

WITCC/Administration



Mission: As a comprehensive community college, our mission is to provide quality education and to economically enhance the communities we serve.

Drug and Alcohol Prevention Procedures

(Compliance with the Drug-Free Schools and
Communities Act - DFSCA)

This manual has been created for use by WITCC employees as a guide and introduction to the policies and procedures for the Drug-Free Schools and Communities Act (DFSCA) in conjunction with the employment policies of Western Iowa Tech Community College. (2018)

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Human Resources

2018-2020: WITCC Strategic Initiative:
We will enhance the connections between our learners, our communities and their college.

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The Drug-Free Schools and Communities Act

(Complying with the Drug-Free Schools and Campuses Regulations – EDGAR Part 86)

The Drug-Free Schools and Communities Act (DFSCA) requires that, as a condition of receiving funds or any other form of financial assistance under any federal program, a college or university must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

In order to certify its compliance with the regulations, a college or university must adopt and implement a drug prevention program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by all students and employees both on school premises and as part of any of its activities.

WITCC has created a program that complies with the regulations requiring the college to do the following:

- Prepare a written policy on alcohol and other drugs.
- Develop a sound method for distribution of the policy to every student and IHE staff member on a semi-annual basis. The notification must be in writing and in a manner that ensures all students and employees receive it. Notification must include:
 - Standards of conduct.
 - Possible legal sanctions and penalties;
 - State of the health risks associated with AOD abuse;
 - The IHE's AOD programs available to students, staff and faculty;
 - Disciplinary sanctions for violations of the standards of conduct.
- Prepare a biennial review report on the effectiveness of its alcohol and other drug programs and the consistency of policy enforcement that includes:
 - Effectiveness and consistency of sanction enforcement.
 - Identifies necessary changes.
- Maintain its biennial review report on file so that it can be submitted, if requested by the U.S. Department of Education, other entity or individual.
- WITCC will conduct their biennial review in 2020, focusing on the two prior preceding academic years. (2017-2018 & 2018-2019). All records related to DFSCA compliance will be retained for at least three years.

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This Policy is posted on the WITCC public website in the Consumer Information Section. (https://www.witcc.edu/consumer_information/).

Compliance with the DFSCA

Creating a program that complies with the regulations requires college and universities to do the following:

1. Annually the College distributes to each student and employee:
 - a. Standard of conduct that directly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees both on school premises 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; and
 - d. A clear statement that the institution will impose sanctions on students and employees (consistent with local, State and Federal law), and a description of those sanctions, up to and including expulsions or termination of employment and referral for prosecution, for violations of the standards of conduct.
2. The objectives of the review as identified by the U.S. Department of Education include:
 - a. Determining the effectiveness of and to implement any needed changes to alcohol and other drug programs, and,
 - b. Ensuring that the disciplinary sanctions for violating standards of conduct are enforced consistently.

In addition, the biennial review report is maintained on file so that the College can submit it to the U.S. Department of Education if requested to do so.

As is the case for many universities and colleges across the United States, drug and alcohol awareness efforts directed to WITCC students focus on harm reduction and prevention. At the same time, WITCC fully supports those who choose to remain abstinent from the use of alcohol or other drugs, and it seeks to provide a broad array of activities that are alcohol – and drug-free.

WITCC Policy Addressing DFSCA

WITCC is committed to having alcohol free and drug free campuses. It begins with the direction set by the WITCC Board Policy 506.6, *Drug-Free College Community*, located on the WITCC website (<https://www.witcc.edu/board/policies.cfm>). The Board Policy is supported by the following documentation:

- Student Handbook (Policy for Drug and Alcohol Free College Community) located on the WITCC website (https://www.witcc.edu/pdf/student_handbook.pdf)
- Employee Handbook (Alcohol and Drug Use/Drug-Free College Community Program and Procedures) and the Drug-Free Workplace procedure located on the MyWit Portal Site (https://my.witcc.edu/employee/Human_Resources/Pages/default.aspx). A copy of the procedure is attached to this manual (Appendix A).

Due to its placement on the WITCC website, this documentation is available to faculty, staff and students. (https://www.witcc.edu/consumer_information/).

