

# 2020-2022 BIENNIAL REVIEW

OF ALCOHOL AND OTHER  
DRUG POLICIES AND  
PROGRAMMING

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## Statement of Goals

The following report was written by the Chair of the University Alcohol and Other Drugs (AOD) Committee. This report is prepared to meet the requirements of the 1989 Amendments to the Drug-Free Schools and Campuses Act, as stated in Part 86 of the Drug-Free Schools, and is designed to document the prevention efforts provided at this Institution. The committee's goal is to uphold the core values stated in the Arkansas Tech University Student Affairs Strategic Plan, which are the following: commitment, community, equity, growth, and health. The AOD committee also strives to be consistent with the overarching goal of the Student Affairs Strategic Plan Mission to "cultivat(e) a community that provides access, fosters development, and promotes holistic well-being." The goals of the AOD programming within the department of Student Wellness are also consistent with the ATU 2025: Strategic Plan Goal 2, "In keeping with the vision and mission of the institution, Arkansas Tech University will provide programs and support for the success of students."

The AOD Committee upholds these values by making sure that the most effective, relevant, and up-to-date programming is being provided with regard to alcohol and other drugs. The Committee consists of representatives from various divisions within the institution to provide oversight and consultation. The AOD Committee regularly conducts assessment to identify AOD trends within the campus community and to utilize this data to inform programming and policies. The Committee consistently makes sure that the institutional policies regarding alcohol and other drugs are equitable and promote a safe and healthy learning environment. The responsible parties also make sure that the University is in compliance with federal standards, which currently include the distribution of an annual notification of AOD policies to all university students as well as personnel and a biennial review of alcohol and other drug programming and policies. The Committee Chair is responsible for keeping track of all AOD programming that takes place on campus, providing some AOD programming on campus, maintaining an educational course for students who violate campus policies, overseeing the implementation of an online alcohol awareness course (AlcoholEdu® for College) for new and incoming students, and all other ongoing AOD programming.

## **Alcohol and Other Drugs (AOD) Committee**

The University's primary alcohol and drug abuse prevention and intervention programming is housed under the Department of Student Wellness within the Division of Student Affairs. As part of Arkansas Tech University's efforts to provide comprehensive and global alcohol and other drug programming and prevention, campus partners of the alcohol and drug abuse prevention programs include but are not limited to the Title IX Office, Residence Life, Student Wellness, and Public Safety Departments. Members are also solicited from other divisions on campus, including Academic Affairs, Athletics, and Human Resources, to allow for a more thorough and accurate representation of the campus community. Additionally, relevant stakeholders from the community outside of campus are invited to be part of the Committee as deemed necessary. Below is a list of the 2021-22 committee members:

*Hunter Bramlitt, LPC  
Department of Student Wellness  
Counselor and Coordinator of AOD  
Programming and Prevention*

*Will Cooper  
Department of Student Conduct  
Associate Dean for Student Conduct*

*Shelly Hall  
Department of Veteran Services  
Coordinator of Veteran Services*

*Richard Wineland  
Department of Public Safety  
Corporal*

*Stacy Galbo  
Title IX Office  
Assistant Dean for Student Conduct/Deputy  
Title IX Coordinator/Investigator*

*Robert L. Stevens, Ph.D., CRC  
Department of Kinesiology and Rehabilitation  
Science  
Assistant Professor of Rehabilitation Science*

*Heather Stout, RN  
Department of Student Wellness  
Registered Nurse*

*Laura Palmer  
Department of Residence Life  
Assistant Dean for Residence Life- Housing  
Services*

*Julie Knotts  
Department of Student Wellness  
Administrative Assistant*

## Biennial Review Process

In support of the safety and health of its students and employees, and pursuant to its obligation to conduct a biennial review of its drug and alcohol abuse prevention programs, the University has authorized an administrative review of those programs that is completed every other year. The purpose of this review is (1) to consider whether the University is meeting its obligations under the Federal Drug Free Schools and Campuses Regulations (hereinafter referred to as DFSCR) and (2) to summarize the programs, as well as related policies and procedures, and to recommend any appropriate enhancements to those programs, policies, and procedures.

The following departments provided information considered in the biennial review:

- Student Conduct
- Public Safety
- Student Wellness
- Athletics
- Human Resources

The following materials and programs were examined as part of this biennial review:

- U.S. Department of Education, *Complying with the Drug-Free Schools and Campuses Regulations*, <https://safesupportivelearning.ed.gov/sites/default/files/hec/product/dfscr.pdf>
- National Institute on Alcohol Abuse and Alcoholism, *College Drinking – Changing the Culture*, <http://www.collegedrinkingprevention.gov/>
- University database of programs and events, <https://atu.presence.io/>
- Conduct reports from Maxient student conduct database
- Arkansas Tech 2021-2022 Student Handbook, Pages 25-29
- Arkansas Tech Faculty Handbook, Page 196-197
- Arkansas Tech Staff Handbook, Section 201

The University's procedure calling for a biennial review in compliance with statutory requirements is attached at Appendix G and is maintained in ATU Counseling Services' Policies and Procedures Manual within the Health and Wellness Center.

## Annual Notification Process

The University issues a notice in writing to every new student and employee at the start of his or her enrollment or employment and annually thereafter. That notice includes the following:

- Standards of conduct prohibiting unlawful possession, use, or distribution of illicit drugs and alcohol on the Institution's property or as part of its activities
- A description of the health and safety risks associated with the use of illicit drugs and abuse of alcohol
- A description of applicable legal sanctions under local, state, and federal law
- A description of counseling or treatment programs
- A clear statement and description of the disciplinary sanctions the Institution will impose on students and employees

The annual notification is currently made available to students, faculty, and staff in multiple ways. An email is distributed at the beginning of the fall semester with a link to the annual notification. Students also receive a copy of the notification in their student handbook. Students must acknowledge receipt of the Student Handbook and other policies including the annual notification upon their first log-in to OneTech (See Appendix H). New students will be introduced to the annual notification when they go through the AlcoholEdu program. A link to the annual notification is also included on the Jerry Cares page and the Alcohol and Drug Abuse Prevention page on the Arkansas Tech University website.

Faculty and staff receive an email annually that notifies them that they have outstanding policies to acknowledge which include the annual notification. Faculty and staff must log-in to OneTech to acknowledge receipt of these policies.

Copies of the notices issued in 2020-2021 and 2021-2022 are attached in Appendix F.

The University's notice and process for distributing that notice meets the requirements of the Drug-Free Schools and Campus Regulations.

## Policies

The following policies and procedures were examined as part of this biennial review and are attached at Appendices C, D, and E. During the summer of 2020 the Alcohol and Drug Prevention website was created to house all the DFSCA required documents. All of the below policies are listed on the [Alcohol and Drug Abuse Prevention website](#).

The alcohol and other drug policies along with sanctioning procedures for violation of those policies can be found in the Student Handbook at:

[https://www.atu.edu/studenthandbook/2022-23\\_ATU\\_Student\\_Handbook.pdf](https://www.atu.edu/studenthandbook/2022-23_ATU_Student_Handbook.pdf)

Policies for staff can be found in the employee handbooks at:

<https://www.atu.edu/hr/docs/Staff%20Handbook%209.24.20%20revision.pdf>

The archive of faculty handbooks, which include alcohol and other drug policies, can be found at:

<https://www.atu.edu/academics/facultyhandbook.php>

## **Programming**

Arkansas Tech University provides several avenues for students to seek help for alcohol and drug related issues. Students seeking services on campus are provided confidential services which include education, individual counseling, assessment, case management, and referral to community services. Counseling Services provides online assessment for students to receive feedback related to their recent thoughts or behaviors which may be associated with a common, treatable mental health or substance use issue. The screening is anonymous and presents the students with information and next steps. AOD prevention programming and educational services are provided campus-wide each semester. The focus of the prevention programs is reaching all incoming students, student athletes, fraternity and sorority affiliated students, students who live in the residence halls, multicultural students, non-traditional students, and any other student attending the University through campus wide, ongoing, special population programming. In an attempt to provide prevention programming to all of the students the collaboration of the Student Conduct Department, the Public Safety Department, the Student Wellness Department, the Campus Life Department, and the Residence Life Department is an essential part of the programming efforts across campus.

