student loan program.

In accordance with these laws, I included the following source documents and compliance reviews to demonstrate the College's compliance with the Act:

- The Drug Free Schools and Communities Act Amendment of 1989
- H.R. 3614 – 12
- Review of Alcohol and Other Drug Prevention Compliance Checklist
- Review of Compliance Check List and College Policies Review
- College Prevention Program Distribution Protocol

The next step in the review process is to report the findings and recommendations to you for your consideration and/or approval. The final step requires a letter of response from you detailing what action you plan to take in regards to the recommendations. This letter of response is then added to the final report and kept on file for possible review by the U.S. Department of Education.

The final report is as follows:

Academic Services meets the requirements of the mandated services required under the federal regulations. The materials prepared and distributed by Academic Services and Human Resources are comprehensive and are available to students and employees (faculty and staff). The University policies meet the requirements of the Drug-Free Workplace and Drug-Free Schools legislation.

There are opportunities for improvement, which are addressed in the findings and recommendations.

The Drug and Alcohol Abuse Prevention Program Compliance review consisted of input from the following College employees:

Carol Noll, Director of Human Resources

David Girard, Director of Physical Plant and Campus Security

Timothy Ledna, Director of Housing

Jordan Bishop, Coordinator of Student Life

Jeff Paolucci, Vice President of Student Services

In our review of the current campus enforcement of procedures, we have found that Otero Junior College continues to improve and streamline the education process of students, faculty and staff. Communication between Human Resources and Student Services, and Instructional Services is effective. We find that existing policies are adequate and effective as the College has experienced minimal AOD incidents among the over 2,500 students it served during the reporting period.

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CERTIFICATION STATEMENT

MEMO

To: Jeff Paolucci, Vice President of Student Services
From: Dr. Timothy Alvarez, President
Date: April 24, 2019
Subject: Biennial Program Report

I have reviewed the Otero Junior College's Biennial Report for Alcohol and Other Drug (AOD) Abuse Prevention Program. I find the review to be comprehensive and complete. It ensures the federal mandate requirements have been met. I authorized the Vice President of Student Services to pursue implementation of this report's recommendations.

Timothy A. Alvarez
Dr. Timothy Alvarez, President
Otero Junior College

4-24-19

Date

Public Law 101-226: The Drug Free Schools and Communities Act Amendment of 1989

Section 22. DRUG FREE SCHOOLS AND CAMPUSES

(a) IN GENERAL. –

(1) CERTIFICATION OF DRUG AND ALCOHOL ABUSE PREVENTION

PROGRAM. – Title XII of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended by adding at the end a new section 1213 to read as follows:

“DRUG AND ALCOHOL ABUSE PREVENTION”

“SEC. 1213. (a) Notwithstanding any other provision of law, no institution of higher education shall be eligible to receive funds or any other form of financial assistance under any Federal program, including participation in any federally funded or guaranteed student loan program, unless it certifies to the Secretary that it has adopted and has implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees that, at a minimum, includes –

“(1) the annual distribution to each student and employee of –

“(A) standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities;

“(B) a description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol;

“(C) a description of the health risks associated with the use of illicit drugs and the abuse of alcohol;

“(D) a description of any drug or alcohol counseling, treatment, or rehabilitation or reentry programs that are available to employees or students; and

“(E) a clear statement that the institution will impose sanction on students and employees (consistent with local, State, and Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct required by paragraph (1)(A); and

“(2) a biennial review by the institution of its program to –

“(A) determine its effectiveness and implement changes to the program if they are needed; and

“(B) ensure that the sanctions required by paragraph (1) (E) are consistently enforced.

H.R. 3614 – 12

(b) Each institution of higher education that provides the certification required by subsection (a) shall, upon request, make available to the Secretary and to the public a copy of each item required by subsection (a)(1) as well as the results of the biennial review required by subsection (a)(2).

“(c) (1) The Secretary shall publish regulations to implement and enforce the provisions of this section, including regulations that provide for –

“(A) the periodic review of a representative sample of programs required by subsection (a); and

“(B) a range of responses and sanctions for institutions of higher education that fail to implement their programs or to consistently enforce their sanctions, including information and technical assistance, the development of a compliance agreement, and the termination of any form of Federal financial assistance.

