

Mohawk Valley Community College
Student Affairs
Drug Free Schools and Campus Regulations
Drug and Alcohol Abuse Prevention
Biennial Review
September 2016

Part I: Program and Description Goals

Mohawk Valley Community College (MVCC) is committed to an environment that supports academic success and the overall health of our students. We believe that the use of alcohol or other drugs is counterproductive to the goals of each student as they work toward the completion of their education as well as other individual measures of success that our students hold as individuals. Furthermore, we recognize the significance of the impact that alcohol and other drugs has on college culture and the contribution to an increased risk for sexual violence.

The Healthy Lifestyles Workgroup, Judicial Affairs, Counseling and Residence Life work together to provide the traditional educational components of the AOD program and manage the administration of policy. The Healthy Lifestyles Workgroup has been developed with membership from the many stakeholders in student success at Mohawk Valley Community College including Residence Life, Student Activities, and the College Nurse. This group has a focus on the social aspects of AOD prevention and is intended to address our student body from a holistic perspective of student health and wellness. This holistic approach provides an educational foundation for our students to make better choices. We believe that through more engaging experiences we will not only give our students more desirable options to risky behavior, but also by providing more focused experiences we hope to help them understand the real life risks associated with their choices. The alcohol and other drug education and prevention initiatives are a large part of the focus of this group as it relates to providing healthy alternatives through the promotion of healthy and positive lifestyle choices.

As a part of our commitment to student success we are vigilant in our efforts to foster and maintain an environment that is conducive to academic achievement. We have student conduct policies that have provisions for progressive discipline (when appropriate). We believe in offering students second chances, so as discipline progresses we will put measures into place that will help our students learn from their mistakes. For students that violate policy pertaining to alcohol and other drugs, we offer AOD education classes (when appropriate) as a sanction to students with no prior AOD policy violations. We also understand that it is paramount to the success of all students that we apply our policies consistently in order to maintain an environment that will support every student's efforts to complete their education.

Goals of the AOD Program:

1. Develop a comprehensive educational program that addresses the needs of all students
2. Evaluate the effectiveness of current college policies, procedures and AOD programs
3. Develop, implement and assess the outcome measurements for programs, services and events

Assessment goals and outcomes:

It is our hope to retain each student that chooses to attend MVCC through the completion of their program of choice. As a part of this effort, we offer Alcohol Education classes to student that violate AOD policies

- 2014-15 Academic Year
 - 100% of all students that violated AOD policies and elected to take the AOD class as a sanction attended the Alcohol Education classes
 - 90% of these students scored 80% or better on the test administered at the conclusion of the class.
- 2015-16 Academic Year
 - 95% of all students that violated AOD policies and elected to take the AOD class as a sanction attended the Alcohol Education classes.
 - 90% of these students scored 80% or better on the test administered at the conclusion of the class.

Part II: Description of the AOD Elements

A. Alcohol Free Options

- Mohawk Valley Community College is an alcohol free campus. We have professional staff dedicated to student activities that facilitate a flexible array of student organizations that allow each year's offering to be reflective of the real interests of our current students. Each student organization has an advisor from our professional staff and faculty, often with similar interests that will engage the each group in order to help maximize each experience.
- MVCC offers a Cultural Series that is unparalleled by community college peers that brings nationally recognized and award winning speakers and entertainment to campus to provide experiences that are appealing to our students.
- MVCC offers state of the art athletic and fitness facilities with an organized intramural program to offer students the opportunity to engage in individual and competitive physical activity and enhance the social environment that our students experience.

B. Normative Environment

- The Healthy Lifestyles Workgroup is focused on providing healthy alternatives to minimize the allure of high risk activities and supports the educational tenets of prevention.
 - For the 2014-15 Academic Year, the Healthy Lifestyles Workgroup began the year by administering a survey to students during Welcome Week to help determine what

topics students had interest in. A total of 120 survey were collected. This helped to inform the programmatic calendar for the Healthy Lifestyles Workgroup.

