



Drug-Free Schools and Campus Regulations
Biennial Review and Drug & Alcohol Prevention Report
(FY2016-FY2018)

Published 10/1/2019

This report was prepared by Shelley K. Bannish in collaboration with Centralia College Clery Committee. Secondary review and oversight provided by the Robert Cox, Vice President of Student Services. A chart of participants is listed within this report.

The major task of the Biennial Review team is to oversee the Drug and Alcohol Prevention Program. The team is responsible for reviewing the requirements and goals of the Drug-Free Schools and Communities Act and collect campus information to evaluate the program, review publications and produce the Biennial Review, including recommendations for future action.

The Biennial Review Team is inclusive, but not limited to, the following individuals:

Robert Cox, Vice President of Student Services
Casey Rice, Director of Buildings and Grounds
Julie Huss, Vice President of Human Resources and Legal Affairs
Shelley Bannish, Director of Student Life & Involvement

The Biennial Review team has the following objectives in preparing the report:

1. Review policies on alcohol and other drugs.
2. Review the method for distributing annual notification information to every student and Institution of Higher Education employee each year.
3. Determine the effectiveness and implement any needed changes to DAAPP.
4. Ensure the campus consistently enforces the disciplinary sanctions for violating standards of conduct.
5. Prepare a biennial review report on the effectiveness of its alcohol and other drugs (AOD) programs and the consistency of policy and enforcement.
6. Maintain its biennial review report on file so that, if requested to do so by the U.S. Department of Education, the campus can submit it.

All statistics used to review the DAAPP are taken from Centralia College's Annual Security Report as well as statistics from student conduct, Human Resources, and Instruction. These statistics are gathered without disclosing the names of those involved in compliance with the students' FERPA rights.

Dual copies of the Biennial Review will be kept on file in Human Resources Office and the Facilities, Operations and Maintenance Office for the purpose of employee/student reporting and accessibility. The Biennial Review can also be found at <http://www.centralia.edu/about/disclosures.aspx> and will be made available upon request at the Centralia College Human Resources and Legal Affairs Office and Facilities, Operations and Maintenance Office.

Centralia College
Human Resources and Legal Affairs Office
Phone: 360-623-8943
Email: julie.huss@centralia.edu

Centralia College
Facilities, Operation and Maintenance Office
Phone: 360-623-8947
Email: casey.rice@centralia.edu

Introduction to the Drug-Free Schools and Communities Act (DFSCA)

The Drug-Free Schools and Campus Regulations requires that, as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education (IHE) 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. If audited, failure to comply with the Drug-Free Schools and Campuses Regulations may cause an institution to forfeit eligibility for federal funding.

In order to certify its compliance with the regulations, an IHE 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. Creating a program that complies with the regulations requires an IHE to do the following:

- Prepare a written policy on alcohol and other drugs.
- Develop a sound method for distributing annual notification information to every student and IHE employee each year.
- Prepare a biennial review report on the effectiveness of its alcohol and other drugs (AOD) programs and the consistency of policy and enforcement.
- Maintain its biennial review report on file so that, if requested to do so by the U.S. Department of Education, the campus can submit it.

Compliance with the Drug-Free Schools and Communities Act

In order to meet compliance with DFSCA, Centralia College (CC) conducted a review for their alcohol and drug related policies and programs from the time **August 2016-July 2018**.

The objectives of the review compiled by CC as identified by the U.S. Department of Education include:

- Determining the effectiveness of drug and alcohol abuse prevention programs(s) and implementation of any needed changes.
- Ensuring disciplinary sanctions for violating standards of conduct are enforced consistently.

The President of the College is required to supply a signed statement certifying the Biennial Review to acknowledge awareness of the recommendations within the report. Both the President's signed statement and the final copy of the review are kept on file by the Human Resources and Legal Affairs office, Vice President of Human Resources and Legal Affairs – Julie Huss. The report and all supporting documentation are on file by the college for seven years, thus aligning with other Consumer Information regulations.