### **Ongoing Programming**

Since the fall semester of 2013 Arkansas Tech University has used AlcoholEdu® for College, an online alcohol education program. Participation in the course is required of all incoming freshmen and transfer students under the age of 21. The course consists of training modules designed to increase knowledge about making responsible decisions regarding the use of alcohol. The course requires that students demonstrate their understanding of that knowledge by passing a final exam. The survey contained within the AlcoholEdu® for College program provides an extensive data set on the alcohol and other drug use behaviors of incoming students. This survey gives the Committee an idea of what behavior is like before the student enters college and then again after they have been on campus for at least 30 days. In addition to helping the Committee understand how these behaviors change once a student gets to campus, we are also allowed the opportunity to observe how Arkansas Tech compares to other universities in the region and around the country.

The Group Alcohol Workshop is a program implemented by licensed counselors monthly for students who have violated the campus alcohol policy. Students receive the AUDIT assessment and a list of discussion questions via email. These are completed prior to the workshop. On the day of the workshop, students will attend a short one-on-one session with a counselor to receive personalized feedback on their individual drinking habits as assessed by the AUDIT. Following the

individual sessions, students come together for the group workshop. During the workshop, the group collaborates to recognize problem drinking behaviors and increase knowledge of warning signs that someone may be veering towards alcohol abuse.

In the summer of 2022, the Coordinator of AOD Programming and Prevention and the Associate Dean for Student Conduct collaborated to develop a Group Marijuana Workshop for students who have violated the campus marijuana policy. This workshop will be implemented monthly in the fall semester of 2022 and is similar in format to the Group Alcohol Workshop.



## Campus-wide Programming

Below is a list of the campus-wide prevention programs.

| 2020-2021 Alcohol and Other Drug Programming   |             |  |  |  |                          |               |
|--|-------------|--|--|--|--------------------------|---------------|
| Title of Program   | Date        | Division/ Department<br>Overseeing Program | Program Description  | Type of Program  | # Attended (if<br>known) | Other Info    |
| Alcohol Prevention Event   | 10/22/2020  | Public Safety                              | Alcohol education and abuse prevention event put on by Public Safety   | Group Based<br>Programs/Interventions                        | Unknown                  |               |
| Alcohol Sanctions Workshop   | Fall 2020   | Student Wellness, Student<br>Conduct       | Sanctions workshop for students who violate campus alcohol<br>policy.  | Individual and Group Based<br>Programs/Interventions         | 25                       |               |
| Social Norming Videos  | Spring 2021 | AOD Committee, Student<br>Wellness         | ATU students were filmed telling their stories regarding substance<br>use at ATU as a means of establishing more healthy social norms on<br>campus. These five videos were shared via the ATU Student<br>Wellness social media accounts. | Environment/Socio-Ecological<br>Based Programs/Interventions | N/A                      |               |
| This is Your Brain on Drugs  | 3/16/2021   | Counseling Services                        | Virtual Workshop offered by Counseling Services  | Group Based<br>Programs/Interventions                        | 0                        | AOD Week 2021 |
| Sex, Drugs, and Alcohol: Impacts of<br>Substances on Consent and Sexual<br>Relationships | 3/18/2021   | Title IX                                   | Virtual Workshop offered by Title IX   | Group Based<br>Programs/Interventions                        | 0                        | AOD Week 2021 |
| Alcohol Prevention Event   | 3/17/2021   | Public Safety                              | Public Safety provided an obstacle course with a golf cart and drunk<br>goggles to simulate drunk driving for alcohol education.   | Group Based<br>Programs/Interventions                        | Unknown                  | AOD Week 2021 |
| Alcohol Prevention Workshop with<br>Zeta Tau Alpha                                       | 4/15/2021   | Student Wellness                           | Discussion led by licensed counselors around the dangers of<br>underage drinking and tips for responsible drinking.  | Group Based<br>Programs/Interventions                        | 18                       |               |
| Alcohol Sanctions Workshop   | Spring 2021 | Student Wellness, Student<br>Conduct       | Sanctions workshop for students who violate campus alcohol<br>policy.  | Individual and Group Based<br>Programs/Interventions         | 12                       |               |

| 2021-2022 Alcohol and Other Drug Programming   |             |   |   |  |                          |            |
|--|-------------|---|---|--|--------------------------|------------|
| Title of Program   | Date        | Division/ Department<br>Overseeing Program                                      | Program Description   | Type of Program  | # Attended (if<br>known) | Other Info |
| 7 Days: The Opioid Crisis in Arkansas<br>viewing   | 10/27/2021  | Student Wellness  | Viewing of a documentary film regarding the dangers of opioid use and prevention.   | Group Based<br>Programs/Interventions                          | 6                        |            |
| There Are Laws When Drinking the Claws   | 11/11/2021  | AOD Committee, Student<br>Wellness, Public Safety, Student<br>Conduct, Title IX | Tabling event at Hindsman Tower that included information regarding potential consequences of alcohol use as well as a drunk driving simulator provided by Public Safety.                                     | Group Based<br>Programs/Interventions                          | 17                       |            |
| Alcohol Sanctions Workshop   | Fall 2021   | Student Wellness, Student<br>Conduct  | Sanctions workshop for students who violate campus alcohol policy.  | Individual and Group Based<br>Programs/Interventions           | 9                        |            |
| AOD Committee Survey   | Mar-21      | AOD Committee   | Students participated in a QuestionPro survey regarding substance use habits on campus as a means of gathering information regarding ATU students' habits to better inform future programming and policy.     | Universal or Entire Population<br>Based Programs/Interventions | 380                      |            |
| Tech Talk: Avoiding the Party Foul:<br>Resources on Addiction and Recovery for<br>ATU Students | 5/5/2021    | AOD Committee   | Virtual Workshop for Faculty Development led by Robert Stevens, PhD and Hunter Bramlitt, LPC that discussed warning signs for substance abuse among ATU students and resources for faculty to refer students. | Group Based<br>Programs/Interventions                          | Unknown                  |            |
| Alcohol Sanctions Workshop   | Spring 2022 | Student Wellness, Student<br>Conduct  | Sanctions workshop for students who violate campus alcohol policy.  | Individual and Group Based<br>Programs/Interventions           | 22                       |            |

## Enforcement Analysis

Enforcement of the University's policies and procedures concerning alcohol and drug use is the responsibility of the Department of Public Safety, Department of Student Conduct, Department of Student Wellness, and Human Resources. The University's student conduct process can be found in Appendix J. Using data from the Student Conduct Department, the Committee has analyzed the data regarding the incidence of alcohol and drug policy violations. The tables below summarize this investigation.

The following table summarizes the frequency of incidents involving alcohol and drugs that were reported to campus officials that occurred on campus or as part of Arkansas Tech University's activities, for which the students were found responsible:

|                              | 2020-2021 | 2021-2022 | Total |
|------------------------------|-----------|-----------|-------|
| Alcohol Violations           | 47        | 36        | 83    |
| Alcohol Container Violations | 7         | 7         | 14    |
| Illegal Drug Violations      | 23        | 12        | 35    |

The following table displays the number of alcohol policy violations per student classification:

|           | 2020-2021 | 2021-2022 | Total |
|-----------|-----------|-----------|-------|
| Freshman  | 16        | 18        | 34    |
| Sophomore | 21        | 14        | 35    |
| Junior    | 6         | 5         | 11    |
| Senior    | 4         | 0         | 4     |
| Graduate  | 0         | 0         | 0     |

The following table displays the number of Alcohol Container policy violations per student classification:

|           | 2020-2021 | 2021-2022 | Total |
|-----------|-----------|-----------|-------|
| Freshman  | 2         | 4         | 6     |
| Sophomore | 3         | 2         | 5     |
| Junior    | 1         | 0         | 1     |
| Senior    | 1         | 1         | 2     |
| Graduate  | 0         | 0         | 0     |