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Policy for Drug and Alcohol Free College Community

(as per the WITCC Student Handbook)

The College shall endeavor to provide a healthy, safe, and secure educational environment. It is the policy of the Board that, within the powers of the College, reasonable measures shall be taken to establish and maintain a drug-free community as required by the Drug-Free Workplace Act of 1988, the Drug-Free Schools & Communities Act/Amendment of 1988 (PL101-226), and applicable Iowa statutes. (WITCC Board Policy 506.6)

I. Policies Applicable to All

- A. The unlawful manufacture, distribution, dispensation, possession, or use of a mood-altering substance on College premises, or while conducting College business or attending any College function by employees or students is absolutely prohibited. Violation of this policy may result in disciplinary action up to and including termination of employment or expulsion from the College.
- B. All students and employees are expected to report for their assignments unimpaired by the use of a mood-altering substance.
- C. The use of any prescription drug or medication with intent to induce mood alteration in a manner or amount not prescribed by an attending physician is prohibited while on College premises or while attending College functions.
- D. The ingestion of any nonprescription chemical on College premises with intent to induce mood alteration is prohibited.
- E. Any promotional material used for or in conjunction with College activities shall not include advertisement of alcoholic beverages.
- F. Mood-altering substances as used in this Policy include, but are not limited to, controlled substances as defined in federal and Iowa criminal statutes, and alcoholic liquor and beer.

II. Sanctions

A. Legal – Applicable to All

- Federal: For the possession, manufacture, distribution, or dispensing of a controlled substance, the maximum penalty is life imprisonment, a \$20 million fine, or both and forfeiture of conveyances including vehicles. 21USCS 841, 844, and 881.
- Iowa: For the manufacture, delivery, or possession of a controlled substance or conspiring to do so, the maximum penalty is 50 years imprisonment, a \$1,000,000 fine, or both. 204.401 Iowa Code, 1989.
- Iowa: On College premises, for the use or possession of a controlled substance and for the use and possession of any alcoholic liquor or beer, except as permitted by College. See College rules for penalty (may include suspension or expulsion). 279.9 and 280A.23(3) Iowa Code, 1989.
- Sioux City: For the use or consumption of alcoholic liquor, wine, or beer upon public streets and alcoholic liquor anyplace except premises covered by a liquor control license, the maximum penalty is 30 days imprisonment, a \$500 fine. 8.16.010 Municipal Code Sioux City.

B. College – Applicable to Students

1. Violation of this policy may result in imposition of one or more of the following sanctions.

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Recommendation that the student seeks an assessment at an accredited substance abuse agency and follows all subsequent recommendations.

- a. Mandatory participation in a substance abuse program at an accredited treatment agency.
- b. Required chemical dependency assessment within ten (10) days of imposition of sanctions at an accredited substance abuse agency and adherence to subsequent recommendations.
- c. Suspension from school pending completion of an assessment at an accredited substance abuse treatment agency and adherence to all subsequent recommendations.
- d. Dismissal, with a verbal recommendation that the student seeks an assessment at an accredited substance abuse treatment agency and follows all subsequent recommendations.

2. In addition to or in lieu of any of the penalties for an act of misconduct under the Student Code of Conduct section in the Student Handbook, when alcohol or drug abuse appears to be a factor, sanctions listed herein may be applied.

III. Miscellaneous

- A. When employees or students suspect another individual is having alcohol or other drug related difficulties, including difficulties with family or friends, they are encouraged to intervene by sharing their concerns with the individual, or they may contact the Dean of Students for confidential assistance on how best to help the person.
- B. When a student witnesses possession of alcohol or other drugs by another student or staff member, it is strongly suggested that he/she report the incidence to WITCC Security.
- C. When a staff member witnesses possession of alcohol or illicit drugs by a student, the following must be applied:
 1. The Security Department must be notified immediately.
 2. All persons believed to be in possession of illicit drugs must be reported to the local law enforcement agency.
 3. All persons of minority age believed to be in possession of alcohol must be reported to the local law enforcement agency.
 4. Following due process procedures, the Dean of Students or designee, the Residence Life Manager or designee, after consultation the Security Department may apply one of the sanctions listed herein.

