

# **Biennial Review of Drug and Alcohol Abuse Prevention Program Shawnee Community College**

**April 2022**

## **Introduction**

To be in compliance with the Drug-Free Schools and Campus Regulations of the Drug-Free Schools and Communities Act, Shawnee Community College has adopted and implemented programs to prevent the abuse of alcohol and use or distribution of illicit drugs by students and employees. These programs are in effect for any of the college's activities, whether on or off campus.

Every two years the college reviews its programs to determine its effectiveness and to ensure that its sanctions are being enforced. As a part of this review, the college must determine:

- The number of drug and alcohol-related violations and fatalities that occur on a school's campus or as part of any of the school's activities and that are reported to campus officials; and
- The number and type of sanctions that are imposed by the school as a result of drug and alcohol-related violations and fatalities on the school's campus or as part of any of the school's activities.

The effectiveness of a school's prevention program may be measured by tracking the number of drug and alcohol related disciplinary actions, treatment referrals, and incidents recorded by campus security or other law enforcement officials.

## **Responsible Offices and Departments**

Shawnee Community College's drug and alcohol-free environment is a campus wide commitment. The following team works to produce the review, which is submitted to the President and the President's Cabinet.

- Vice President of Student Affairs
- Executive Director of Public Information and Marketing
- Vice President of Academic Affairs
- Executive Director of Institutional Effectiveness
- Executive Director of Human Resources
- Vice President of Administrative Services
- Campus Security
- Pulaski County Sheriff's Office
- Illinois State Police
- Other departments/employees as appropriate

## Research Methods and Data Analysis

Shawnee utilizes data from annual security reports, student services and human resources. The data indicates any reported use or abuse of alcohol and other drugs and includes sanctions and/or disciplinary actions taken.

### Annual Security Report:

	2019	2020
Arrests, Drug Abuse Violations	0	0
Disciplinary Referrals, Drug Abuse Violations	0	0
Arrests, Liquor Law Violations	0	0
Disciplinary Referrals, Liquor Law Violations	0	0

### Student Sanction Statistics:

	Number of Offenses	Outcome/Action Taken
2019	0	N/A
2020	0	N/A

### Employee Sanction Statistics:

	Number of Offenses	Outcome/Action Taken
2019	0	N/A
2020	0	N/A

## Current Shawnee College Policy and Procedures

### (4380) Drug and Alcohol-Free Work Place Policy

#### ALCOHOL AND CONTROLLED SUBSTANCES COMPLIANCE AND TESTING

It is the policy of the Board of Trustees that Shawnee Community College satisfy the requirements of the federal and state Drug Free Workplace Acts (41USCA, 701 et seq. and 30 ILCS 580/1, et seq.) and the Drug-Free Schools and Communities Act (20 U.S.C. 1145g part 86 of the Drug and Alcohol Abuse Prevention Regulations), and make good faith efforts to maintain a drug- and alcohol-free campus.

#### Interpretation and Implementation of Policy 4380 (Procedure No. 4380A)

The federal government regulates drugs through the Controlled Substances Act (21 U.S.C. § 811), which does not recognize the difference between medical and recreational use of marijuana. Shawnee Community College recognizes drug and alcohol dependency as an illness and a major health problem. Thus, to comply with the

Federal Drug-Free School and Communities Act, the College prohibits the use, possession, manufacture, or distribution of all cannabis, cannabis products, or any substances containing THC (tetrahydrocannabinol), including medical marijuana, upon any property owned, leased, or occupied by the College, or as part of any of the College's activities.

The Compassionate Use of Medical Cannabis Pilot Program Act, an Illinois law that permits the use of medical marijuana by persons possessing lawfully issued medical marijuana cards, also states, "Nothing in this Act shall prevent a university, college, or other institution of post-secondary education from restricting or prohibiting the use of medical cannabis on its property."

No person shall possess, use or have under his/her control narcotics, dangerous drugs, synthetic drugs, or any controlled substance without a prescription including, but not limited to, Marijuana, Methamphetamines, Barbiturates, Cocaine, or hallucinogens in any building or on any property owned or controlled by the College. Additionally, any person suspected of selling controlled substances and/or dangerous drugs as described above will be immediately reported to campus security or law enforcement for an investigation and may be subsequently subject to civil prosecution, criminal prosecution, as well as any College actions pursuant to the policies of the College. The College may hold persons responsible for their behavior at all times.