The following table displays the number of Illegal Drug Policy violations per student classification:

|           | 2020-2021 | 2021-2022 | Total |
|-----------|-----------|-----------|-------|
| Freshman  | 14        | 7         | 21    |
| Sophomore | 6         | 1         | 7     |
| Junior    | 1         | 2         | 3     |
| Senior    | 2         | 2         | 4     |
| Graduate  | 0         | 0         | 0     |

The following table displays the location of the policy violations. Numbers may not match total violations as some students may have had multiple violations in the same location:

|           | University Housing | Parking Lot | Off Campus | University Building |
|-----------|--------------------|-------------|------------|---------------------|
| 2020-2021 | 73                 | 1           | 0          | 0                   |
| 2021-2022 | 48                 | 2           | 0          | 1                   |
| Total     | 121                | 3           | 0          | 1                   |

### Enforcement Consistency Analysis

During adjudication, University adjudicators use a rubric that defines the sanctions for a student based on type and number of recurrences of the infraction (Appendix I). The following table displays the frequency of the prescribed sanctions for a violation of the alcohol and/or drug policies either individually or in combination with other disciplinary violations.

|           | Disciplinary Probation | Monetary Fine | Group Alcohol Workshop | Judicial Education Module | Ethical and Responsible Decision-Making Workshop | Suspension from Housing | Suspension/Expulsion from University |
|-----------|------------------------|---------------|------------------------|---------------------------|--|-------------------------|--------------------------------------|
| 2020-2021 | 70                     | 56            | 38                     | 60                        | 10   | 21                      | 2                                    |
| 2021-2022 | 44                     | 40            | 29                     | 30                        | 5  | 8                       | 2                                    |
| Total     | 114                    | 96            | 67                     | 90                        | 15   | 29                      | 4                                    |

Per the attached rubrics which state the sanctions for each violation (see Appendix I), first time alcohol offenders are to be sanctioned to a monetary fine, disciplinary probation, and participation in the Group Alcohol Workshop. The chart below shows the disciplinary measures used for students who violated the alcohol policy for the first time and who did not have additional charges requiring discipline.

|           | Total | Disciplinary Probation | Monetary Fine | Group Alcohol Workshop | Judicial Educator Module | Decision Making Workshop | Warning | Alcohol Assessment | Additional Sanctions |
|-----------|-------|------------------------|---------------|------------------------|--------------------------|--------------------------|---------|--------------------|----------------------|
| 2020-2021 | 9     | 7                      | 7             | 7                      | 2                        | 0                        | 0       | 0                  | 0                    |
| 2021-2022 | 22    | 18                     | 18            | 13                     | 9                        | 1                        | 1       | 1                  | 4                    |

Exceptions were made to the requirement to complete the Group Alcohol Workshop because some students' schedules conflicted with the times the Group Alcohol Workshop was offered or the violations occurred during a time period the Group Alcohol Workshop was not offered, such as during the summer or winter break and may have been sanctioned to the Judicial Educator Module or other appropriate sanctions.

Per the attached rubrics which state the sanctions for each violation (see Appendix I), first time drug offenders are to be sanctioned with a removal from housing, 1-year probation, and/or suspension/expulsion from the University. The chart below shows the disciplinary measures used for students who violated the drug policy for the first time and who did not have any additional charges requiring discipline.

|           | Number of Violations | Disciplinary Probation | Suspension from Housing | Suspension/Expulsion from University | Judicial Educator Module | Decision-Making Workshop |
|-----------|----------------------|------------------------|-------------------------|--------------------------------------|--------------------------|--------------------------|
| 2020-2021 | 4                    | 4                      | 4                       | 0                                    | 4                        | 0                        |
| 2021-2022 | 4                    | 4                      | 2                       | 0                                    | 4                        | 2                        |

Students were consistently sanctioned to disciplinary probation and a judicial educator module. Students were only suspended from housing if the infraction occurred on campus and they resided in campus housing. Students who violated the policy off campus or did not live in campus housing were not suspended from University housing. The students sanctioned to the Ethical and Responsible Decision-Making Workshop were sentenced based on adjudicator discretion.

## Discussion of Achievements

As with nearly every facet of life since March 2020, the prevention efforts by the ATU Alcohol and Other Drug Committee were hampered by the COVID-19 pandemic and the necessary restrictions such as social distancing and reduced capacity for on-campus events. Regardless of those challenges, the Committee and the various departments and staff members involved in prevention efforts were able to be flexible and creative in finding ways to carry out the prevention mission.

In the spring 2021 semester the AOD Committee was able to record and publish short social norming videos of ATU students across the ATU Health and Wellness Center social media platforms. These videos were instrumental in attempting to establish healthier norms and expectations around alcohol and drug use in the ATU community.

One of the major accomplishments of the AOD Committee in this review period is the development and utilization of the AOD Survey in spring 2022. This survey allowed the Committee to have a more accurate picture of alcohol and drug use within the ATU student community. The results of the survey will also allow us to better target interventions and programs moving forward that address student needs.

The Committee was able to partner with the ATU Center for Excellence in Teaching and Learning (CETL) to address the lack of faculty programming regarding alcohol and drug abuse. Hunter Bramlitt, LPC, and Dr. Robert Stevens, Ph.D., presented a Tech Talk to faculty that presented many of our findings in the AOD Survey as well as discussed what warning signs faculty may look for in students who are abusing alcohol or drugs and how to connect these students with resources.

Other areas of growth from the past biennial review that the Committee targeted were amending the Alcohol and Drug Policy in the Faculty Handbook to make it consistent with the Staff Handbook as well as working to explore new partnerships for drug prevention. The Chair of the AOD Committee attended the Save AR Students kickoff rally in April 2022 to attempt to continue to grow the relationship with the Arkansas Collegiate Network. The Chair also virtually attended the 2020 Regional Drug Prevention Conference and the 2020 Arkansas Prescription Drug Abuse Summit to better connect with the state efforts to prevent alcohol and drug abuse.

The Division of Student Affairs also added a Case Manager position in 2022 to assist students in connecting to community resources.

Despite the difficulties associated with COVID-19 over the past two years, the Committee was able to be resourceful in addressing many of the needs recognized in our past Biennial Review as well as being proactive in carrying out our mission in new ways.

## Strengths and Areas of Growth

### Strengths:

- Continuation of AOD Committee
- Revised Annual Notification for readability and focus on prevention and treatment
- Multiple avenues for distributing Annual Notification
- Developed, implemented, and analyzed data from AOD Survey to identify students' drug use habits and guide future programming efforts
- The AOD policy is distributed annually and available virtually to all student, staff, and faculty members
- All student events are "alcohol and drug free" activities on campus
- Provided AlcoholEdu® for College to incoming ATU students for nine years
- Maintained a campus Behavioral Intervention Team (CARE Team) through which the campus continued to have a means of reporting and providing interventions to students, including students who need support with alcohol and drug issues
- Participation in the statewide coalition to raise the awareness of opioid addiction, Save AR Students
- Increased efforts to provide programming for faculty and staff through Tech Talks event
- Development of Group Alcohol Workshop and Group Marijuana Workshop for students who have been sanctioned for alcohol or marijuana violations

### Areas of Growth:

- Low level of faculty engagement in prevention efforts
- Low student body response to campus-wide AOD programming efforts
- A need to explore new partnerships and grant opportunities
- Limited weekend events in the Russellville area
- Programming targeted towards vaping prevention
- Programming targeted towards hallucinogen prevention
- Monitor developments in Arkansas law specific to the potential legalization of recreational marijuana use and the impact on campus community attitudes about use

## Alcohol and Other Drugs Prevalence

In the spring 2022 semester, the ATU Alcohol and Other Drug Prevention Committee developed and utilized a survey to identify potentially problematic drinking and substance abuse behaviors on campus. There were 380 student participants who participated in the survey. This data will be used to help us design and implement programming specific to the campus community. Below is data and findings obtained from the survey:

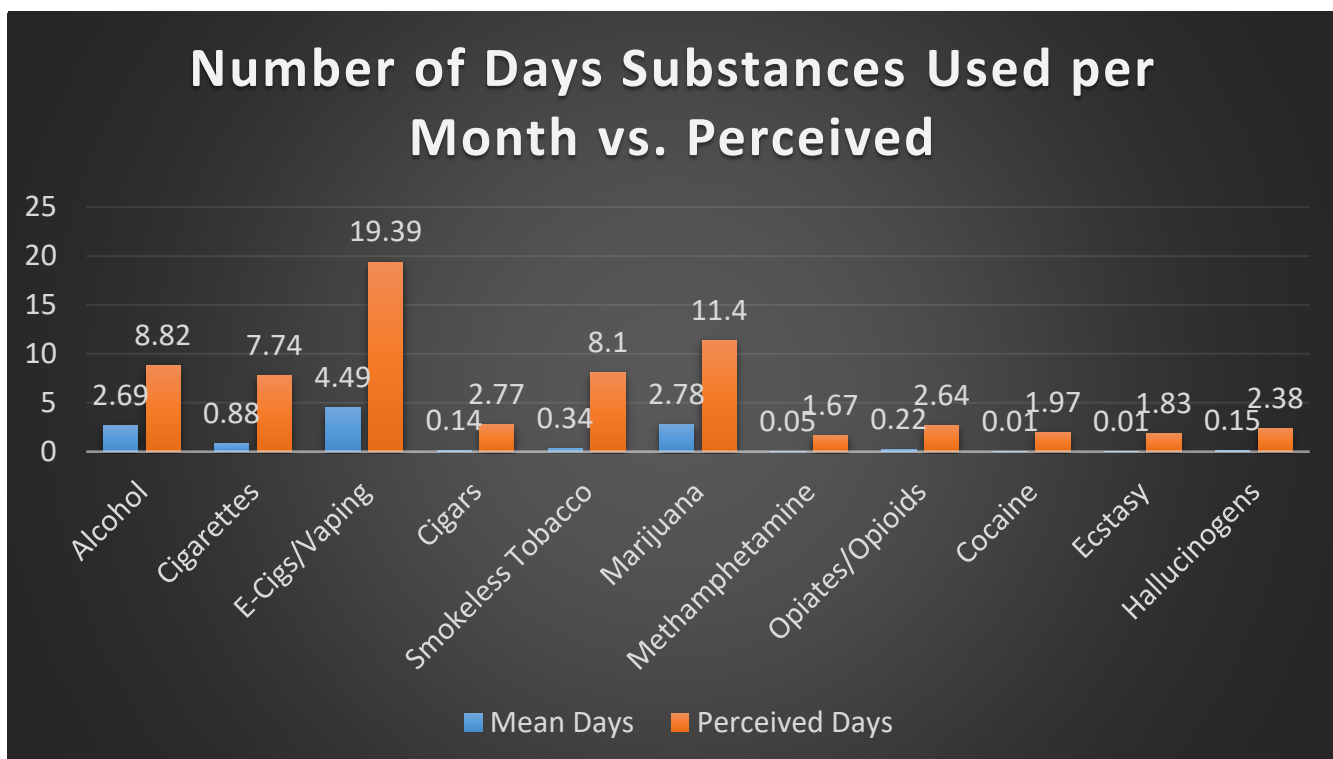
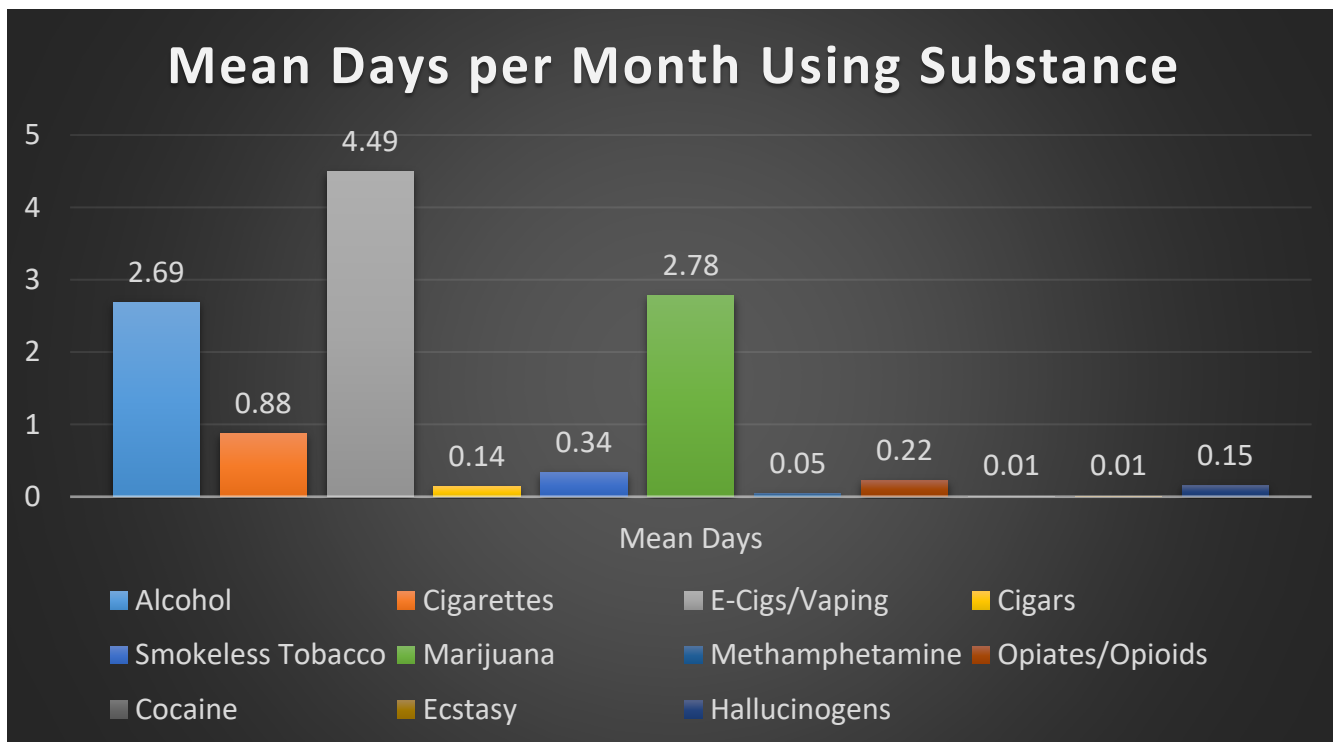
### Key findings:

- 10.79% of respondents reported using e-cigarettes/vaping on a daily basis.
- 3.42% reported using marijuana daily while 2.11% reported using cigarettes daily. All other substances measured had a daily usage percentage below 1%.
- 47.11% of respondents reported using hallucinogens (PCP, LSD, hallucinogenic mushrooms, etc.) at least once in a typical month.
- 44.21% of students reported using alcohol at least once in a typical month, 19.21% of students reported using e-cigarettes/vaping in a typical month, and 18.16% of students reported using marijuana at least once in a typical month.
- Students consistently rated the substance use of a “typical ATU student” to be much higher than their own.

### Substance Use

| Substance         | Mean Days | Perceived Days | Daily % | 15+ Day % | 10+ Day % | At All % |
|-------------------|-----------|----------------|---------|-----------|-----------|----------|
| Alcohol           | 2.69      | 8.82           | 0.53    | 3.16      | 7.11      | 44.21    |
| Cigarettes        | 0.88      | 7.74           | 2.11    | 2.36      | 2.63      | 7.37     |
| E-Cigs/Vaping     | 4.49      | 19.39          | 10.79   | 14.21     | 15.26     | 19.21    |
| Cigars            | 0.14      | 2.77           | 0       | 0         | 0         | 4.21     |
| Smokeless Tobacco | 0.34      | 8.1            | 0.53    | 0.53      | 1.05      | 4.21     |
| Marijuana         | 2.78      | 11.4           | 3.42    | 9.21      | 10.53     | 18.16    |
| Methamphetamine   | 0.05      | 1.67           | 0       | 0         | 0.26      | 0.79     |
| Opiates/Opioids   | 0.22      | 2.64           | 0.26    | 0.26      | 0.79      | 2.89     |
| Cocaine           | 0.01      | 1.97           | 0       | 0         | 0         | 0.26     |
| Ecstasy           | 0.01      | 1.83           | 0       | 0         | 0         | 1.05     |
| Hallucinogens     | 0.15      | 2.38           | 0.53    | 2.89      | 4.74      | 47.11    |





#### Alcohol Volume

- When asked how many alcoholic drinks respondents drink at a typical party or social gathering the average was 2.51 drinks.