Annual Policy Notification Process

Primary method utilized to distribute policy to all employees is via email (see Appendix 1). The email includes links to the United States Department of Labor page on Drug-Free Workplace Advisor. During new staff and faculty are informed of the program during their New Employee Orientation and onboarding.

Students are notified by an email from the Vice President of Student Services, Robert Cox. (See Appendix 2)

Policies and Guidance

Workplace Policy

Every employee and student employee signs the Drug Free Workplace Policy (see Appendix 3) before they begin their employment at Centralia College. The Student Job Center Program Coordinator goes over the form with each student employee during their onboarding process. Employees must, as a condition of continued employment abide by the terms of this policy, and must report any conviction under a criminal drug statute for violations occurring in or on property owned or controlled by Centralia College or while conducting Centralia College business.

Disciplinary Sanctions

College Sanctions

The College responds to alcohol abuse and illegal drug activity by employees and students on a case by case basis and in accordance with its policies and procedures. Details of each case are taken into consideration along with the outcome of any legal action against the individual. In addition to any penalties under federal, state, or local laws, employees and students found to be in violation of this administrative procedure may be subject to disciplinary sanctions consistent with employment contracts or CC Student Code of Conduct as found in the Student Rights and Responsibilities: <http://www.centralia.edu/about/policies/student.aspx>. Sanctions imposed by the College can range from a warning or disciplinary action up to and including termination of employment or expulsion from school. Other potential sanctions may include referral for prosecution and may require participation in approved drug and/or alcohol abuse assistance or rehabilitation programs. Additionally, as required by law, the College will report to a federal agency any employee convicted of violating a criminal drug statute if the employee is involved in work supported by a federal agency.

State of Washington Sanctions

Washington State laws regarding minor in possession (MIP) and use:

- Persons under the age of 21 may not acquire, possess, or consume alcohol. Nor may other persons furnish alcohol to anyone under 21 or permit underage consumption on premises within their control. Penalty: Maximum \$500 fine, 2 months imprisonment, or both.

- Persons under 21 may not be in a public place or in a vehicle in public while exhibiting the effects of having consumed alcohol. A public place includes city streets and any buildings and grounds used for University purposes. Penalty: Maximum \$500 fine, 2 months imprisonment, or both.
- Persons under 21 may not purchase or attempt to purchase alcohol. Penalty: Maximum \$1,000 fine, 90 days imprisonment or both.
- Alcohol may not be opened or consumed in a public place. Penalty: Maximum \$1,000 fine.
- It is unlawful to manufacture, deliver, or possess an illicit drug. Penalty: Maximum \$10,000 fine, 5 years imprisonment, or both. The possession of 40 grams or less of marijuana is a misdemeanor (minimum \$250 fine and not less than 24 hours in jail).
- It is unlawful to possess or use drug paraphernalia for purposes relating to the manufacture, delivery, possession, or use of an illicit drug. Penalty: Minimum \$250 fine and not less than 24 hours in jail.

Washington State laws regarding driving:

- Any minor in possession (alcohol or drug) offense will result in loss of your driver's license for one year (1st offense) or for two years (2nd offense).
- Under age 21 Driving Under the Influence (DUI) with a .02-.07 BAC has the following penalties:
 - 1st Offense: 90-day license suspension, maximum 90 days in jail and \$1,000 fine
 - 2nd Offense: License revoked until age 21 or at least 1 year, maximum 90 days in jail and \$1,000 fine
- Any age Driving Under the Influence (DUI) with a BAC of .08 or higher has the following penalties:
 - 1st Offense: 90-day license suspension, 1 day jail or 15-day electronic home monitoring, fines \$8,125, possible ignition interlock
 - 2nd Offense: License revoked for minimum of two years, minimum 30 days in jail and 60 days electronic home monitoring, fines \$8,125, possible five year ignition interlock.