- 64% have concerns about time management.
 - 38% want to reach out for support during the semester when stressed.
 - 46% will exercise when stressed.
 - 50% want interactive events during the semester.
 - 43% want some sort of stress reliever (multiple suggestions were given).
 - 51% surveyed said they would seek help for issues related to alcohol and drugs, mental health, financial problems, physical issues, homesickness, academic problems and sexual related issues.
- The Healthy Lifestyles Workgroup provided 10 different events throughout the 2014-15 academic year under the following categories:
 - Title IX and VAWA (2)
 - Alcohol and Other Drugs (4)
 - General Wellness (4)
 - The Healthy Lifestyles Workgroup provided 10 different events throughout the 2015-16 academic year under the following categories:
 - Title IX and VAWA (3)
 - Alcohol and Other Drugs (2)
 - General Wellness (5)
- Employees are provided with information on policies related to alcohol and illicit drug use through distribution of policies and procedures through the Human Resources webpages. New employees are advised about the policies and procedures at the time of hire and sign and acknowledgement form. Any revisions to a policy and/or procedures will be electronically sent to all employees.
 - MVCC offers an Employee Assistance Program (EAP) to all employees that provides access to counseling for addiction and other needs.
 - MVCC has a Wellness Council whose purpose is to develop, coordinate, and publicize activities and resources designed to provide college employees with a comprehensive array of opportunities that support all aspects of well-being.
 - Specific residence life programming is focused on topics of alcohol and drug use and are often coordinated with the support of campus counseling services.
 - Alcohol Education courses through campus counseling services are mandatory for students who violate policy as a means to help students make healthy choices and support their efforts to complete their education. The Alcohol Education courses are always available to any student who wishes to better understand the risks of alcohol and other drugs.
 - Counseling services are available to all students (at no additional charge). Counseling Services is staffed by full time licensed practitioners. Services are available on both the Utica and the Rome campuses. Our Counselors often will work with faculty and staff to

facilitate referrals that feel least intrusive so that students will be most likely to utilize support services.

- BERT (Behavior Evaluation Response Team) is a standing committee that meets weekly to review reports from faculty and staff on student behaviors that fall outside of traditional classroom management, but may not generate an incident report (to Public Safety). The primary focus of this group is provide intervention whenever possible, so that each student receives the support necessary to remain in good standing at the college. To this end BERT is comprised of representatives from Counseling Services, Accessibility Resources, Civic Responsibilities, Residence Life, Academic Affairs, Public Safety, Athletics and our Rome Campus.

C. Alcohol Availability

- Alcohol is prohibited on both campuses of Mohawk Valley Community College.

D. Marketing and Promotion of Alcohol

- Alcohol Advertising on campus is prohibited;
- Campus involvement of national recognition weeks such as Alcohol Awareness Week, Domestic Violence Awareness Month, Suicide Awareness Week, National Depression Screening Days and their corresponding events are made public and an effort to involve student congress and their affiliated student clubs is standard practice;
- Policy regarding Alcohol and Other Drugs and the status of MVCC as a dry campus is widely distributed through New Student Orientation, distribution of the Student Handbook and Residence Hall Orientation.

E. Policy Development and Enforcement

- Comprehensive policy for both residence hall and non-residence hall students exist as a part of the student handbook that is distributed to all students;
- Policies are reviewed prior to every academic year as a part of the review of the student handbook to refine policies for clarity and consistency;
- Disciplinary standards and processes align with MVCC student status, therefore off-campus incidents are pursued when brought to our attention.
- Human Resources has proposed an MVCC Board of Trustees Policy regarding Alcohol and Controlled Substances in the Workplace.

Part III: Summary of AOD Strengths and Weaknesses

Favorable Compliances:

The Healthy Lifestyles Workgroup has been very active with collaborative efforts culminating in a total of 20 programs over the past two years covering a wide variety of topics including AOD, Title IX/VAWA and general wellness. The success of these efforts are rooted in the cross-

campus collaboration and the multiple perspectives presented to develop each of these programs are the product of the many types of interactions between students and professional staff and faculty at the college. Health Services, Counseling Services, Advisement, Student Activities, Residence Life along with faculty are just a few of the many partners that have shaped the programmatic themes associated with Healthy Lifestyles.

