Western New Mexico University Alcohol and Other Drugs Biennial Review

Introduction

The Drug-Free Schools and Campuses Regulations (EDGAR Part 86) 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) 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" both on the institution's premises and as part of any of its activities. According to the Part 86 regulations, if an IHE fails to submit the necessary certification when requested to do so or violates its certification, the Secretary of Education may terminate all forms of financial assistance whether from the Dept. of Education or other federal agencies (34 CFR Section 86.1 and 20. USC &1145g.).

The Drug-Free Schools and Campuses Regulations also require IHEs to conduct a biennial review of the AOD (alcohol and other drugs) programs and policies to determine program effectiveness and consistency of policy enforcement and to implement any changes needed to either.

This legislation directs the Western New Mexico University to maintain a written policy on alcohol and other drugs and to maintain a process that ensures policy distribution to all students, faculty, and staff. The written policy must enumerate federal, state and/or local sanctions for unlawful possession or distribution of illicit drugs and alcohol, describe health risk associated with alcohol abuse or illicit drug use, describe University drug and alcohol programs available for students and employees, and specify disciplinary sanctions imposed on students and employees for policy violations. Also, the University is required to conduct biennial reviews to assess the effectiveness of its alcohol and drug prevention programs.

This purpose of this biennial review is to do the following:

- 1. Assess the effectiveness of WNMU's Drug and Alcohol Abuse Prevention Program
- 2. Evaluate the consistency of sanctions imposed for violations of disciplinary standards and codes of conduct related to drugs and alcohol
- 3. Identify areas requiring improvement or modification
- 4. Produce a report of biennia review findings.

Drug Free Workplace Policy

(Adopted May 12, 1989; Revised 1999; May 10, 2001)

The Board of Regents of Western New Mexico University adopts this policy to implement the Drug Free Workplace Act of 1988, as amended. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited on the premises of Western New Mexico University, including but not limited to its campuses, grounds, facilities, workplaces, vehicles, or at any activity held on University premises. If any employee of the

University violates this policy, that employee will be immediately referred to the Director of Human Resources

Definitions

Controlled Substance means a controlled substance in schedules I through V of the Controlled Substances Act (21 U.S.C. § 812) and as further defined by regulation at 21 C.F.R. 1308.11 through 1308.15.

Director of Human Resources means the Director of Human Resources of Western New Mexico University or his/her authorized representative.

Employee, for purposes of this policy, means employees on the payroll of Western New Mexico University directly engaged in the performance of work under the federal grant or contract, including student employees, temporary personnel and consultants who are directly engaged in the performance of work under the grant or contract and who are on Western New Mexico University's payroll.

Western New Mexico University hereafter referred to as "the University," means the University campuses, its off-campus centers, and its associated activities and facilities.

Responsibility

The President of the University is responsible for the administration of the DrugFree Workplace policy and program. The Director of Human Resources is designated by the President to administer this program for employees. The Director of Contracts and Grants is designated by the President to certify this program for University grants and contracts.

The President's Executive Council is designated by the President to oversee the development and implementation of the Drug-Free Workplace policy and program. The Director of Human Resources and the Director of Contracts and Grants are delegated to assist the Council in this process.

Programs

The University establishes the following Drug-Free Workplace program.

- 1. The purpose of the program is to inform the University's employees about:
 - a. the dangers of drug abuse at the University as a workplace;
 - b. b. the Board of Regents' policy for maintaining a drug-free University environment;
 - c. c. the information on available drug counseling, rehabilitation, or employee assistance programs; d. the appropriate disciplinary action and penalties that may be imposed for a drug abuse violation.
- 2. The program requires the Director of Human Resources to provide each employee with a copy of the policy.