The Illinois Cannabis Regulation and Tax Act (CRTA), authorizing individuals over the age of 21 to recreationally use Marijuana in the State of Illinois does not change the College's prohibition or otherwise authorize a student or employee of the College to use Marijuana on College-owned or operated property. Federal law, including the Drug-Free Workplace Act and the Drug-Free Schools and Communities Act, continues to prohibit the use of Marijuana. Thus, Marijuana use, possession, production, manufacture, sale, possession with intent to sell, trafficking, or distribution, even if in compliance with CRTA, is prohibited on campus.

### **Alcohol and Controlled Substances Non-Compliance (Procedure No. 4380B)**

- 1) All employees and students shall immediately notify the President or his/her designee of any suspicions or knowledge of an employee or student who unlawfully manufactures, distributes, dispenses, possesses, uses, or is suspected of being under the influence of alcohol, any controlled substance, or medical Marijuana upon any property owned, leased, or occupied by the College, or as part of any of the College's activities. This also pertains to prescription drugs being taken without a doctor's authorization or without the proper prescription. It is the employee's responsibility to check the potential effects of prescribed drugs and over-the-counter medications with the doctor or pharmacist before starting work, and to immediately let a supervisor know when such use makes it unsafe for the employee to report to work or fulfill job responsibilities. A student should be mindful of the side effects of a prescribed drug and let someone at the College know if such use of the prescribed drug is going to

interfere with the student's ability to attend class, participate in activities associated with the College or prevent the student from being able to complete work or an assignment. A student's ability to make up work or complete an assignment at a different time will be determined on a case-by-case basis and at the discretion of the department or instructor from which or by whom the Student's work and assignment is assigned.

- 2) All employees and students shall immediately notify the President or his/her designee of any suspicions or knowledge of an employee or student who possess any type of contraband or paraphernalia that is associated or affiliated with the use, possession, distribution, or manufacturing of any illegal or controlled substance or drug while upon any property owned, leased, or occupied by the College, or as part of any of the College's activities.
- 3) Students or employees who violate Policy 4380 may be required to complete an appropriate rehabilitation program for help in dealing with drug or alcohol abuse. The violator will be subject to disciplinary action, up to and including termination or expulsion.
- 4) The President or his/her designee shall notify any relevant federal or state grantor agency of the confirmed violation with ten (10) days to ensure compliance with the Drug-Free Work Place Act.
- 5) Additional acts, or failures to act, shall be considered violations of this Policy:
  - a. Storing any illegal drug, drug paraphernalia, cannabis or alcohol in or on property owned or controlled by the College.
  - b. Failing to notify an employee's supervisor prior to starting work of any known side effects of medications, prescription drugs, or other chemical compounds or supplements of any kind, including cannabis, that the employee is taking (or has taken) which might affect the performance of the employee's duties.
  - c. Failing to provide, within one (1) workday following a request, documentation confirming a valid prescription for any drug or medication identified by a positive drug test.
  - d. Failing to adhere to the requirements of any drug or alcohol treatment program in which the employee is enrolled as a condition of continued employment.
  - e. Failing to notify the employee's supervisor of any arrest, conviction, or relevant plea (including pleas of guilty and nolo contendere) relating to drugs or alcohol no later than the earlier of the next date the employee is scheduled to work or two (2) calendar days following the arrest, conviction, or plea.

- f. Tampering with, adulterating, altering, substituting or otherwise obstructing any testing process required pursuant to this policy.
  - g. Performing any safety-sensitive duties while having a blood alcohol concentration of .02 or greater.
  - h. Consuming alcohol or cannabis during the eight-hour period following an accident or incident requiring a drug and/or alcohol test before a post-accident alcohol and/or drug test is given.
  - i. Reporting for duty or remaining on duty requiring the operation of a commercial vehicle when the employee or the student has used a drug or drugs, except when the use is pursuant to instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely operate a commercial vehicle.
- 6) When possible, the College shall attempt to have two (2) College employed persons present for any observations of someone thought to be under the influence of a substance or alcohol in violation of this Policy. A summary, including what was observed and who was present, shall be documented, dated and signed by the College employees preparing the document and who made observations of a suspected person violating this Policy.