As the programs themselves are a result of campus collaboration, the budgetary support for these events have also been shared by all of the partners involved. Unfortunately as budgets have become tighter, we anticipate that the sharing of the financial burden for these events may become more challenging in the future as well. The college is committed to the importance of efforts of Healthy Lifestyles as evidenced by the approved request for additional budget money to support this programming in spite of the budgetary challenges. The support for the Healthy Lifestyles initiatives begins with the executive leadership of the college.

Follow up to Compliance Concerns (2014):

- *AOD mandated information provision and programming is expanding to include information on Title IX and the Violence against Women Act (VAWA). Accounting for the complexity of the content, the overlap of messaging and the volume of information to be disseminated will be a primary focus by the next biennial review.*
 - MVCC formed a steering committee for the 2014-15 academic year to address all college policies and procedures related to Title IX. This committee was comprised of the various stakeholders on campus such as Marketing and Communication, Athletics, Human Resources, Counseling, Student Activities and the Vice President for Student Affairs/Dean of Students. Our focus was to be compliant with all new SUNY regulations by the fall 2015 semester. The steering committee was divided into two subgroups. The first was focused on development of policies and procedures. The second on outreach to inform all the group on campus with targeted messaging for all the mandated groups identified by SUNY. It was determined that all reports that fall under VAWA would be handled by the established Title IX processes. All policies and procedures were revised and the mandated messaging was in place for the start of the fall 2015 academic term.
 - We developed the specific messaging that is shaped for the needs of unique student populations, such as residence life staff, student athletes and the Student Congress Executive Committee. This messaging was also delivered to these groups beginning for the fall 2015 academic term.
 - The Healthy Lifestyles groups incorporated programming related to Title IX/VAWA into their efforts. MVCC recognizes the connection between alcohol and other drugs and the increase in the risk of sexual violence on college campuses. Through the Healthy Lifestyles workgroup we have made significant

efforts to help our students better understand these risks so that they may be in a better position to make healthier choices about the types of activities they engage in. MVCC has provided programming each semester since that last review that focuses on these topics.

- We have also identified five Title IX investigators and two Title IX Coordinators to manage all the Title IX reports and subsequent investigations. Each of this group has since attended multiple training sessions offered by SUNY specifically for investigators. The revised Title IX process was also initiated for the start of 2015 fall academic term.

Compliance Concerns (2016):

- We currently conduct formal direct assessment for some of the AOD elements embedded into our AOD program. The Healthy Lifestyles group has traditionally only done some informal types of data collection including some survey data. As Healthy Lifestyles has become the most visible aspect to our AOD program it will be important for us to do some more formal types of direct assessment going forward. This will give us important data that can shape what types of programs have been effective as well as information on how we do our programming.
- MVCC currently offers an Employee Assistance Program (EAP) that will give our staff and faculty access to services such as counseling. All information on EAP currently can only be accessed through our Office of Human Resources. The college should consider a more confidential means for our faculty and staff to access information on these resources so that this may not be a deterrent for use of these services.

Part IV: Recommendations to Address Policy Revisions and/or Biennial Compliance Concerns (2016)

The MVCC Healthy Lifestyles Workgroup should consider doing some form of formalized assessment for a minimum of one program each semester. For each program chosen for assessment, the workgroup should consider development of Student Learning Outcomes specific to the event as well as administering both pre and a post-test assessments to all attendees. To determine the efficacy of the program it would be a best practice for the workgroup to establish prior to the program a threshold for scores that would meet the expected outcomes. This effort will help shape the programming efforts of the group. Collection of this data should not be an ad hoc effort, but needs to be institutionalized by housing and recording in accordance with institutional assessment practices.

The Human Resources Office is the administrator of Employee Assistance Program (EAP) for employees. While it is understandable that information about EAP is provided through this office, it may also be a prohibitive factor for employees who may be in need of these services. Human Resources should consider additional places and methods for accessing EAP to provide a greater sense of confidentiality for employees that may access this benefit. Corrective Action Taken – By September 1, 2016 Human Resources will create a separate EAP portion of our webpage that will not require a secure login.

Additionally, we have posted and will keep posted outside of the Human Resources information on EAP with a tear off “business card”.

Procedures for Distributing Annual AOD Notification to Students and Employees

We have committed to provide an annual notice that will include the components listed below and will be distributed each January and August.