- 3. The program requires each employee, as a condition of employment to:
 - a. abide by the Board of Regents' Drug-Free Workplace Policy;
 - b. notify the Director of Human Resources of any criminal drug statute conviction for a violation occurring on the University premises no later than five calendar days after conviction;
 - c. c. sign a certification of awareness of the University Drug-Free Workplace policy and program.
- 4. The program requires the Provost and Vice President for Academic Affairs to:
 - a. sign a certification of the University Drug-Free Workplace policy and program for all grant and contract proposals and agreements;
 - b. notify the appropriate federal contracting agency within ten calendar days after receiving notice from an employee of a conviction of any criminal drug statute or of receiving actual notice of the conviction.
- 5. The Program requires the Director of Human Resources to take one of the following actions after receiving notice of any criminal drug statute conviction: a. appropriate disciplinary action according to established personnel policy and procedure up to and including dismissal; and/or b. requiring the employee to participate in an approved drugabuse assistance or rehabilitation program.
- 6. The program requires the University to make a good faith effort to continue to maintain a drug-free workplace through implementation of this policy and program.
- 7. Independent contractors, when engaged in work for the University where its employees perform work on property owned by the University will abide by this policy. To enforce this policy the following statement will be added to University contracts with independent contractors who have employees working on campus: "Contractor agrees that as to Contractor's employees that work on University property, Contractor will abide by the University's Drug Free Work Place policy found in the University's Regents' Policy Manual."
- 8. 8. This policy does not prohibit WNMU employees or contractors or affiliates who are health care practitioners possessing a current federal DEA registration number and licensed/registered by the NM Regulation and Licensing Department in accordance with provisions of laws in the state of New Mexico from administering or prescribing medications as set forth under state and federal laws.

Use of Alcohol on University Property

(Revised May 2013)

General

The use of alcohol is prohibited on University property, except as authorized herein. For the purposes of this policy, the use of alcohol refers to the service and/or consumption of alcohol including, but not limited to, alcoholic beverages. This policy governs the use of alcohol on University property. It applies to students, student organizations, faculty, staff, University departments, and other entities and visitors. This policy applies to property owned, leased, or operated by the University, and to all events sponsored by the University or its sub-units. It does not apply to property owned by the University and leased to others, unless it would otherwise apply.

Western New Mexico University recognizes that alcohol abuse is a persistent social and health problem of major proportions in society. The University also recognizes that diversity of opinion and freedom of choice are the foundations of institutions of higher education, and that the use of alcoholic beverages, off of University property, by those of legal age is a matter of personal choice.

Use of Alcohol

Use of alcohol on University property is prohibited, except as follows:

- 1. Alcohol may be served and consumed at receptions or other social functions sponsored and/or approved by the University President in advance, in writing. The following restrictions apply:
 - a. Alcohol may be served and consumed in those locations on the campus for which a governmental liquor license has been issued.
 - b. If the reception or social function is to take place at a location on campus for which a governmental liquor license has not been issued, a special dispenser's permit must first be obtained.
- 2. Alcohol may be served and consumed at the University President's house by its residents and their invited guests at private parties.
- 3. Nothing herein prohibits the use of alcohol(s) for legitimate classroom, laboratory, teaching, research or medical purposes at WNMU.
- 4. Where alcohol is served and consumed as permitted herein, University officials, or designee, shall supervise the function or event to assure that alcohol is not consumed excessively by any invitee and that licensing and permit requirements are addressed.
- 5. Individuals who choose to use alcohol on University property, as permitted herein, must comply with state law and University policies and procedures, and conduct themselves responsibly, mindful of the rights of others.

State Law

State law governs many aspects of the consumption and serving of alcohol. All individuals who use alcohol on University property must comply with the applicable legal requirements.

Purchase of Alcohol

The purchase of alcohol with state funds must in compliance with all applicable state laws and University policies.

Promotional Materials

Promotional materials and advertisements for an approved event at which alcohol will be served or consumed must be approved in advance by the University President, or designee, in writing. Advertisements for a function or event to be scheduled on campus shall not emphasize the quantity of alcohol to be served at such function or event in order to encourage participation

(e.g., number of kegs). Nothing herein will prevent promotional materials for approved events from mentioning that alcohol will be served, or that particular beverage vendors or beverage products will be available at the event.

Request for use of Alcoholic Beverages Form

Western New Mexico University has governmental liquor licenses for the Thomas B. McDonald Student Memorial Center and Light Hall. WNMU also leases a governmental liquor license from the Town of Silver City for the local golf course. To have an event on campus that includes the serving of alcoholic beverages, the request for use of alcoholic beverage form must be submitted to the President's Office at least 10 business days before the date of the scheduled event. (The form is attached)

Student Handbook Polices related to Alcohol and Other Drugs

The Western New Mexico University Alcohol and Other Drug policy, like other standards of conduct applicable to the university community, is intended to further the educational mission of the university, to foster the development of responsible and mature social interaction in an institution of higher education, and to promote the health and safety of individuals. Each member of the community is responsible for his or her own actions and is expected to respect the rights of others to abstain from the use of alcohol and other drugs. The alcohol and other drug policies, with their emphasis on individual and shared responsibility, healthy and informed decision making, and maintaining a caring environment, are adopted in this spirit.