“(2) The sanctions required by subsection (a) (1) (E) may include the completion of an appropriate rehabilitation program.

“(d) Upon determination by the Secretary to terminate financial assistance to any institution of higher education under this section, the institution may file an appeal with an administrative law judge before the expiration of the 30-day period beginning on the date such institution is notified of the decision to terminate financial assistance under this section. Such judge shall hold a hearing with respect to such termination of assistance before the expiration of the 45-day period beginning on the date that such appeal is filed. Such judge may extend such 45-day period upon a motion by the institution concerned. The decision of the judge with respect to such termination shall be considered to be a final agency action.”

(2) EFFECTIVE DATE. – (A) Except as provided in subparagraph (B), the amendment made by paragraph (1) shall take effect on October 1, 1990.

(B) The Secretary of Education may allow any institution of higher education until not later than April 1, 1991 to comply with section 1213 of the Higher Education Act of 1965 (as added by paragraph (1)) if such institution demonstrates –

- (i) that is in the process of developing and implementing its plan under such section; and
- (ii) it has a legitimate need for more time to develop and implement such plan.

Biennial Review 2015-2016 to 2016-2017 Findings and Recommendations

In Compliance:

The existing College policies are in compliance. However, the following recommendations are intended to provide additional support in the enforcement of the existing prevention program.

Findings:

Though policies, procedures, sanctions, information are in compliance, actual learning outcomes and specific programming of educational alcohol/drug-free events for students are still missing.

Vice President of Student Services completed the DFSCA Supplemental Checklist with the update of the College Catalog, and Student Housing Handbook to better prepare for the next biennial review.

Recommendations:

College should continue to improve its education of students and employees on AOD policies. Expand distribution of information about the Employee Assistance Program (EAP) for employees and the supplemental coverage secured for students in its materials. College should develop procedures to measure outcomes and provide needs assessment and trend data that can be used over multiple years.

Biennial Review 2015-2016 to 2016-2017 Alcohol and Other Drug (AOD) Prevention Compliance Results, Checklist & College Policies Review

Overall there have been consistently excellent results with how the College is implementing its prevention plan. However, the implementation of the above recommendations could improve overall effectiveness of the program for student, Faculty and Staff members. Although there are no alcohol/drug counseling programs on campus, the college does have referral agreements with the Southeast Health Group and Region Six Alcohol and Drug Abuse Treatment Center. Referrals are made through the staff working in the Student Services Center, in conjunction with campus faculty and staff, in McBride Hall or the student may contact the Colorado Department of Health directly.

Continue to develop the student orientation program and include the Drug and Alcohol Abuse Prevention Program information to enhance the value of information used to educate new incoming and continuing students about these policies.

Compliance Checklist:

The compliance checklist highlights the legal requirements of the Drug-Free Schools and Campus Regulations (DFSCA). Completing this checklist will help ensure that the College has a sense of what has been done to satisfy the minimum requirements of the DFSCA.

In Compliance:

The Vice President of Student Services completed the Higher Education Center Compliance Checklist and the Supplemental Checklist. The Vice President concluded that the College is in compliance with the minimum requirements of the DFSCA.

In Compliance:

Upon review of the College's policies, they are in compliance with the minimum requirements of the DFSCA.

The Vice President of Student Services is responsible for promoting observance of the Student Code of Conduct, enforcing student standards, and administering sanctions for violations of the Code. If it is determined that a student has violated College regulations, a sanction may be imposed. Decisions made by the Vice President of Student Services may be appealed.

OJC is committed to fostering and sustaining an environment that furthers academic and student development. The health and safety of our students is first and foremost. The College recognizes the dangers and effects that alcohol and other drugs have on the success of students, and will not tolerate the illegal use of alcohol or drugs. Students are made aware of the College's drug and alcohol policy during new student orientation, athletic team meetings, and residence hall mandatory meetings at the beginning of each semester.

Data collection on attendance at these events has not been gathered, but incidence reports are maintained by Campus Security and the Vice President of Student Services.