- Annual Security Report (including Right to Know and Drug Free Schools)
- HEOA Student Consumer Information
- Title IX and Discrimination Policy & Procedure
- Middle States Outcomes

We will provide this biannual notification to all students and employees of the college through email, SIRS (Student Information and Registration System) and Communitas (weekly college newsletter). Each of these will allow for the widest distribution and recognition by students and employees.

Policies Distributed to Students and Employees

[Annual Notice](#)

Alcohol and Other Drug Abuse

Policy Statement

Mohawk Valley Community College is committed to an environment, which supports the academic success and health of our students. Alcohol abuse or the use of illicit drugs may be harmful to the user and may be harmful to the educational environment, an environment that must be conducive to learning.

Reason for Policy

Mohawk Valley Community College is committed to providing an environment where students, employees and guests have the right to study and work in a healthy and safe environment. The Student Code of Conduct specifically prohibits the use of alcohol or illicit drugs. These regulations are found in the Code of Conduct section of this handbook and on the College website.

Applicability of the Policy

All members of the College community, including visitors to the College, should be familiar with and abide by this policy.

The procedures for students are outlined below. The procedures for employees, contractors and vendors are outlined on the [Office of Human Resources](#) website.

This policy shall also apply to conduct of students, employees, contractors and vendors when representing the College at College sponsored events at off-campus locations including but not limited to campus activities, school sponsored trips, school sponsored study abroad programs and school sponsored social events.

Related Documents

- Mohawk Valley Community College Student Handbook
- Mohawk Valley Community College [Office of Human Resources](#)
- New York State Penal Law, Article 220, 221
- MVCC website

Procedures

The College prohibits the use, possession, distribution or sale of controlled substances at the College. Further, the College prohibits the use, possession, distribution or sale of alcohol except when authorized by the President.

The MVCC Student Code of Conduct broadens this policy in its residence halls to include but not be limited to being in a room where alcohol or drugs are present, possessing paraphernalia, selling or purchasing alcoholic beverages to minors and possession of empty alcohol containers.

There are recommended sanctions for violations of the Alcohol and Drug Policies. If a student is found responsible for violating the alcohol and drug policy through the standard judicial process, the sanctions include the following:

First Offense: Alcohol Infraction (there may be additional repercussions from a Residence Hall perspective)

1. Disciplinary Probation – the amount of time is directly related to the individual circumstances
2. Educational component
3. Notification of parent(s)/guardians (written) if permitted by law including without limitation to FERPA
4. Specific notification within the first offense communication to the student and the parent(s)/guardians regarding the severity of a second violation and its subsequent sanction (dismissal from the Residences Halls) if the student is found responsible.
5. Additional sanctions if deemed appropriate

Second Offense

1. Dismissal
2. Notification of parent(s)/guardians (written) if permitted by law including without limitation to FERPA

First Offense: All other drugs (there may be additional/different repercussions from a Residence Hall)

1. Residence Hall dismissal, college dismissal
2. Residence Hall dismissal, college dismissal

Compliance with Sanctions and Timelines

All sanctions will be communicated in writing with clearly established timelines for completion. If the student has not completed the sanction within the timeline and has not received approval by a Conduct Officers for an extension the student will be subject to additional sanctions.

Federal, State and Local laws prohibit the unlawful use, manufacture, possession, control, sale and dispensation of any illegal narcotic or dangerous drug. These laws carry penalties for violations, which

range from fines to prison. The seriousness of the offense and penalty imposed upon conviction depend upon the individual drug and amount held or sold. It is noteworthy that a gift of drugs is treated as a sale under the law.

New York State Alcohol Beverage Control law sets twenty-one (21) as the minimum age to purchase or possess any alcoholic beverage. Parts of that law include:

- Persons under 21 found possessing alcohol may be given a maximum fine of \$50.
- Persons convicted for fraudulently using a driver's license to buy or attempt to buy alcohol may have their driver's licenses suspended up to 90 days.
- Persons convicted of buying alcohol through fraudulent means face a possible \$100 fine and/or may be required to work up to 30 hours of community service work.
- Persons convicted of selling, giving or serving alcohol to persons less than 21 years of age face significant fines.