#### **Alcohol and Controlled Substances Testing (Procedure No. 4380C)**

- 1) Any of the following may be used to test someone suspected of being under the influence of alcohol and/or drugs in violation of this Policy. Testing shall include, but is not limited to, any of the following:
  - a. Urine testing
  - b. Evidentiary breath testing (portable breath alcohol tester, such as a Breathalyzer
  - c. Blood testing
  - d. Hair follicle testing
  - e. Saliva testing
- 2) The College may require prospective employees to take and pass a pre-employment drug screening. If so, offers of employment are conditional on the successful results of the drug screening procedure. Transferred or promoted employees may be required to take and pass a subsequent drug test as a condition of transfer or promotion.

- 3) Testing will be mandatory in the following situations:
  - a. Safety-sensitive Positions
    - i) All applicants for safety-sensitive positions (e.g., Truck Driving Instructor and Bus Drivers) are required to pass a Department of Transportation (DOT) pre-employment urine drug test prior to final approval for hire or upon hire.
  - b. Post-Accident
    - i) Post-accident drug and/or alcohol testing will be conducted on the driver and occupants when an accident occurs with a College vehicle. (This test may be waived at the President's discretion.)
  - c. Random Drug Testing
    - i) All positions regulated under DOT will be required to submit to a random drug test.
- 4) The College reserves the right to request a urine or blood test sample from an employee due to reasonable suspicion or cause in the following situations:
  - a) Observable subjective symptoms or unusual behavior by the employee
  - b) Observable objective symptoms, including but not limited to, factors related to the employee's appearance, behavior, speech, and/or other factors
  - c) The odor of alcohol or drugs on the employee's breath or clothes or in an area immediately controlled or occupied by the employee (such as in a vehicle, office, work area, or restroom)
  - d) Alcohol, alcohol containers, illegal or controlled substances, or paraphernalia in the employee's possession or in an area controlled or occupied by the employee (vehicle, office, or restroom)
  - e) Unexplained or significant deterioration in job performance
  - f) Unexplained or significant changes in behavior (e.g., abusive behavior, repeated disregard of safety rules or procedures, insubordination, etc.)
  - g) Criminal citations, arrests or convictions involving drugs or alcohol
  - h) Employee admissions regarding drug or alcohol use
  - i) Any involvement in any work-related accident or near misses
  - j) Reasonable suspicion that the employee has been or may have been involved in the use, possession, transfer, distribution, manufacture, and/or sale of drugs or alcohol upon any property owned, leased, or occupied by the College, or as part of any of the College's activities, or while operating

a vehicle or potentially dangerous equipment that is owned, leased or controlled by the College, or while the employee is acting on the College's behalf

- k) A test results in a finding of a diluted sample or reasonable suspicion that a sample has been tampered
  - l) Any reason to believe an employee tampered with a previous urine or drug test.
- 5) Prior to enrollment in such educational programs deemed by the administration to require drug testing or participation in extracurricular activities, students must agree to participate in the drug screening program.
- 6) Recognizing that certain educational programs and/or activities expose students, participants, faculty, staff, and observers to a greater risk of injury due to the nature of the activity, the Board authorizes the Administration and its designees the right to randomly test students/participants enrolled in such programs for the illegal use of any controlled substance or the use of legal substances impairing the ability of the student/participant to perform an activity or participate in any College-sponsored event.
- 7) Certain fields of study require practical experiences that should be practiced without impaired judgment from the use of alcohol or controlled substances. All students in health care and other required programs must pass a drug screening test before entering their practicum/clinical/externship, as well as be subject to random testing throughout their program.
- 8) Students may also be tested if there is reasonable suspicion that illegal use of any controlled substance or alcohol or the abuse of legal drugs has occurred in such a manner that an individual's ability to safely participate in an activity has been compromised or has compromised others attending or participating in the activity on the College premises.
- 9) A reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances that are consistent with short-term effects of substance abuse.
- a. If the test has been administered to an employee, the employee may be placed on an immediate suspension from work until the results are obtained. If suspended, the employee may be suspended with or without pay at the College's sole discretion and subject to other requirements of the College. If an employee's test is positive and reveals the employee is intoxicated or under the influence of narcotics or prescribed or over-the-counter medications in excess of prescribed dosages, stimulants, amphetamines, barbiturates, or illegal or controlled drugs, the employee

will be subject to disciplinary action, up to and including immediate termination. Results shall be maintained in a confidential manner in accordance with federal, state and/or local law. Employees subject to testing may request written test results, and in the event of a positive test, employees may request an explanation of the results in a confidential setting.