Washington State law regarding false identification:

- Possession of a false identification card is a misdemeanor. Penalty: Minimum \$250 fine and 25 hours community service.

Washington State Laws on Marijuana

Initiative 502 legalizes the production, processing, sale, possession, and use of marijuana and marijuana-infused products within Washington State and authorizes the Washington State Liquor Control Board (WSLCB) to license and regulate these new systems.

I-502 specifically legalizes the following:

Individuals twenty-one years of age or older are legally authorized to possess and use marijuana-related paraphernalia and any combination of:

- One ounce of useable marijuana
- 16 ounces of marijuana-infused product in solid form; or
- 72 ounces of marijuana-infused product in liquid form.

The use or consumption of these products is limited to private homes or establishments. Using marijuana or marijuana-infused products in public is illegal and a ticketable offense. Individuals will be subject to criminal prosecution for:

- Possession in amounts greater than the quantities listed above (over 40 grams is a felony offense)
- Possession of any kind of marijuana or marijuana-infused product by individuals under 21 years of age

Driving under the influence of marijuana is a prosecutable offense. I-502 sets a DUI limit of "delta-9" THC levels at greater than or equal to 5 nanograms per milliliter of blood (5 ng/mL). State and local law enforcement agencies are tasked with enforcing this DUI limit.

It is also important to note that individuals or retailers are still subject to prosecution under federal law should the federal government choose to do so.

What This Means as a Member of the Centralia College Community

As a federally-funded institution, the Centralia College will follow federal law when it comes to the sale, possession, and use of marijuana or marijuana-infused products. **The production, sale, possession, and use of marijuana or marijuana-infused products are prohibited on campus.**

<http://www.liq.wa.gov/publications/Marijuana/I-502/Fact-Sheet-I-502-REVISED-11-19-12.pdf>

Federal Sanctions

The federal system establishes sanctions for possession and distribution of a controlled substance, based on the schedule of the drug and the amount involved. In addition, the statutory sanctions for possession and distribution are subject to the "Sentencing Guidelines for U.S. Courts." Imposition of the guidelines may lead to higher offense levels and, thus stricter penalties than otherwise indicated. Courts must make adjustments in the offense level for victim-related consideration, the defendant's role in the offense, multiple counts, obstruction, and acceptance of responsibility. The guidelines established sentences for each offense based on the defendant's criminal history. Federal penal sanctions range from manufacture, distribution, or trafficking of large amounts of heroin, cocaine, PCP, methamphetamine, Schedule I and II hallucinogens, marijuana, hashish, or any of their derivatives (30 years to life, regardless of the defendant's criminal history) to possession of any Schedule III-V drug if the defendant has the lowest level of criminal history (0-4 months).

Further, if serious injury or death results from the crime, minimums of up to 10 years (serious injury) and 20 years (death) plus a fine of up to \$4 million may be added. These penalties may be doubled for defendants with past felony drug convictions. Finally, penal sanctions in the federal system are “real time” with reductions in sentences only for good behavior.

For more detailed list of offenses and sanctions please visit:

<https://fas.org/sgp/crs/misc/RL30722.pdf>

Assessing Enforcement Consistency

The Vice President of Student Services serves as the primary student conduct officer. When needed other student conduct officers are appointed by the Vice President of Student Services. The Vice President of Human Resources and Legal Affairs facilitates all issues related to employees. Findings and disciplinary sanctions are determined in accordance with due process and based upon a preponderance of evidence. For the purpose of this biennial report, the table below documents the number of infractions of both students and employees over the last two years.

	Student Alcohol Infractions	Student Drug Infractions	Employee Alcohol Infractions	Employee Drug Infractions
2016-2017	0	0	0	0
2017-2018	0	0	0	0

Assessing Policy and Program Effectiveness

Assessment of the effectiveness of the CC DAAP Program and related policies, is unavailable at this time. This biennial report with description of program elements, assignments of responsibilities, and clarification of goals serves as a baseline for future assessment of effectiveness and continuous improvement.