Students Convicted of Possession or Sale of Drugs

A federal or state drug conviction can disqualify a student for Financial Aid funds. Convictions only count if they were for an offense that occurred during a period of enrollment for which the student was receiving Federal Title IV aid-they do not count if the offense was not during such a period. Also, a conviction that was reversed, set aside, or removed from the student's record does not count, nor does one received when he/she was a juvenile, unless he/she was tried as an adult.

The chart below illustrates the period of ineligibility for Federal Title IV funds, depending on whether the conviction was for sale or possession and whether the student had previous offenses. (A conviction for sale of drugs includes convictions for conspiring to sell drugs.)

Possession of Illegal Drugs	Sale of Illegal Drugs

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1 st Offense	1 st Offense
1 year from date of conviction	2 years date of conviction
2 nd Offense	2 nd Offense
2 years from the date of conviction	Indefinite period
3+ Offenses	3+ Offenses
Indefinite period	Indefinite period

If the student was convicted of both possessing and selling illegal drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period.

A student regains eligibility the day after the period of ineligibility ends or when he successfully completes a qualified drug rehabilitation program. Documentation of the date of conviction or successful completion of a qualified rehabilitation program may be requested by the Financial Aid Office. Further drug convictions will make him/her ineligible again.

Drug and Alcohol Services at WITCC

Counseling services are available on the Sioux City campus weekdays, except on Friday. While the college counselor is not involved in long term therapy, she will work with students and can make a referral to a community resource agency for longer term care. This would include Siouxland Mental Health Center and Jackson Recovery. The counselor is also a resource for the other college campuses and learning centers and is available for consultation by phone at 712-274-8733, ext. 1293; and can make referrals to agencies in those local communities.

While there is no formal employee assistance plan for employees of the College, the insurance program does provide benefits for mental health counseling and addiction services. Questions on these benefits can be directed to the Human Resources Department.

Substance Abuse Results in Health Risks

Numerous health risks have been identified with substance abuse (use of illicit drugs and excessive use of alcohol). Abusers can lose resistance to disease, develop physical and psychological dependence, become depressed, develop heart problems, contract infections, or become malnourished, physically exhausted, and even die. Reality is often distorted, reactions may be slower, and the risk of accidents can increase. Extended substance abuse can cause coma, respiratory arrest, and convulsions. Injected drugs increase the risk for infectious diseases such as hepatitis and AIDS. Body systems are affected. The liver, lungs, and heart are damaged. For women, there is an increase in birth defects associated with use during pregnancy.

Specific Alcohol Related Health Risks

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgement and coordination required to drive a car safely, increasing the likelihood that the

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driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering 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 will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical mental deficiencies. In addition, research indicates that children of alcoholic parents are at a greater risk than other youngsters of becoming alcoholics.

Programs Addressing Alcohol and Drug Use and Abuse

WITCC offers a broad range of alcohol-free activities (campus speakers, concerts, movie nights, leadership conferences, etc.,) that involve student clubs and organizations, academic opportunities, social programs, and others. Some of these activities specifically target evening audiences so as to divert high-risk evening drinking into pro-social activities.

All student activities are alcohol-free events. There are a number of student activities throughout the year that encourage student participation while in a fun alcohol-free environment. A sample of student activities that took place over the last two years include: WITStock; bowling; movie nights; student club activities, comedians, speakers, etc.

Human Resources Office

Human Resources personnel meet one-on-one with all new employees to review the WITCC Drug and Alcohol Policy. WITCC is interested in the continued good health and personal well-being of the employees and student and we recognize that employees and students suffering from alcohol or drug dependence can be treated. Employees and students may contact the Human Resources office (phone number) for a referral service. Any such contact will be kept in strict confidence except insofar as may be required by law. In addition, employees may be entitled to apply for a Family Medical Leave under the Family Medical Leave Act so that they may address a substance abuse problem prior to its impacting their ability to do their job.

Other Resources:

ADA Coordinator:

All employees, including those who do not qualify for Family Medical Leave, may be eligible for job protected leave or other reasonable accommodations under the ADA if they have a qualifying disability.