General Rules Governing the Use of Alcohol and Other Drugs

New Mexico State Law and Western New Mexico University prohibit the possession and/or consumption of alcoholic beverages by persons under the age of twenty-one (21) on property owned or controlled by the university or as part of any university activity.

The university permits the lawful keeping and consumption, in moderation, of alcoholic beverages on its property or property under its control by persons of legal drinking age (21 years or older). It restricts the consumption of alcoholic beverages to private rooms in Muir Heights apartments, and to other designated areas but only when approved by the President of the university and as subject to the laws of the State of New Mexico.

In compliance with the Drug-Free Schools and Communities Act of 1989, the university is committed to provide and maintain a safe and healthy workplace for learning and work. Alcohol and other drugs abuse will not be tolerated.

All members of the university community are expected to abide by state and federal laws pertaining to controlled substances and illicit drugs. Standards of conduct strictly prohibit the unlawful manufacture, distribution, possession or use of controlled substances or illicit drugs on the university property, and university-sponsored activities.

Health Risks

Alcohol and other drug abuse can cause many health related problems. Approximately 150,000 deaths annually are directly related to alcohol abuse and/or alcoholism. Alcohol abuse can lead to alcoholism, premature death through overdose, and complications involving the brain, liver, heart, and many other body organs. Alcohol abuse is a prime contributor to suicide, homicide, motor vehicle deaths, and other so-called accidental causes of death.

Alcohol abuse interferes with psychological functions, causes interpersonal difficulties, and is involved in most cases of child abuse. Alcohol abuse also disrupts occupational effectiveness, and causes legal and financial problems. Alcohol used in any amount by a pregnant woman can cause birth defects.

The abuse of illicit drugs can result in a wide variety of health problems. In general, illicit drug use can result in drug addiction, death by overdose, and death from withdrawal, seizure, heart problems, infections (HIV/AIDS), liver disease, and chronic brain dysfunction. Other problems associated with illicit drug use include psychological dysfunctions such as memory loss, thought disorders (hallucinations, paranoia, psychosis), and psychological dependency. Additional effects include occupational, social, and family problems as well as a reduction in motivation.

Western New Mexico University offers the campus community a variety of programs and activities that promote healthy lifestyles and substance-free alternatives. Additionally, students who need individual assistance such as personal counseling, alcohol and other drug recovery support can use the services of the University Student Health Services Center. The Director of the Student Health Services Center or their designee can also provide resources in Silver City, Gallup, T or C, Deming, Alamogordo and the surrounding areas.

Alcohol Poisoning

Symptoms of alcohol poisoning

- Person is unconscious or semiconscious and cannot be awakened.
- Cold, clammy, pale or bluish skin.
- Breathing is slow, less than eight times per minute, or irregular, with ten seconds or more between breaths.
- Vomiting while "sleeping" or passed out, and not waking up after vomiting. If a person has any of these symptoms, he or she is suffering from acute alcohol intoxication.
- Get help. Call someone: a staff member, an ambulance (911), Campus Police, someone who can help.
- Do not leave the person alone. Turn the victim on his/her side to prevent choking in case of vomiting. Always keep in mind the notion "better safe than sorry" if you are not sure what to do. If you really care about your friends and neighbors, getting help for them may keep them from dying from alcohol poisoning! To implement an effective alcohol and drug abuse prevention plan, the university will use both formal and informal channels of communication to:
- Distribute information that describes and encourages the use of counseling and treatment modalities available to both students and employees in the local and regional area.

• Make available to the campus population referrals to local treatment centers and counseling programs. The referrals will be made within a supportive and confidential environment by the Student Health Center, University Counselor, Director of Housing and Residence Life, Dean of Students, and/or Director of Human Resources.

Violation of the Western New Mexico University Drug-Free School and Campus policy will necessitate appropriate disciplinary action against such an employee or student up to and including termination or expulsion. Appropriate disciplinary action may also include, but is not limited to: probation, and/or requiring such employee or student, at the individual's expense, to participate satisfactorily in a drug assistance or rehabilitation program approved by the university.

University Disciplinary Sanctions

Any student who engages in conduct that is prohibited by Western New Mexico University rules or by federal, state, or local law may be subject to discipline whether such conduct takes place on or off campus or whether civil or criminal penalties are also imposed for such conduct.