Measures are being put in place to support future biennial reports as listed in the Recommendations section.

Recommendations

Increase education and prevention programming (such as bystander training) for students and staff.

Develop an Alcohol and Drug Prevention Task Force. Membership being a cross section of staff, faculty and students (faculty from Chemical Dependence Program, a counselor, athletic director, residence life/clubs & orgs. Specialist, an athlete (one male and one female), member of student activities team and/or student government, a student from housing. etc)

Create a website where the AOD information is easy to find for anyone.

APPENDIX 1

Sent: Monday, September 10, 2018 10:30 AM

To: 'OFFICIAL@LISTSERV.CENTRALIA.EDU' <OFFICIAL@LISTSERV.CENTRALIA.EDU>

Subject: Annual Notice to Employees

Importance: High

Please share this information with anyone in your area who does not have access to e-mail.

Greetings and Welcome back for the start of a new academic year! As part of Centralia College's ongoing commitment to non-discrimination, creating a drug free workplace, and promoting employee ethics and safety, we are providing you with the following brief summaries, and the internet links to a variety of enforcement agencies tasked with the responsibilities of overseeing compliance. If you have any questions regarding these subjects, or wish to receive a copy of Centralia College's Policies and Procedures related to these subjects, please feel free to call or stop by our office.

Non-discrimination and Harassment

It is the policy of Centralia College to comply with applicable federal and state laws designed to promote equal employment and equal educational opportunities. The College makes every effort to eliminate barriers to equal opportunity and to promote employment and educational opportunities to under-served groups.

Centralia College prohibits sexual harassment. Sexual harassment is conduct that is sexual in nature, is unwelcome and denies or limits your ability as a student or employee to participate in or benefit from Centralia College's education program or a safe workplace environment. Further information on sexual harassment may be found at:

www.centralia.edu/students/policies/sexual-harassment.pdf

<http://www.centralia.edu/students/rights.html>

<http://www.centralia.edu/students/policies/1.135DiscriminationandHarassmentPolicy.doc>

<http://www.centralia.edu/students/policies/1.136DiscriminationandHarassmentProcedure.doc>

Please visit the following websites to receive more detailed information regarding federal and state non-discrimination laws:

Equal Employment Opportunity Commission:

<http://www.eeoc.gov/>

Washington State Human Rights Commission:

<http://hum.wa.gov/>

Department of Education: Office of Civil Rights:

<http://www.ed.gov/about/offices/list/OCR/index.html>

State Ethics Law

Centralia College staff members must comply with Washington State's Ethic in Public Service Law. The ethics law addresses conflicts of interest, outside consulting activities and part-time employment and use of state resources. Additional information regarding this law can be found at the following website:

<http://ethics.wa.gov/>

Drug Free Workplace

Centralia College intends to provide a drug free work environment. Each employee is expected to report to work in ready condition to perform his/her assigned duties. Additional information regarding the Drug Free Workplace Act can be found at the following website:

<http://www.dol.gov/elaws/asp/drugfree/screen4.htm>

Whistleblower Act

The Washington State Auditor's Office has requested that we provide employees with an annual written summary of procedures for reporting improper governmental action under Chapter 42.40, the State Employee Whistleblower Protection Act.

Attached is information regarding the Whistleblower Program and a Question and Answer Summary of the provisions and protections under the Act. Further information on the program may be found on the State Auditor's Web Page at:

<http://www.sao.wa.gov/investigations/Pages/Whistleblower.aspx>

FERPA

Family Education Rights and Privacy Act is a federal law that protects student privacy of education records. This law applies to all schools receiving funds under an applicable program of U.S. Department of Education. Further information may be found on FERPA at:

www.centralia.edu/students/srtk/ferpa.html.

Mandatory Reporting

Centralia College employees must report child abuse. Further information on Mandatory Reporting may be found in RCW 26.44.030, SB 5991.

