

2006 Drug Free Schools and Campuses Regulations [34 CRF Part 86] Biennial Review Report

INTRODUCTION

In compliance with Drug Free Schools and Campuses Regulations [34 CRF Part 86], a meeting was held on Thursday, April 6, 2006 at 2:00 PM at the Campus Health Service to conduct a biennial review of the effectiveness of The University of Arizona's alcohol and other drug (AOD) programs and the consistency of policy enforcement. The biennial review meeting was chaired by Dr. Harry McDermott, Executive Director of the Campus Health Service. Committee participants included: Gary Ballinger (Greek Life), Gretchen Bouton (representing Jim Livengood, Athletics Department), Patrick Call (representing Jim VanArsdel, Residence Life), Anthony Daykin (UAPD), Heather Gasser (Commuter Student Affairs), Julia Rosen (representing Steve Holland, Risk Management and Safety), Jennifer Leung (Greek Life), Melissa McGee (Campus Health Service), David Salafsky (Campus Health Service), Dave Swihart (representing Darci Thompson, Life & Work Connections), and Carol Thompson (representing Melissa Vito, Dean of Students Office). Additional contributors to this report included Cindy Sue Lynn (Office of the Registrar) and Leslie Porter and Linda Heffernan (Human Resources).

COMMITTEE OBJECTIVES

The task of the Biennial Review Committee, as outlined by the U.S. Department of Education's *Complying with the Drug-Free Schools and Campuses Regulations* manual, was:

- 1) to determine the effectiveness of, and to implement any needed changes to, The University of Arizona's AOD program (policy, enforcement measures, prevention and intervention programming); and
- 2) to ensure that the disciplinary sanctions for violating standards of conduct are enforced consistently.

To facilitate this task, the Biennial Review Committee utilized the *Part 86, Drug-Free Schools and Campuses Regulations Compliance Checklist*. The meeting concluded with a general discussion about The University of Arizona's AOD program. Results of the checklist review and discussion are included in this report.

PART 86, DRUG-FREE SCHOOLS AND CAMPUSES REGULATIONS COMPLIANCE CHECKLIST

- 1. Does the institution maintain a copy of its drug prevention program? Yes**
If yes, where is it located?

The University of Arizona (UA) offers many drug prevention programs, aimed at various audiences, that are implemented and evaluated by several departments on campus. Campus departments that utilize AOD programming include the Campus Health Service, Risk Management and Safety, Human Resources / UA Life & Work Connections, Residence Life, Greek Life, the Dean of Students Office and the UA Police Department. Copies of AOD prevention programs can be obtained through these campus departments.

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

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

Students: Yes Staff and Faculty: Yes

b) A description of the health risks associated with the use of illicit drugs and the abuse of alcohol

Students: Yes Staff and Faculty: Yes

c) A description of applicable legal sanctions under local, state, or federal law

Students: Yes Staff and Faculty: Yes

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

Students: Yes Staff and Faculty: Yes

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

Students: Yes Staff and Faculty: Yes

COMMENTS:

Students: All of these items are provided to students via one or more of the following venues – mandatory orientation sessions with all incoming students and their parents, Residence Life code of conduct forms, the Student Organization Handbook, UAPD’s annual crime report, E-CHUG alcohol assessment program mandatory for all first-year students, NCAA AOD alerts posted for all UA athletes, Greek Life new member programming, the off-campus student housing guide, drug testing consent forms signed by all UA student athletes, meetings with administrators in the Dean of Students office and through their website.

Staff and Faculty: All of these items are provided to staff and faculty via one or more of the following venues – an annual Drug Free Workplace notification letter from the UA President’s office, employee handbooks distributed during new employee orientations,

supervisor and employee trainings, the Commercial Driver's License program, UAPD's annual crime report, and the UA Human Resources website.

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

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

No

b) Through campus post office boxes

Yes

c) Class schedules which are mailed to each student

No

d) During freshman orientation

Yes

e) During new student orientation

Yes

f) In another manner (*describe*) – Other venues for material/information distribution include email notifications, websites, student-administrator meetings (both individual and group), booklets, postings and electronic programs.

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

Yes

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

Yes

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

a) Mailed

Staff: Yes

Faculty: Yes

b) Through campus post office boxes

Staff: Yes

Faculty: Yes

c) During new employee orientation

Staff: Yes

Faculty: Yes

d) In another manner (*describe*) – Other venues for material/information distribution include electronic broadcast memorandums, email notifications, websites, supervisor/administrator-employee meetings (both individual and group) and booklets.

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

Students: Yes Staff and Faculty: Yes

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

Students: Yes Staff and Faculty: Yes

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

a) Conduct student alcohol and drug use survey

Yes

b) Conduct opinion survey of its students, staff, and faculty

Students: Yes Staff and Faculty: Yes

c) Evaluate comments obtained from a suggestion box

Students: No Staff and Faculty: No

d) Conduct focus groups

Students: Yes Staff and Faculty: Yes

e) Conduct intercept interviews

Students: Yes Staff and Faculty: Yes

f) Assess effectiveness of documented mandatory drug treatment referrals for students and employees

Students: Yes

Staff and Faculty: No – The University of Arizona does not mandate drug treatment for employees. Violations are addressed through disciplinary action – usually discharge.

g) Assess effectiveness of documented cases of disciplinary sanctions imposed on students and employees

Students: Yes

Staff and Faculty: Yes – the effectiveness of disciplinary sanctions are evident. The

employee is discharged, or if the offense does not merit discharge, future offenses will most likely end that way.

h) Other (please list) – Other evaluation procedures include annual reports on employee drug testing results, annual campus crime reports, emailed feedback regarding AOD programs/referrals, in-person interviews, administrator/supervisor-employee evaluation reports and training evaluation feedback.