- When asked how many alcoholic drinks respondents thought the average ATU student has a typical party or social gathering the average was 6.02 drinks.

## **Recommendations for Revising AOD Programming**

The following recommendations are intended to provide additional support in the enforcement of the existing Alcohol and Other Drug Prevention Program:

1. Develop and implement new prevention programming to address e-cigarette/vaping use due to results of AOD Survey.
2. Develop and implement new prevention programming to address hallucinogen use due to results of AOD Survey.
3. Re-implement in-person programs as the restrictions from the COVID-19 pandemic are removed; use on-demand programming model and/or partnerships with registered student organizations or faculty to increase attendance.
4. Continue to build relationships with campus groups such as CETL to provide trainings and workshops for faculty and staff.
5. Improve methods of gathering information about AOD programming conducted on campus via campus stakeholders such as Sorority and Fraternity Life and Residence Life.

## Appendix A

### AOD Program Category Types

|  |  |
|--|--|
| <p>Individual Based Programs/Interventions:</p> <ul style="list-style-type: none"> <li>- Brief Assessment and Screening for College Students (BASICS)</li> <li>- Motivational Interviewing</li> <li>- Alcohol Screening Days</li> <li>- Individual Assessment programs through Health Services</li> <li>- Individual Assessment programs through Counseling Services</li> <li>- Individual based counseling and intervention programs</li> <li>- Referral programs to off-campus treatment providers for students</li> <li>- Educational programs usually reserved for policy violators that individuals can voluntarily participate in</li> </ul> | <p>Group Based Programs/Interventions:</p> <ul style="list-style-type: none"> <li>- Small Group Social Norms Interventions</li> <li>- Alcohol Expectancies Program</li> <li>- Peer Education/Theater Programs</li> <li>- Alcohol and other Drug Programs delivered during Orientation programming</li> <li>- Social Norms Marketing Campaigns</li> <li>- Group based programs delivered through Residence Life, Fraternity and Sorority Life, Athletics</li> <li>- Workshops, seminars, etc. delivered</li> <li>- AA or Recovery based groups</li> <li>- Curriculum Infusion Programs</li> <li>- Educational programs reserved for policy violators</li> </ul> |
| <p>Universal or Entire Population Based Programs/Interventions:</p> <ul style="list-style-type: none"> <li>- Online Alcohol Education Programs as AlcoholEdu® for College</li> <li>- Social Marketing Campaigns</li> <li>- Social Norms Marketing Campaigns</li> <li>- Awareness Campaigns</li> <li>- Social Media Campaigns</li> <li>- Designated Drive/Safe Ride Programs</li> <li>- Universal Programs Geared for all Staff and Faculty</li> </ul>  | <p>Environmental/Socio-Ecological Based Programs/Interventions:</p> <ul style="list-style-type: none"> <li>- Alcohol and Other Drug Committee</li> <li>- Alcohol-Free Social Options</li> <li>- Social Norms Campaign</li> <li>- Increased Service Learning/Volunteer Opportunities</li> <li>- Social Host Ordinance Development/Creation</li> <li>- Responsible Beverage Service or Server Education Programs</li> <li>- Enforcing Underage Drinking Law Programs</li> </ul>  |

## **Appendix B**

### **Athletic Department Drug Testing Policy**

**(From 2020-2021 Student Athlete Handbook)**

#### Introduction

The administration of Arkansas Tech University recognizes a responsibility to ensure each student a safe, healthy, and supportive educational environment. Part of the administration's responsibility is to periodically take necessary precautions which provide for the welfare and safety of our student-athletes, coaching staffs, sports medicine staff, administration, and support personnel. Drug use can be detrimental to the physical and mental well-being of our student-athletes and university support personnel. It is our desire to discourage the use of illegal drugs, both on and off campus, and to provide a learning environment that is drug free at every level of the educational and athletic process. Arkansas Tech University athletes are viewed as leaders and role models and, as such, are respected and emulated by other individuals in the Arkansas Tech community. Leadership brings additional responsibilities. While off campus, student-athletes represent the University and depict its character. Therefore, it is expected that individuals at Arkansas Tech University exhibit leadership qualities and respectable character while off campus, as well as on campus.

Please read the following policy and sign the Drug Testing Policy consent form (which must be signed by parent or legal guardian if the student-athlete is under the age of eighteen). If you have any further questions concerning any part of this policy, please contact Abby Davis, Interim Athletic Director, at (479) 968-0345

#### Definitions

1. Controlled substance – any substance as defined by the NCAA's list of banned-drug classes. The list consists of substances generally purported to be performance enhancing and/or potentially harmful to the health and safety of the student-athlete.
2. Positive Test – The initial drug test shall be a urine specimen collected in a container designed to detect prohibited or controlled substances. A drug screening test will be considered positive once the confirmation or second test has been completed from the same specimen and confirms the results of the initial urine test. A positive test is defined as a test which indicates, in the opinion of the outside laboratory performing the testing, that an eligible student-athlete has used a prohibited or controlled substance based on traces of that substance detected in the student-athlete's urine specimen. A drug screening will also be considered positive if it is discovered by the outside laboratory that the provided urine sample has been altered or where foreign substances have been added to the sample in an effort to destroy or disguise traces of prohibited substances.

3. Eligible Student-Athletes – any student-athlete participating in intercollegiate athletics at Arkansas Tech University. This also includes any student-athlete who is ineligible by NCAA guidelines, but is still listed on the roster of any team.

4. Reasonable suspicion – is defined as that quantity of proof or evidence that is more than intuition or strong feeling, but less than probable cause. Such reasonable suspicion must be based on specific contemporaneous, articulate observations concerning the appearance, behavior, speech, or body odors of the student-athlete. The observations may include indications of the chronic and/or withdrawal effects of prohibited substances or any of the following:

- a. Reduced quality of academic or athletic performance;
- b. Patterns of unexcused absence from academic classes or athletic meetings;
- c. Inability to get along with others; excessive withdrawal or isolation;
- d. Frequent tardiness to academic classes or athletic meetings;
- e. Decreased manual dexterity;
- f. Impaired short-term memory;
- g. Periods of unusual hyperactivity, irritability, or drowsiness;
- h. When a denoted administrator, coach, or support staff has suspicion through the sense of smell, sight, or sound, or;
- i. Presence or possession by a student-athlete of illegal or controlled drugs or drug-related paraphernalia.

5. Incident – Shall be defined as a positive drug test, or 2) a situation where a student-athlete covered under this policy is determined to be using or in possession of a controlled substance at an event as defined under this policy.

6. Refusal to Submit to Testing – shall include any or all of the following:

- a. Failure to provide adequate urine for prohibited substances testing without a valid medical explanation after he or she has received notice of the requirement for urine testing; or
- b. Engaging in conduct that obstructs or interferes with the testing process; or
- c. Failure or refusal to execute the required forms provided in conjunction with the receipt of this policy or which are a part of the testing; or
- d. Failure to be readily available for requested testing; and/or
- e. Failure to report to, and undergo prohibited substances testing as required;

f. Any refusal to submit to testing will be considered to be a positive drug test and all appropriate action will be taken.

7. Events – this program applies to the following events:

- a. All on campus activities whether during or after normal school hours, and both between and within semesters;
- b. All school related field trips, activities, athletic events, and other extracurricular events, whether such activities are on or off campus, or;
- c. Student-athletes' misconduct relating to the use of illegal drugs or controlled substances outside of the University or the University's athletic setting.