<http://app.leg.wa.gov/rcw/default.aspx?cite=26.44.030>

Other

If you would like information regarding other Centralia College Policies and Procedures, please visit our Intranet site at: <https://mycc.centralia.edu> and click on Human Resources/Shared Documents.

If you have any questions regarding this e-mail, please feel free to consult the website or contact me at extension 8474.

Julie Huss, J.D.
Vice President for Human Resources & Legal Affairs
Centralia College
(360) 623-8474

APPENDIX 2

Greetings Centralia College Student,

I hope your fall term is off to a great start!

I would like to inform you of the consumer information provided on our web site at <https://www.centralia.edu/about/disclosures.aspx>. The Higher Education Opportunity Act of 2008 requires that postsecondary institutions participating in federal student aid programs make certain disclosures to enrolled and prospective students, parents, employees, and the public. The information at the above link will help you better understand your privacy rights, how to access important information and will provide you with a wealth of information about the college. Information topics include student financial aid, campus security, the Student Right to Know Act, drug and alcohol abuse prevention, the Family Educational Rights and Privacy Act (FERPA), Constitution and Citizenship Day resources and other general college information.

If you have any questions about this important information please let me know.

Sincerely,

Robert Cox

Vice President of Student Services

Centralia College

600 Centralia College Blvd

Centralia, WA 98531

360-623-8385

APPENDIX 3

DRUG FREE WORKPLACE POLICY

Background

Centralia College is the recipient of federal grants and contracts. The Federal Drug Free Workplace Act of 1988 requires that the college, as a recipient of a grant or major contract from a federal agency, certify that it will provide a drug free workplace. The college must publish a policy statement notifying employees of the provisions of the 1988 Act and that action will be taken against an employee who violates such prohibition. The policy should also include student employee and other students receiving aid under federal campus based programs. The college is also required to establish a drug free awareness program. Failure to comply with the provisions of the ACT may result in the suspension, termination, or debarment from the award of any federal contract.

Policy Statement

Centralia College intends to provide a drug free work environment. Each employee is expected to report to work in an appropriate mental and physical condition to perform his/her assigned duties.

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in or on Centralia College owned or controlled property, or while conducting Centralia College business is prohibited. Violation of this policy will be reason for taking personnel actions against such employee and/or requiring the employee's participation

in a drug abuse assistance or rehabilitation program. Any personnel actions will be processed in accordance with the Higher Education Personnel Board rules, bargaining unit agreements, student disciplinary code or other appropriate policies of the college. Any disciplinary action for employees or students will be decided on a case-by-case basis depending upon the specific circumstances. Students may lose federal funding or be subject to the student disciplinary process depending upon the circumstances of the conviction.

Centralia College recognizes drug use and/or dependency to be a health, safety, and security problem. Employees needing assistance with problems related to drug or alcohol abuse are encouraged to use the State Employee Advisory Service and/or employee medical insurance plans, as appropriate. Conscientious efforts to seek such help will not jeopardize employment.

Employees must, as a condition of continued employment abide by the terms of this policy, and must report any conviction under a criminal drug statute for violations occurring in or on property owned or controlled by Centralia College or while conducting Centralia College business. Employees shall report any such conviction to their supervisor within five (5) days after the conviction. Students must report such convictions to the Vice President, Student Services within five (5) days after the conviction. Centralia College must report the conviction to the appropriate federal grant/contracting agency within 10 days after having received notice that a person employed under a federally sponsored grant or contract has any drug statute conviction or violation occurring in the workplace.

Acknowledgment

I, _____ acknowledge receipt of this policy statement on

_____.

Signature

Biennial Review Team

Robert Cox, Vice President of Student Services

Julie Huss, Vice President of Human Resources and Legal Affairs

Casey Rice, Director of Buildings and Grounds

Shelley K. Bannish, Director of Student Life & Involvement

This report is approved by Centralia College President, Dr. Bob Mohrbacher.

Dr. Bob Mohrbacher
President