- b. If the test has been administered to a student, the student may be placed on an immediate suspension from being present on campus or at campus-sponsored events until the results are obtained. If suspended, the student may be suspended with or without the opportunity to make-up missed coursework at the College's sole discretion and subject to other requirements of the College. If a student's test is positive and reveals the student is intoxicated or under the influence of narcotics, prescribed or over-the-counter medications in excess of prescribed dosages, stimulants, amphetamines, barbiturates, or illegal or controlled drugs, the student will be subject to disciplinary action, up to and including immediate expulsion. Results shall be maintained in a confidential manner in accordance with federal, state and/or local law. Students subject to testing may request written test results, and in the event of a positive test, students may request an explanation of the results in a confidential setting.
- 10) The College, at its sole and exclusive discretion, may require an employee or a student who has tested positive in violation of this Policy to submit to an alcohol and/or drug test before returning to duty (if an employee) or returning to College activities (if a student). This shall be considered a fitness for duty or participation test.

#### **Duty to Cooperate (Procedure No. 4380D)**

- 1) An employee's failure or refusal to cooperate with this procedure when requested to do so will be considered insubordination and may result in disciplinary action against the employee, up to and including termination, and, if appropriate, referral for prosecution by local, state, or federal law enforcement agencies. Failure or refusal to cooperate includes, but is not limited to:
  - a. Refusal to consent to testing, to submit a sample, or to sign required forms
  - b. Refusal to cooperate regarding notifications of Policy 4380 violations (for example, refusing to courteously and candidly cooperate in any interview or investigation, including any form of truthfulness, misrepresentation or misleading statements or omissions
  - c. Any form of dishonesty in the investigation or testing process



- 2) In addition, the Board authorizes the Administration and its designees the right to remove any individual who appears to be under the influence of any controlled substance (drugs and/or alcohol) or who appears to be unduly under the influence of any legal or illegal drug impairing the immediate safety of the said individual or others participating in a College activity or while on College premises.
- 3) The College reserves the right, at its sole and exclusive discretion, to conduct unannounced searches of its facilities and properties for alcohol and/or illegal or controlled substances. Employees and students are expected to cooperate in such searches.
  - a. Searches of employees and students and their personal property may be conducted when there is reasonable suspicion that an employee or student is in violation of this policy.
  - b. Employees and students acknowledge that the College is a public institution and by receiving employment or being enrolled in instruction or participating in College activities there is a reduced expectation of privacy. The protection and safety of employees, students and the general public outweigh any expectation of privacy on College-owned and controlled property and/or in vehicles.
  - c. An employee's consent to such a search is required as a condition of employment and the employee's refusal to consent may result in disciplinary action, up to and including termination.

Each year the college distributes to all students a student handbook which outlines the college's position on drug and alcohol-related activity.

### **Student Code of Conduct**

Possession, use, furnishing of, on the campus or college-owned or supervised property, any drugs or controlled substances which the possession, use, or furnishing of is illegal by municipal, state or federal law may result in expulsion, suspension, probation or reprimand.

Failure to comply with Shawnee Community Colleges board policy and/or state regulations regarding the consumption of alcohol while on the campus or at any college supervised activity may result in probation or reprimand with or without loss of privileges.

### **Penalties and Sanctions**

In order to protect its educational purposes and process, the College has the authority to penalize or impose sanctions on any student found guilty of the commission of an

offense or breach of regulations, and the College has provided for certain procedures in cases involving the alleged infraction of college regulations.

Possible penalties and sanctions will be applied by the Vice President of Student Success & Services.