Health Risks

Risks associated with substance abuse cannot be easily summarized, but the information that follows should give the reader an appreciation of the severity of these risks.

Substance abuse is usually acute or chronic. An acute problem results from a single episode of drug/alcohol use such as sudden heart failure (cocaine use), an automobile accident with personal injuries or misbehaviors with legal ramifications. While under the influence of alcohol or drugs, rational decision-making may indeed be altered, which can result in many unwanted outcomes such as unwanted pregnancies, sexually transmitted disease, violence, and rape. Substance abuse by anyone can cause unwanted and unnecessary acute problems.

Chronic problems result from long-term habits of abuse of alcohol or drugs. It is typical for individuals with chronic problems to hide or deny the existence of a problem. In most cases, an individual's ability to perform any task is diminished which negatively affects one's relationships, ability to work and overall performance in life. Substance abuse creates changes in one's life that are very gradual and many times the negative affects go unnoticed by the abuser and those around him or her. Addiction is a disease that is not easily detected in the early stages.

Symptoms of Addiction Include:

- Drinking or getting high for relief
- Increased tolerance
- Feeling guilt or remorse (as a result of behavior while under the influence)
- Negative attitude or blaming others for problems
- Anxiety or depression
- Complaints from family/friends about drinking or drug use
- Decline in work performance
- Inability to remember what happened when drinking (blackouts)

Drug and Alcohol Programs

Mohawk Valley Community College places an emphasis on the promotion of healthy alternatives to high risk activities associated with use of alcohol and drugs. The Healthy Lifestyles Committee is dedicated to offering experiences throughout the academic year that educate staff, faculty and students on the risks

associated the use of alcohol and/or drugs. Through coordination of efforts with other areas of the college, such as the Cultural Series, Student Activities, Counseling Services, Health Services, as well as Student Congress, the Healthy Lifestyles Committee will offer healthier alternatives for staff, faculty and students.

Counseling Services is located in the Student Service Center of Payne Hall and is staffed by two licensed mental health professionals. All student conversations are protected by the confidentiality of the counseling relationship to give each student the opportunity to work through any individual challenges in a safe environment. When appropriate, the Counseling Services staff will work with a student to facilitate a referral to an agency in the community that is most appropriate to the needs of the student. The Counseling Services staff also conducts workshops several times each semester that focus on the dangers and health risks associated with use of alcohol and other drugs.

Staff and Faculty have access to an Employee Assistance Program (EAP) that is administered by Human Resources. Through the Employee Assistance Program, faculty and staff have access to wide range of counseling services that includes alcohol and other drugs. The Center for Family Life and Recovery is the agency that provides EAP services for the college. Information EAP can be accessed by visiting the Human Resources webpage or by visiting Human Resources office.

Alcohol and Controlled Substances in the Workplace

Policy:

Use and abuse of alcohol and drugs has a detrimental effect on the productivity, attendance, and health of our College community. As a public employer, we must protect the safety and welfare of all members of our College community.

It is the policy of the College that employees will be subject to criminal, civil and disciplinary penalties if they distribute, sell, attempt to sell, possess or purchase controlled substances while at the workplace or while performing in a work-related capacity. Such illegal acts, even if engaged in off duty, may result in disciplinary action. Where permitted, an employee may possess and use a controlled substance which is properly prescribed for him or her by a physician.

Procedure:

College employees are prohibited from on-the-job use of, or impairment from, alcohol or controlled substances. In cases where the College has a reasonable suspicion that an employee is not able to perform his or her duties as a result of the use of alcohol or a controlled substance, the College shall follow the process as outlined in the appropriate collective bargaining agreement, or in accordance with the provisions of Section 72 of the Civil Service Law for classified staff.

"Controlled substances" refers to the hundreds of chemicals listed in the Controlled Substances Act by the federal government. All so-called "street drugs" (heroin, cocaine, crack, marijuana, speed, acid) are controlled substances.

Where testing for alcohol or a controlled substance occurs, appropriate medical procedures and tests should be utilized to assure accurate and proper results. Confidentiality of the testing process and results is an important aspect of this procedure for any affected employee.