#### Periodic Random Drug Screening

Arkansas Tech University will periodically randomly drug screen a select number of eligible student-athletes. New student-athletes will automatically be tested upon their arrival to the university. Several, not to exceed six, drug screening tests may be conducted during the course of the academic year. When a student-athlete sustains a positive lab result, the athlete will be subject to further testing at any time. Additionally, the NCAA may also require a mandatory PED screening test during each semester of the academic year (including the summer months). The NCAA may also require a drug screening test if a team is selected for post-season championship play. The drug screening test may include, but is not limited to, testing for marijuana (THC), cocaine (COC), amphetamines (AMP), benzodiazepines (BZO), methamphetamine (METH), buprenorphine (BUP), oxycodone (OXY), ecstasy (MDMA), barbiturates (BAR), methadone (MTD), phencyclidine (PPX), opiates (OPI 300). The drugs included in the testing procedure may be increased or decreased at the discretion of the athletic director or administration of Arkansas Tech University. A list of the specific drugs tested for in the drug screen, is available through the Athletic Director's office.

#### Reasonable Suspicion Drug Screening

Arkansas Tech University reserves the right to test any eligible student-athlete for the use of prohibited drugs and controlled substances when actions of said individual student-athletes are such to provide reasonable suspicion of the use of prohibited drugs or controlled substances. Any coach, administrator, support staff, faculty, or parents may report reasonable suspicion to the athletic director who will, along with the referring party, decide on the need for drug screening. Reports should be in writing stating the facts, times, dates, and involved parties.

#### Costs

Costs associated with the drug screening program will be covered as follows:

1. The initial drug screening cost will be assumed by Arkansas Tech University.
2. The cost for a second drug screening of the same specimen, to be used for confirmation of the first “positive” test, will be assumed by Arkansas Tech University.
3. A challenge by the student athlete of the drug screening, where subsequent drug screening is required, and the cost will be assumed by Arkansas Tech University.
4. Any additional testing required or requested will be the responsibility of the student-athlete or his/her parent/guardian. The outcome from any additional testing will have no bearing on the previous positive lab results.

### Arkansas Tech University Drug Testing Procedure

Arkansas Tech University will enact a procedure for randomly testing all of its athletes for the use of illegal drugs and substances banned by the NCAA. The NCAA mandates that all student athletes sign a consent form allowing for their random selection for drug testing prior to being allowed to compete in collegiate athletics. Along with this NCAA form, each student-athlete will also be required to sign an Arkansas Tech University drug screening consent form. (If the student is under the age of 18, both consent forms must also be signed by a parent or guardian). This will allow Arkansas Tech University to randomly select student-athletes from all of its NCAA sponsored athletic events.

One or more student-athletes from each sport sponsored by Arkansas Tech University in both the fall and spring semesters will be randomly selected by the computer for testing. There will be no prior notice of the date or time of such testing. Once the student-athlete is notified that he or she is to be tested, he or she will be required to sign a statement denoting that he/she was informed concerning his/her selection for testing, testing time, and date of the test. Signed statements will be kept in the athlete’s permanent medical file in the head athletic trainer’s office. The student –athlete may request to retake an in-house drug test, sanctioned by Arkansas Tech University. The test will be administrated at the Head Athletic Trainers discretion.

The method of testing will be urinalysis and the urine samples will be collected and tested by means of one-step testing of lateral flow immunoassays (urine in a specimen cup) utilizing generally accepted methods. If the urine cup indicates a positive result, the urine sample will be tested by private laboratory utilizing generally accepted pathological methods. The collection and coding of specimen samples will be executed in a manner to protect confidentiality. Specimen samples will be identified by number only. Prescription or over-the-counter medications shall be disclosed to the University prior to providing a urine sample or on the day immediately following the drug screen procedure. Medications disclosed after the drug screen procedure might require written confirmation from the prescribing physician or pharmacist if requested by the athletic director. It is recognized

that some legal, acceptable medications may result in a “positive” test result and will not be cause to implement any type of disciplinary procedures.

The site of the drug test will be determined by the head athletic trainer. Once the student athlete has reported and signed in for the sample collection, he/she must remain until an adequate urine sample has been acquired. The results of the drug screening will be reported to the athletic director. The athletic director reserves the right to notify the President of the University, head coach of that sport, the student-athletes parents, and the athletic training staff of the drug screening results.

All initial positive tests can be challenged. If the initial test (urine specimen cup) is positive, a second test on the same urine specimen will be done by a laboratory to make sure that no error has occurred. The original sample will be sealed, packaged, and the paperwork will be completed in clear view of the athlete. The clinic will send the specimen to be analyzed and will return the results to the head athletic trainer. Student-athletes or their parent/guardian are extended the option to obtain an additional confirmation test(s) from their preferred source at their expense. Such additional confirmation test(s) are considered solely to satisfy parent/guardian concerns and will have no bearing on changing the outcome of the initial “positive” test result. Disciplinary procedures will be administered based on the results of the initial test or the subsequent test conducted by Millard-Henry Clinic.

Student-athletes receiving a positive confirmation on their drug test will immediately enter the drug testing program.

#### Disciplinary Procedures

Any student-athlete receiving a confirmed “positive” drug test will be treated in the following fashion.

##### 1. First positive test:

- a. The athletic director will be notified by letter by the athletic trainer of the positive test. The athletic director will notify all staff he deems appropriate or necessary (this shall include, but is not limited to the head coach, head athletic trainer, and faculty athletic representative).
- b. The athletic director will notify the parent(s)/legal guardian of the student-athlete’s positive test.
- c. The athletic director will hold a meeting of all the involved parties (including, but not limited to the head coach of the student-athlete’s sport, head athletic trainer, parent(s)/legal guardian, and faculty athletic representative.).
- d. The student-athlete will be required to complete 10 hours of community service assigned by the athletic director or head coach.



- e. Additional punishment will be left to the discretion of the Head Coach.
- f. The student-athlete will be tested every time the sport tests until his/her eligibility has expired or the student-athlete is no longer with the team, whichever occurs first.

## 2. Second positive test:

- a. The student-athlete will immediately be suspended from competition for 25% of the contests in the particular season for his/her sport. The suspension will be served immediately following the positive results. If there is not 25% of the contests remaining in the season, the suspension will carry over to the next season. The suspension will begin with the next available contest during that season or it will be enforced with the first contest at the beginning of the next competitive season.
- b. The athletic director will notify the student-athlete's parent(s)/legal guardian of the second "positive" test.
- c. The athletic director will schedule a meeting of all involved parties (See Disciplinary Procedures, Section 1 (c) for the list of involved parties).
- d. The student-athlete may participate with his/her team's practices or activities at the head coach's discretion.
- e. The student-athlete will be required to complete 20 hours of community service assigned by the athletic director or head coach.

## 3. Third positive test:

- a. The student-athlete will be suspended for one year from the date of the positive test and his or her athletic scholarship will be removed immediately. There will be no renewal of his/her scholarship, and any further punishment will be left to the discretion of the student-athlete's head coach.

## General Principles

A positive test by the NCAA or Great American Conference will be considered as an offense against this policy. Sanctions will be implemented by the appropriate governing policy.

Once the student-athlete's eligibility has been restored, he/she will be subject to drug testing by Arkansas Tech University or the NCAA at any time during the rest of their career at Arkansas Tech University.

The penalty for missing a scheduled drug test is the same as the penalty for testing positive for the use of a controlled substance.

If a student-athlete misses a scheduled drug test or refuses to submit to testing, they will be treated as "positive", unless the absence has extenuating circumstances. Extenuating

circumstances will be determined by a committee composed of the head athletic trainer, one male head coach, and one female head coach. If the absence is ruled extenuating by the committee, the student-athlete will have two (2) weeks to make-up their drug test.

Any student-athlete found selling, in the possession of any illegal drug or drug paraphernalia shall be reported immediately to the proper law enforcement authorities. The student-athlete may lose athletic grant in aid privileges and be removed from all participation, along with any other sanctions required by the University and Athletic Director.