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Contact the Human Resources department for more information - Brenda Bradley, Dean of Human Resources and Quality, email (Brenda.Bradley@witcc.edu), Phone Number (712-274-8733 x1220); webpage: https://my.witcc.edu/employee/Human_Resources/Pages/default.aspx

WITCC College Counselor:

Teresa McElroy, email (Teresa.McElroy@witcc.edu), phone number (712-274-8733 x1293); WITCC webpage: <https://my.witcc.edu/student/counseling/Pages/default.aspx>.

Alcoholics Anonymous

Information on Alcoholic Anonymous may be found online <http://www.aasiouxcity.org/>. AA also has a toll free 24 hour hotline (712) 252-1333.

Drug and Alcohol Treatment Centers

The area drug and alcohol counseling, treatment and rehabilitation center is Jackson Recovery Center. For more information - <https://www.jacksonrecovery.com/understanding-addiction/signs-symptoms.html>

Signs and Symptoms of Addiction: <https://www.helpguide.org/articles/addictions/drug-abuse-and-addiction.htm>

DFSCA Related Crime Statistics:

Clery Report https://www.witcc.edu/pdf/student_handbook.pdf

The report indicates the tracking of arrests and referrals made relating to alcohol and other drugs in the years as listed in the Clery Report. The information included in these statistics indicate the level of effectiveness of WITCC's educational efforts related to the DFSCA.

Strengths of Alcohol and Drug Programming

- Programming is available to students and employees at WITCC related to these areas.
- Annual notification are made available to students of required elements of WITCC's policies and student code of conduct, including the Clery Report.
- Resources for prevention and assistance for persons who need help are available.

Weaknesses of Alcohol and Drug Programming

- Programming needs to be enhanced, promoted and made more comprehensive throughout the College for students, faculty and staff.
- Drug and alcohol policy is distributed to new employees, need to implement distribution to all employees.
- Drug and Alcohol Resource Guidelines brochure needs to be reviewed and if necessary updated in a consistent and regular manner.
- The biennial review is created and completed Student Services.

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Program Recommendations

After an annual review (2018) of the college's alcohol and other drug policies and programs, the primary recommendations are as follows:

- The required information, as described in the DFSCA, be annually distributed to faculty and staff.
- Provide student activities focusing on drug and alcohol issues.
- Continue to provide student activities that offer student safe and alcohol free alternatives.
- Incorporate alcohol and drug policies and resource information into new student orientation programs.
- Develop a process and procedure for conducting the biennial review; and assemble a team every even numbered year to conduct the biennial review, facilitated by the Drug and Alcohol Coordinator in Counseling Services.
- Provide programming specifically tailored for faculty and staff in order to raise awareness of the problem and how faculty and staff can help to address.
- Explore utilizing social media toward alcohol and drug prevention efforts as this platform may be leveraged to reach both traditional and online students.

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Appendix A: (WITCC Employee Handbook)

Western Iowa Tech Community College

Drug-Free Workplace

It is the policy of the Board that within the powers of the College, reasonable measures shall be taken to establish and maintain a controlled substance-free workplace as required by the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act/Amendment of 1988 (PL101-226).

1. Employees are expected to report for their assignments on time and in condition to perform the responsibilities of their positions, unimpaired by the unlawful use of a controlled substance. The College shall endeavor to provide a drug-free, healthful, safe and secure work environment.
2. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on College premises, or while conducting College business off College premises, is absolutely prohibited. Violations of this policy may result in disciplinary action up to and including termination and may have legal consequences.
3. The College shall establish an awareness program to inform employees about the dangers of substance abuse, the College's policy of maintaining a substance-free workplace, any available counseling, rehabilitation and employee assistance programs, and the penalties that may be imposed for violations occurring in the workplace.
4. Employees must, as a condition of employment, abide by the terms of this policy and report any conviction under a criminal drug statute for violations occurring on or off College premises while conducting College business. The report must be made within five (5) days following the conviction.
5. Within 30 days of receiving a report of conviction as described in paragraph number four (4) above, the College shall:
 - a. Take appropriate personnel action against such employee, up to and including termination, or
 - b. Require the employee to participate satisfactorily in a substance abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

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Drug-Free College Community Program and Procedures

PROGRAM

Each employee and student will be provided with a copy of the Drug Free College Community Program and Procedures, along with information as approved by the College which describes health and safety risks of substance use and abuse and available drug and alcohol counseling, treatment, or rehabilitation programs.