Any student who is guilty of the illegal use, possession and/or sale of a drug or narcotic on the campus or a component institution is subject to discipline. If a student is found in violation of any aspect of the drug policy, sanctions may range from fines and community restitution to suspension/expulsion from the university.

A student or employee is subject to discipline for prohibited conduct that occurs while participating in off-campus activities sponsored by the university or by a component institution including field trips, internships, rotations or clinical assignments.

A student or employee who receives a period of suspension as a disciplinary penalty is subject to further disciplinary action for prohibited conduct that takes place on campus during the period of suspension.

Legal Sanctions

Students found in violation of any local, state, or federal law regarding the use, possession or distribution of alcohol or other drugs may receive the full legal penalty in addition to any appropriate university disciplinary action.

Save a Life Policy

Effective August, 2014, in the event of possible alcohol poisoning, a person under 21 years of age calling for help for himself or another will not be adjudicated for possessing or consuming alcohol. The immunity for minors is limited to the first person who calls for assistance, only if he or she stays on the scene and cooperates with law enforcement, medical personnel, and university officials. This university policy does not protect a person from being cited for any other violation of the law. Western New Mexico University Student Code of Conduct has been

amended to protect the student in the event of a call for help involving alcohol and/or medical emergency

Sanctions

Alcohol and Other Drug	Consequences
Level 1 AOD policy violation	Online education program
Level 2 AOD policy violation	Module Program: student can attend either group or individual services (Modules will be completed by student and group and individual time will be spent going over the modules.) / 20 hours of community service monetary fee. 10 hours of community service
Level 3 AOD policy violation	Mandated drug/alcohol screening and student completing recommendations. 30 hours of community service
Level 4 AOD policy violation	Mandatory counseling/treatment. Possible expulsion or suspension.

University Alcohol and Other Drugs – Prevention Programs and Services

Student Health Services/Counseling Services

Counseling Services is housed in the Office of Student Health Services. These offices provide pro-active programs and activities for students related to drug and alcohol abuse and misuse. They also provide counseling to students and referrals to community agencies, if needed.

Student Activities

Student Activities has a student advisory groups that assists with the biennial review. They also conduct a campus safety week at the beginning of the fall semester and a sex the week prior to spring break. In both of these weeks, they do preventive programs and activities for drug and alcohol awareness.

Student Housing

Each Resident Assistant in student housing is required to do one alcohol and/or drug related awareness program each semester.

Youth Substance Abuse Prevention Coalition

Western New Mexico University is an active participant with this coalition made up of various community groups and agencies. The groups conducts student lifestyle surveys to assist with coming up with solutions for working with students on and off campus.

Campus Police

As part of New Student Orientation and new employee orientations, WNMU's campus police conducts sessions on campus safety. As part of these sessions, they discuss university, local and state policies on alcohol and drug usage.

Assessment and Evaluation

To assist alcohol and drug related programs at Western New Mexico University, a review team was formed. This team is made up of students, community members, and university staff. The students of the group are Resident Assistants in housing and students serving on the campus safety student life advisory committee. The community member is from the coordinator from the Youth Substance Abuse Prevention Coalition.

Process

The committee review the number of alcohol or drug related cases since 2013. The table below shows the number of cases. This is a combination of all campus cases, include incidents in student housing.

Calendar Year	Number of Alcohol/Drug related cases
2013	4
2014	1
2015	14
2016	12

The committee also review policies and procedures related to these cases; the student conduct process, resources available, university related programs and activities, etc. They also reviewed the results from the attached Partnership for Success Community/Lifestyle survey.

Findings

The committee concluded from 2014 to 2016, there was increase in the number of alcohol and drug related incidents on campus. They also thought it was unusual for there to only be four cases in 2013 and one case in 2014. The committee concluded this is probably because in 2015 we changed the staffing structure in student housing. There was also additional training of the housing staff on dealing and reporting these types of incidents. As a result, the committee concluded the last two years are a clearer picture of the number of incidents on campus.

The committee also review the findings from the community lifestyle survey. After talking with the student committee members and review the survey results, the committee learned students do most of their drinking off-campus. They also learned there was a slight increase in the number of students drinking off campus and driving back to campus.

Actions/Goals

- Work with students and community agencies to develop a safe ride program
- Through programs and activities on and off campus, continue educating students on making positive decisions as it relates to alcohol use and drug abuse
- Make sure the committee meets regularly and adopts the responsibility of making sure the biennial review is complete and distributed to the campus community and approved by the University Board of Regents