#### Mandatory Requirements of Each Student-Athlete

Each student-athlete must sign a University Drug Consent Form. It must also be signed by a parent or legal guardian if the student-athlete is under the age of eighteen.

#### ALCOHOL CONSUMPTION

Alcohol is a drug. As a drug, it has the potential for abuse by all those who use it. In our society, alcohol is highly visible and its use heavily promoted. As a result, the dangers of alcohol consumption are often minimized and/or not fully understood.

Aside from the medical consequences of excessive alcohol consumption, there is always the impairment of judgment from even modest amounts of alcohol consumption. As a student-athlete, your ability to reason and make sound judgments is crucial to your success. Consumption of alcohol will affect your judgment and can create significant problems for you.

If you are under 21, it is illegal to consume or possess alcohol in the State of Arkansas. Public intoxication, on or off campus, and the use or display of alcoholic beverages in any public areas of the residence halls and all other areas of campus are violations of the Student Code of Conduct. Student offenders will be subject to disciplinary action, including possible suspension and dismissal from the University or criminal charges in the state court system.

It is in your best interest to refrain from alcohol consumption while a student-athlete at ATU. If you choose to consume alcohol, consider carefully the legal, medical, and psychological consequences which can result from its use. For further information, you are invited to discuss this with the ATU athletic training staff, your coach, or your family physician.

#### TOBACCO USE

Tobacco is an addictive drug. Repeated studies have shown that nicotine, the major component in all forms of tobacco, can result in addiction just as with other drugs. Numerous other studies also have confirmed the link between tobacco use and a whole range of medical problems, including a variety of cancers.

During the past few years, there has been a rise in the use of smokeless tobacco, particularly among young people. The medical dangers associated with smokeless tobacco also are widespread. In an attempt to discourage the use of this product by student-athletes and others associated with collegiate athletics, the NCAA has prohibited its use by all personnel during practice and competition. Players, coaches, managers, trainers, etc. observed using smokeless tobacco products before or during competition will be immediately ejected from that contest, in accordance with GAC regulations. If you value your health, you will refrain from the use of any and all tobacco products.

### Safe Harbor Program

Allows for self-reporting of a substance problem without penalty.

A student-athlete eligible for the Arkansas Tech University Safe Harbor program may refer himself or herself to the Program for voluntary evaluation and counseling. A student is not eligible for the Program after he or she has been informed of an impending drug test or after having received a positive Arkansas Tech University, Great American Conference, or NCAA drug test.

Arkansas Tech University will work with the student-athlete to prepare a Safe Harbor treatment plan, which may include confidential drug testing. If the student-athlete tests positive for a banned substance upon entering the Safe Harbor Program, that positive test will not result in any administrative sanction unless the student-athlete tests positive in a subsequent retest or the student-athlete fails to comply with the treatment plan. The team physician may suspend the student-athlete from play or practice if medically indicated. A student-athlete will be permitted to remain in the Safe Harbor Program for a reasonable period of time, not to exceed thirty days, as determined by the treatment plan. A student athlete will not be permitted to enter the Safe Harbor Program thirty days prior to NCAA or Conference postseason competition.

If a student-athlete tests positive for any banned substance after entering the Safe Harbor Program or fails to comply with the Safe Harbor treatment plan, the student will be removed from the Safe Harbor Program, the initial Safe Harbor positive test will be treated as a first positive and a subsequent positive as a second positive test which will then be subject to the sanctions explained in this policy.

The Athletic Director and the student-athlete's head coach and assistant coaches may be informed of the student-athlete's participation in the Safe Harbor Program. The athletic trainer assigned to that sport may also be notified. The student-athlete's parents or guardian may also be informed. Other University employees may be informed only the extent necessary for the implementation of this policy.

## Appendix C

### Staff Handbook: Page 23

#### Drug Free Workplace

State agencies that receive federal funds certify that they will maintain a drug free workplace. Failure to do so may result in a suspension of contracted payments, contract termination or debarment from future government awards. Any employees violating this policy will be subject to discipline up to and including termination.

State agencies, boards and commissions are required to certify that they are in compliance with the Drug Free Workplace Act of 1988. It is the policy of the State of Arkansas that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in a state agency's or institution's workplace is prohibited. Violation of this policy can subject employees to discipline up to and including termination. Accordingly, the following are policy statements which shall govern the various forms of controlled substance abuse on the university campus or in the university workplace.

1. The university will not differentiate between drug users and drug pushers or sellers. Any employee who gives or in any way illegally transfers a controlled substances to another person, or illegally sells or manufactures a controlled substance, or illegally uses a controlled substance while on the job, on university premises, or in university vehicles will be subject to discipline up to, and including, termination.
2. The term "controlled substance" means any drug listed in 21 USC §812 and other federal regulations. Generally, these are drugs that have a high potential for abuse. Such drugs include, but are not limited to, heroin, marijuana, cocaine, PCP, "crack", and "ice". Also included are legal drugs which are not prescribed by a licensed physician.
3. Each employee is required by law to inform the university within five days after he or she is convicted of violation of any federal or state criminal drug statute if such violation occurred on university premises. A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any federal court, state court, or other court of competent jurisdiction.
4. The university will notify the federal funding agency of the conviction of any employee for drug use or abuse who is employed in a position utilizing federal funds or a federal grant within ten days of receiving notice of the conviction from the employee or otherwise receiving actual notice of such conviction.
5. If an employee is convicted of violating any criminal drug statute while in the workplace, he or she will be subject to discipline up to, and including, termination. Alternatively, and at the sole discretion of the university, the employee may be required to successfully complete a drug rehabilitation program sponsored by an approved private or government institution.

Abiding by the Drug-Free Workplace policy is considered to be a condition of employment for all university employees. Human Resources will ensure that all employees acknowledge, in writing, receipt of a copy of this policy.

## Appendix D

### Faculty Handbook: Pages 196-197

#### \*Drug Free Workplace

State agencies that receive federal funds certify that they will maintain a drug free workplace. Failure to do so may result in a suspension of contracted payments, contract termination or debarment from future government awards. Any employees violating this policy will be subject to discipline up to and including termination. State agencies, boards and commissions are required to certify that they are in compliance with the Drug Free Workplace Act of 1988. It is the policy of the State of Arkansas that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in a state agency's or institution's workplace is prohibited. Violation of this policy can subject employees to discipline up to and including termination.

Accordingly, the following are policy statements which shall govern the various forms of controlled substance abuse on the university campus or in the university workplace.

1. The university will not differentiate between drug users and drug pushers or sellers. Any employee who gives or in any way illegally transfers a controlled substances to another person, or illegally sells or manufactures a controlled substance, or illegally uses a controlled substance while on the job, on university premises, or in university vehicles will be subject to discipline up to, and including, termination.
2. The term "controlled substance" means any drug listed in 21 USC §812 and other federal regulations. Generally, these are drugs that have a high potential for abuse. Such drugs include, but are not limited to, heroin, marijuana, cocaine, PCP, "crack", and "ice". Also included are legal drugs which are not prescribed by a licensed physician.
3. Each employee is required by law to inform the university within five days after he or she is convicted of violation of any federal or state criminal drug statute if such violation occurred on university premises. A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any federal court, state court, or other court of competent jurisdiction.
4. The university will notify the federal funding agency of the conviction of any employee for drug use or abuse who is employed in a position utilizing federal funds or a federal grant within ten days of receiving notice of the conviction from the employee or otherwise receiving actual notice of such conviction.
5. If an employee is convicted of violating any criminal drug statute while in the workplace, he or she will be subject to discipline up to, and including, termination. Alternatively, and at the sole discretion of the university, the employee may be required to successfully

complete a drug rehabilitation program sponsored by an approved private or government institution.

6. Abiding by the Drug-Free Workplace policy is considered to be a condition of employment for all university employees. Human Resources will ensure that all employees acknowledge, in writing, receipt of a copy of this policy.