All employees are made aware of the employee assistance program during new employee orientation. Information is also available through our Human Resource Department. Although there is no program available on-campus, referral services are utilized to local providers.

Below is a brief description of the student responsibilities outlined in the Alcohol and Drug Policy:

- All OJC students are required to abide by College policies, as well as local, state, and federal regulations regarding alcohol and other drugs.
- The use, possession, consumption, distribution, or presence of alcohol is prohibited at all times on the OJC grounds and in all OJC Residence Halls.
- All student organization functions are required to be alcohol-free, whether held on or off campus.
- The possession, use, and/or distribution of illegal drugs is prohibited. The use of marijuana on campus, even with a valid medical marijuana license, or by persons 21 years or older, is prohibited.

Violations Summary

The following table represents the alcohol and other drug violations that occurred at OJC during the reporting period. The numbers below represent the number of students involved and not the number of incidents. The data is a result of reports generated by Otero Junior College Security.

	2015-16	2016-17
Alcohol Misuse	50	42
Drug Misuse	<u>8</u>	<u>10</u>
Total	81	52

Sanctions Summary

The number of sanctions for Alcohol Misuse and Drug Misuse violations is listed below.

	2015-16	2016-17
Warning	50	42
Probation	13	1
Suspended from housing	<u>0</u>	<u>0</u>
Total	63	43

There were no alcohol and other drug related deaths between July 1, 2015 and June 30, 2017.

College Policies Review:

Otero Junior College policies with reference to alcohol and other drugs were reviewed. Five (5) policies were reviewed. Focus on policies' content to ensure consistency with DFSCA Regulations occurred.

The following policies were reviewed:

Drug Free Workplace

SP 3-24 - Implementation of Drug-Free Workplace

SP 19-30 – Compliance with Drug Free Schools Amendment

Index: Catalog

Index: Student Housing Handbook

Index: Student/Staff Portal

Policy Recommendation: None - Policy clearly defines the sanctions for students and employees.

Alcohol and Drug Policy

Index: Catalog

Index: Student Housing Handbook

Policy Recommendation: None – no improvements are recommended

Medical Amnesty Policy

Index: Catalog

Index: Student Housing Handbook

Policy recommendation: None – no improvements are recommended

Crime Awareness and Campus Security

Index: Catalog

Index: Campus Crime Report

Index: Student/Staff Portal

Recommendation: Include incident reporting procedures in Catalog, employee handbook, and Student housing handbook.

Incident Reporting Procedures:

- a. Students, faculty, and staff of Otero Junior College who observe or are involved in any crime or incident on campus should report the incident to Student Services (during the day) or Campus Security (during the evening) as soon as possible. An OJC Incident Report will be completed and, at that time, a determination will be made as to whether any further reporting to off-campus agencies should be accomplished. All crimes reportable under the Crime Awareness and Campus Security Act of 1990 will be reported to local authorities. These include: murder, sex offenses, robbery, aggravated assault, burglary, and motor vehicle theft.

However, all incidents will be reported to the local authorities if the victim so desires. Other types of incidents that should be reported to the College include theft or loss of

personal property, vehicle accidents on campus, unsecure buildings, etc. If there is a doubt as whether to report an incident or not, it should be reported.

- b. These incident reports will be kept on file in Student Services and reviewed at least annually by the Vice President of Student Services to determine if security policies need to be altered to address any specific problem areas.

Biennial Review 2015-2016 to 2016-2017

College Prevention Program Distribution Protocol

In Compliance:

The Department of Education requires that each Institution of Higher Education distribute its AOD policy annually in writing. There are a variety of materials that are distributed in a number of ways.

Students:

- Otero Junior College Annual Campus Crime and Security Report (online & annually due to calendar)
- Otero Junior College Catalog (upon admission, orientation, advising sessions or online)
- Otero Junior College Policies (Catalog, Student Housing Handbook, or with Registrar, Financial Aid, or Vice President's Offices)
- Otero Junior College Web site

Employees (Faculty and Staff):

- New Faculty Hiring Process
- New Employee Orientation Hiring Process
- Annual Campus Crime and Security Report (annually)
- Faculty Handbook (updated annually)
- Otero Junior College Policies (accessible via web, HR)