A "reasonable suspicion" must be based upon specific, reliable observation that the College can articulate concerning the appearance, behavior, speech or body odor of the employee. The following observations may indicate drug or alcohol use: unsteady gait, odor of alcohol on the breath, thick or slurring speech, aggressive or abusive language or behavior, and disorientation or lethargy.

The employee's time and attendance patterns, such as absences around weekends, pass days or payday, excessive use of sick leave, excessive lateness and unauthorized absences, on-the-job accidents, difficulty in recalling instructions or conversation, poor relationships with co-workers and supervisors, and other variations in productivity may also be considered when making a determination as to whether a "reasonable suspicion" is present.

College employees not covered under Section 72 of civil service law may also be required to undergo such a medical examination. Upon determination that an employee is using, is under the influence of, or is not able to perform his or her duties due to alcohol or a controlled substance, the College will determine the appropriate action to be taken. When considering the appropriate action to be taken, the College may determine that the affected employee should be disciplined as a result of alcohol or drug use. Disciplinary action may be taken pursuant to the procedures contained in the appropriate collective bargaining agreement or civil service law.

In accordance with The Federal Drug-Free Workplace Act of 1988, all College employees who have been convicted of a drug related activity must report that conviction within five (5) days. Please report any convictions to Human Resources.

The College may also refer an employee to seek assistance through the College's Employee Assistance Program (EAP), which is available to all full-time and part-time employees.

Employee Assistance Program (EAP)

Center for Family Life and Recovery 1-800-729-6822

For more information...

New York State Office of Alcoholism and Substance Abuse Services

1-800-8-HOPENY

[Public Safety – Right to Know](#)

SUMMARY

Mohawk Valley Community College is committed to the development and maintenance of a drug-and alcohol-free environment in accordance with the Drug-Free Schools and Campuses Regulations of 1989 (DFSCR).

POLICY STATEMENT

Mohawk Valley Community College believes that the illegal use of drugs and alcohol presents a serious health and safety hazard to the college community and interferes with educational and occupational success. The college fully complies with the Drug Free School and Campuses Regulations of 1989 and prohibits the illegal possession, consumption and distribution of drugs and alcohol on college property, during classes and at activities officially sponsored by the college. Students, faculty and staff may not consume alcoholic beverages on College property, during classes, or in connection with activities officially sponsored by the college except by permission of the college President.

Mohawk Valley Community College supports all federal, state and local ordinances pertaining to alcohol and drugs and will fully cooperate with law enforcement authorities to protect the students, staff and faculty of the college from the illegal possession, purchase, sale, and manufacture of controlled substances and alcohol. The college will refer offenders to the proper civil authorities. Regardless of whether the legal action is pursued by the colleges Department of Public Safety or outside agencies, disciplinary action will be taken by the college for violations of the law, college policy or college conduct regulations. All students, faculty and staff should be familiar with the Drug Free Campus Policy and abide by it.

BACKGROUND

LEGAL SANCTIONS RELATED TO ALCOHOL OFFENSES

The State of New York sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws including driving while intoxicated are available below in Appendix A.

A violation of any law regarding alcohol is also a violation of the Mohawk Valley Community College Conduct Regulations and will be treated as a separate disciplinary matter by the college.

Behavior that disrupts the educational environment, causes public inconvenience, annoyance or alarm, or recklessly creates a risk to people and/or property even though motivated by alcohol is a violation of law and college Conduct Regulations.

LEGAL SANCTIONS RELATED TO CONTROLLED SUBSTANCE OFFENSES

Criminal possession, sale or use of drugs is covered in articles 220 and 221 of the New York State Penal Law. The seriousness of the offense and penalty imposed upon conviction depend upon the individual drug and amount held or sold ranging from a maximum of 15 days and \$250 fine for a violation to a maximum of \$100,000 fine and life imprisonment for a class A felony. It is important to be aware that under the Penal Law, a gift of drugs is treated as a sale.

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A violation of any law regarding drugs is also a violation of the Mohawk Valley Community College Conduct Regulations and will be treated as a separate disciplinary matter by the college.

Detailed information regarding the penalties for illegal possession and distribution of drugs is available below and also listed in Appendix B of this document.