Penalties and sanctions which require automatic hearings:

### **Expulsion**

- 1) This sanction is one of involuntary separation of the student from Shawnee Community College. The separation is permanent in the sense that it does not project a definite time of eligibility to return.
- 2) Students dismissed may be assigned the grade which would be appropriate if they were withdrawing voluntarily; except in those cases of academic dishonesty, which carry a failing grade as a part of the disciplinary action.
- 3) Students dismissed under this code may be reinstated only upon the favorable action of a petition for reinstatement by the President or his/her designee.
- 4) Penalties and sanctions which do not require automatic hearings but which may be appealed to the Disciplinary Hearing Committee:

### **Suspension**

- 1) This sanction is one of involuntary separation of the student from Shawnee Community College for a definite period of time after which the student is eligible to return.
- 2) Students suspended may be assigned a grade which would be appropriate if they were withdrawing voluntarily; except in those cases of academic dishonesty, which carries a failing grade as a part of the disciplinary action.
- 3) The Vice President of Student Success & Services may establish additional requirements in individual cases and these requirements must be fulfilled to the Vice President's satisfaction prior to reinstatement.
- 4) In the event a student is suspended, the student shall be afforded an opportunity to request a review hearing before the Disciplinary Hearing Committee.

### **Probation**

- 1) This is a sanction which may preclude the individual from representing Shawnee Community College in any official capacity such as intercollegiate activities including athletics or student office and it may include loss of privileges.
- 2) It is invoked for a specific period but shall not be less than three months or more than one calendar year.

- 3) A student is liable for dismissal or suspension if involved in any act of misconduct including violation of the terms of probation while on this probation.

### **Reprimand**

- 1) This is a sanction imposed with or without loss of designated privileges for a definite period of time not to exceed one calendar year.
- 2) A reprimand may include the loss of such privileges as may be consistent with the offense committed.
- 3) The violation of the terms of a reprimand, while under a reprimand, may lead to the student being placed on probation.

### **Disciplinary Procedures**

#### Effective Date of Penalties and Sanctions

All disciplinary sanctions specified in this code will begin:

- 1) When the appeal period has expired.
- 2) When the student has waived his/her right to appeal by not initiating appeal action within the time limit.
- 3) Upon the completion of an interim suspension by the President.
- 4) When specified by the final educating body.

The college maintains a resource guide for employees, students and the community at large. The resource guide is located on the college's webpage and lists available drug and alcohol counseling, treatment and rehabilitation programs.

### **Effects of Drugs and Alcohol**

Alcohol and drugs are all mood altering in some fashion and all affect different parts of the brain, some of which are responsible for motor skills, visual and auditory perception, short and long-term memory as well as emotional wellness.

Depending on dosage and duration, addiction (and alcoholism) can develop. Illicit drugs and classifications of substances include Marijuana, Stimulants (cocaine), Depressants (valium, alcohol), Opiates (heroin) and Hallucinogens (LSD).

Substance abuse and alcohol abuse are also risk factors associated with heart disease, ulcers, HIV/AIDS, suicide, clinical depression just to name a few. The American Medical Association recommends that pregnant women abstain from alcohol and tobacco (as well as illicit drugs) during pregnancy and nursing.

## Health Risks

Abuse of alcohol and use of drugs are harmful to one's physical, mental, social and financial well-being. Accidents and injuries are more likely to occur if alcohol and drugs are used. Alcohol and drug users can lose resistance to disease and destroy their health. Tolerance and psychological dependence can develop after sustained use of drugs.

## Alcoholism

Alcoholism is the number one drug problem in the United States. Alcoholism takes a toll on personal finances, health, social relationships and families. It can have significant legal consequences.

Abuse of alcohol or use of drugs may cause an individual driving a motor vehicle to injure self or others and may subject the abuser to criminal prosecution. Drunk drivers are responsible for more than half of all traffic fatalities.

More specifically, the major categories of drugs are listed below and include the significant health risks of each.

**Amphetamines** - Physical dependency, heart problems, infections, malnutrition and death may result from continued high doses.

**Narcotics** – Chronic use of narcotics can cause physical dependency, lung damage, convulsions, respiratory paralysis and death

**Depressants** – These drugs, such as tranquilizers and alcohol, can produce slowed reactions, slowed heart rate, damage to liver and heart, respiratory arrest, convulsions and accidental overdoses.

**Hallucinogens** – These drugs may cause psychosis, convulsions, coma and psychological dependency.