The College shall direct distribution of this information to all students and employees. Distribution to students shall be arranged through the Dean of Students. Distribution to employees shall be through the Human Resources Office, and the Drug-Free College Community Program and Procedures will be available in the Human Resources office and online on MyWit. Newly hired employees shall receive the information as a part of the employee orientation process.

PROCEDURES

Careful consideration will be given to the concerns of involved parties in order to determine sanctions which best serve to assist the affected individual and at the same time serve to promote a healthy, safe, and secure collegiate environment.

Students

The Dean of Students, in consultation with involved staff, will determine sanction(s) for policy violation regarding students in accordance with established policies and procedures.

Employees

The Chief Human Resources Officer, in consultation with the immediate supervisor of the affected employee, will determine sanction(s) regarding staff members. In some instances implementation of the sanction(s) may require the approval of other administrators in the organizational structure, up to and including the President, and may ultimately require Board approval.

SANCTIONS

A. LEGAL - Applicable to all persons.

Federal, state, local, and WITCC penalties and fines may apply to persons involved with the possession, manufacture, distribution, or dispensation of a controlled substance (279.9, USCS, Iowa Code, and Municipal Code Sioux City.)

B. COLLEGE - Applicable to students.

When a student has violated the Drug-Free College Community Program and Procedures, one or more of the following sanctions may apply:

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1. Referral to an information distribution center.
2. Referral to a College counselor for assessment/assistance.
3. Verbal recommendation that the student seek an assessment at an accredited substance abuse treatment agency and follow all subsequent recommendations.
4. Mandatory participation in a community education course on substance abuse at an accredited treatment agency.
5. Required chemical dependency assessment within 10 days of imposition of sanctions at an accredited substance abuse agency and adherence to subsequent recommendations.
6. Suspension from College pending completion of an assessment at an accredited substance abuse treatment agency and adherence to all subsequent recommendations.
7. Dismissal, with a verbal recommendation that the student seek an assessment at an accredited substance abuse treatment agency and follow all subsequent recommendations.

In addition to or in lieu of any of the Penalties for "Acts of Misconduct" under the General Conduct section of the Student Handbook, when alcohol or drug abuse appears to be a factor, sanctions listed herein may be applied.

C. COLLEGE - Applicable to employees.

When an employee has violated the Drug-Free College Community Program and Procedures, the following may apply in addition to, or in lieu of, other existing employee sanctions:

1. Verbal recommendation that the employee seek an assessment from an accredited substance abuse treatment agency and follow all subsequent recommendations.
2. Referral to an accredited substance abuse treatment agency for an assessment and mandatory adherence to all subsequent recommendations.
3. Probationary status pending completion of an assessment and subsequent recommendation at an accredited substance abuse treatment agency.
4. Suspension from duties, pending completion of an assessment and subsequent recommendation at an accredited substance abuse treatment agency.
5. Termination of employment, with a verbal recommendation that the employee seek an assessment at an accredited substance abuse

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treatment agency and follow all subsequent recommendations.

MISCELLANEOUS

- A. When employees or students suspect another individual is having alcohol or other drug-related difficulties, they are encouraged to intervene by sharing their concerns with the individual, or they may contact a College counselor for confidential assistance on how to best help this person.
- B. When a student witnesses possession of alcohol or other controlled substances by another student or employee on WITCC property, it is strongly suggested that s/he report the incident to a College counselor.
- C. When an employee witnesses possession of alcohol or controlled substances by a student on WITCC property, the following must be applied:
 - 1. The Security Office must be notified immediately.
 - 2. Student(s) believed to be in possession of controlled substances must be reported to the local law enforcement agency.
 - 3. All persons of minority age believed to be in possession of alcohol must be reported to the local law enforcement agency.
 - 4. Following due process procedures, the Dean of Students, or designee, in consultation with the witnessing employee and/or a College counselor, may apply one or more of the sanctions listed herein.

Note: Taken from 2013 WITCC Employee Handbook.

Attachments: Siouxland Community Information and Referral Resources