10. Who is responsible for conducting these biennial reviews?

The Safe and Drug Free Schools and Campuses Act Biennial Review Committee is responsible for overseeing biennial reviews. The committee is led by The University of Arizona Campus Health Service and involves representatives from the Athletics Department, Human Resources / Life & Work Connections department, Greek Life office, Registrar's office, Residence Life office, Dean of Students office, Risk Management and Safety department, Police department and Commuter Student Affairs office.

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

Yes. If requested, The University of Arizona would make available to the Secretary and the public a copy of each requested item in the drug prevention program and the results of the biennial review.

12. Where is the biennial review documentation located?

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COMMITTEE DISCUSSION

The primary question raised in committee discussion was, “Is The University of Arizona truly a drug-free campus?” It was noted that while our institution claims to be drug and alcohol free, many events hosted on campus are granted special permission to serve alcohol. Additionally, UA residence halls allow alcohol to be consumed by residents who are age 21 and over in their private rooms.

One suggestion voiced by the committee was that in order to be truly drug and alcohol free, The University of Arizona would need to cease all allowance for provision and consumption of alcohol on campus grounds. It was mentioned that this might impact other aspects of our campus such as what products the UA bookstores sell (banning all alcohol-related promotional items – shot glasses, drinking game books, beer steins, etc.) and what advertisements can be

placed in our campus newspaper, *The Arizona Daily Wildcat* (banning all ads that promote alcohol).

According to Part 86: Safe and Drug Free Schools and Campuses Act, federal regulations require the following:

“The Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226, require that, as a condition of receiving funds or any other form of financial assistance under any Federal program, an institution of higher education (IHE), State educational agency (SEA), or local educational agency (LEA) 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.” (Drug-Free Schools and Campuses, Vol. 55, No. 159, Part II, 55 FR 33580)

It was observed that this language does not necessarily prohibit the provision and consumption of alcohol on college and university campuses, but rather prohibits illegal provision and consumption of alcohol on campuses. Under these terms, it was suggested that The University of Arizona can still maintain its status as drug and alcohol free because it has policy, enforcement and programming in place to reduce and prevent unlawful consumption of drugs and alcohol.

A secondary question that was raised during committee discussion was, “Is it possible to create a single webpage that would link student and employee users to all AOD policy, enforcement and programming resources for The University of Arizona?” It was noted that while these resources are available to students and employees via the computer, they are not easily accessible from a single location or link.

At the conclusion of the meeting, no consensus existed among committee members to make any formal recommendations for change or improvement to the existing UA AOD policies, enforcement strategies or programming.

Addendum:

Materials included in the appendix document The University of Arizona’s compliance with Drug Free Schools and Campuses Regulations [34 CRF Part 86]. The appendix includes the following set of materials:

- ✓ The University of Arizona Statement on Drug Free Schools and Campuses
- ✓ The University of Arizona Department of Risk Management and Safety’s “*Controlled Substance and Alcohol Testing Policy for CDL Employees*” Memo
- ✓ The University of Arizona Commercial Driver’s License Drug and Alcohol Testing Policy and Procedures – Controlled Substance and Alcohol Testing
- ✓ Drug & Alcohol Testing: Training and Awareness (Driver Handbook used by UA Department of Risk Management and Safety)
- ✓ The University of Arizona Commercial Driver’s License Supervisor Training: Drug Use and Alcohol Misuse Awareness for Reasonable Suspicion Testing (Training agenda) and Drug and Alcohol Awareness Reasonable Suspicion Testing (Powerpoint presentation)
- ✓ The University of Arizona Life & Work Connection’s “Alcohol and the Drug-Free Workplace: Policies, Information and How to Get Help” training program (Powerpoint presentation)
- ✓ The University of Arizona Residence Life Eviction Policy

- ✓ The University of Arizona Police Department Annual Campus Safety and Security Report – “Partners with our Community”
- ✓ National Collegiate Athletic Association Drug-Testing Consent – Division I information packet and The University of Arizona Department of Intercollegiate Athletics Substance Abuse Education/Testing policies
- ✓ The University of Arizona Policies and Procedures: Alcohol Policy and Regulations

2004 BIENNIAL REVIEW REPORT FOLLOW-UP

In the 2004 Safe and Drug Free Campuses Biennial Review report, it was recommended that a committee be formed to review The University of Arizona’s alcohol and other drug policies in order to address concerns that the policies (at that time) did not address all issues pertaining to alcohol use and service on campus and at University affiliated events. Although this committee was not formed as originally intended, the following events took place on the UA campus during 2005/2006 that ultimately addressed these concerns:

- 1) The alcohol permit issuance process was transferred from the University Advancement Office to the Dean of Students Office. During this transition, the application and requirements for requesting permission to serve alcohol at special events on campus became more rigorous, and every application is now being reviewed by both the Dean’s office and the University of Arizona Police Department.
- 2) A Homecoming Alcohol Policy and Compliance Committee was formed to address concerns about illegal alcohol service and consumption at the annual Homecoming Tent Event held on the UA Mall. New policies and enforcement strategies were proposed and implemented resulting in a dramatic change in alcohol management at the 2005 Homecoming event.