## **Appendix E**

### **2020-2021 Student Handbook:**

#### **Drug-Free Schools and Communities Act, Amendments of 1989**

In accordance with the Drug-Free Schools and Communities Act Amendments of 1989, ATU has developed and implemented a program to prevent the unlawful possession, use, sale, or distribution of illicit drugs and alcohol by students and employees. ATU's annual Drug-Free Schools and Communities Act notification includes the items listed below. A complete description of these topics, as provided in the ATU's annual notification to students and employees, is available online at: <http://www.atu.edu/jerrycares/alcohol-resources.php>

## Appendix F



# ANNUAL NOTIFICATION of ALCOHOL AND OTHER DRUGS

PREVENTION PROGRAM AND POLICY, 2020-21

### STANDARDS OF CONDUCT

Arkansas Tech University is committed to the maintenance of a drug and alcohol free work place and to a standard of conduct for employees and students that discourages the unlawful or unauthorized use, possession, storage, manufacture, distribution, or sale of alcoholic beverages and any illicit drugs or drug paraphernalia in University buildings, any public campus area, in University housing units, in University vehicles, or at any University affiliated events held on or off-campus, which are sponsored by students, employees and their respective campus organizations (including all fraternities and sororities). For Arkansas Tech University employees, compliance with this policy is a term and condition of employment. For Arkansas Tech University students and student organizations, compliance with this policy is a term and condition of continued enrollment/organizational registration. All violators of this policy or of federal, state, or local laws regarding drugs or alcohol will be subject to disciplinary action and possibly criminal prosecution.

### LEGAL SANCTIONS

Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance — 1st conviction: Up to 1 year imprisonment and a fine of at least \$1,000 but not more than \$100,000, or both. After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and a fine of at least \$2,500 but not more than \$250,000 or both. After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and a fine of at least \$5,000 but not more than \$250,000 or both. Special sentencing provisions for possession of crack cocaine are mandatory 5 to 20 years in prison and a fine of up to \$250,000; both if (a) 1st conviction and the amount of crack possessed exceeds 5 grams, (b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams (c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram. Personal and real property used to possess or to facilitate possession of a controlled substance may be forfeited if that offense is punishable by more than 1 year imprisonment. Vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance may also be forfeited. Additional sanctions include civil fines of up to \$10,000; denial of federal benefits, such as student loans, grants, contracts, and professional commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses; and ineligibility to receive or purchase a firearm. Other sanctions vested within the authorities of individual federal agencies are revocation of certain federal licenses and benefits such as pilot licenses and public housing.

Federal law prohibits, among other things, the manufacturing, distributing, selling, and possession of controlled substances as outlined in 21 United States Code, Sections 801 through 971. Depending on the amount, first offense maximum penalties for trafficking marijuana range from up to five years' imprisonment and a fine of up to \$250,000 to imprisonment for life and a fine of \$4 million. Depending on the amount, first offense maximum penalties for trafficking other controlled substances (e.g., methamphetamine, heroin, cocaine, cocaine base, PCP, LSD, fentanyl, and fentanyl analogue) range from five years to life imprisonment and fines range from \$2 to \$4 million. First offense penalties and sanctions for the illegal possession of small amounts of controlled substances, including marijuana, range from up to one year in prison or a fine of at least \$1,000. Penalties are more severe for subsequent offenses.

Students convicted of federal drug crimes may be ineligible to receive federal loans.

### STATE OF ARKANSAS SANCTIONS AND PENALTIES

- **Underage DUI Law** — The State of Arkansas' "Underage DUI (Driving Under the Influence) Law" (863) makes it an offense for a person under the age of 21 with a blood alcohol content of .02 or higher (approximately one can of beer, one glass of wine, or one drink of hard liquor) to operate a motorized vehicle or motor boat. Penalties for a first offense can result in (1) suspension of driver's license for not less than 90 days; (2) a fine of no less than \$100 nor more than \$500; (3) assignment to public service work; and/or (4) completion of an alcohol and driving education program.



- **Driving While Intoxicated** — A person who drives a motorized vehicle or motorboat while influenced or affected by the ingestion of alcohol, a controlled substance, or any intoxicant commits the offense of driving while intoxicated. Penalties for such an offense may include (1) suspension of license for 6 months for the first offense with a blood alcohol content of at least .08; suspension of 180 days for the first offense with a blood alcohol content of .15 or more; suspension for 6 months for first offense if intoxicated by use of a controlled substance; (2) imprisonment for no less than 24 hours and no more than one year for the first offense (with additional imprisonment for subsequent offense); (3) fines of no less than \$150 and no more than \$1,000 for the first offense (with stiffer fines for subsequent offenses); (4) as an inability to pay fines will result in court-ordered public service work ; and (5) a requirement to complete an alcohol education program as prescribed and approved by a contractor with the Division of Behavioral Health Services, or an alcoholism treatment program licensed by the Division of Behavioral Health Services. A blood alcohol level in excess of .04 may be considered with other competent evidence in determining guilt or innocence. A blood alcohol level of .08 or more shall give rise to a presumption of intoxication.
- **Public Intoxication** — A person commits the offense of “Public Intoxication” if (1) he appears in a public place manifestly under the influence of alcohol or a controlled substance to the degree that he is likely to endanger himself or other persons or property, or (2) he unreasonable annoys persons in his vicinity. Public intoxication is a Class A misdemeanor and can result in a fine of up to \$2,500, and/or imprisonment in the county jail (or other authorized institution) for up to 30 days.
- **Drinking in Public** — A person commits the offense of “Drinking in Public” if that person consumes alcohol in any public place. This includes consumption while in a vehicle on a street or highway. Penalties include a fine of up to \$2,500, and/or imprisonment for up to 30 days. Possession of any alcoholic beverages in Tech residence halls or on any other University property is prohibited.
- **Possession of or Purchasing Alcohol by a Minor** — It is illegal for a person under the age of 21 to possess, purchase, or ingest alcohol. Penalties include a fine of up to \$500, probation under the direction of the court, driver’s license suspensions for a period of up to one year, and writing themes or essays on intoxicating liquors, wine, or beer.
- **Knowingly Furnishing to a Minor** — A person commits the offense of “Knowingly Furnishing to a Minor” if, being an adult, he or she knowingly gives, procures, or otherwise furnishes alcoholic beverage to a minor. Such an offense is a Class A misdemeanor and can result in (1) a fine of up to \$2,500 and/or (2) imprisonment in the county jail (or other authorized institution) for up to one full year.
- **Manufacture or Delivery of a Controlled Substance** — It is unlawful for any person to manufacture, deliver, or possess with intent to manufacture or deliver, a controlled substance. Penalties for the manufacture or delivery of a controlled substance can range from three (3) years to life in prison, and fines up to \$250,000, depending on the quantity and type of drug. In addition, real and personal property used in the manufacture, delivery, or importing of controlled substances may be forfeited to the government.
- **Manufacture or Delivery of a Counterfeit Substance** — It is unlawful for any person to create, deliver, or possess with intent to deliver a counterfeit substance purporting to be a controlled substance. Penalties for the creating and/or delivery of a counterfeit substance can range from 1 to 20 years in prison and fines up to \$15,000 depending on the type of drug being counterfeited.
- **Possession of Drug Paraphernalia** — It is unlawful for any person to possess drug paraphernalia with the purpose to use the drug paraphernalia to inject, ingest, inhale, or otherwise introduce into the human body a controlled substance.
- **Possession of a Controlled or Counterfeit Substance** — It is unlawful for any person to possess a controlled substance or counterfeit substance. Penalties for possession of a controlled or counterfeit substance can range from 1 to 10 years in prison and fines up to \$10,000, depending on the type of drug (or counterfeit) possessed.
- **Possession of Open Container Containing Alcohol in a Motor Vehicle** — (a.) It is unlawful for a person to possess an open alcoholic beverage container within an area of a motor vehicle that is: (1) Designated to seat the driver or a passenger in the motor vehicle and the motor vehicle is in operation; or (2) Readily accessible to the driver or a passenger in the motor vehicle while in a seated position and the motor vehicle is located on a public highway or the right-of-way of a public highway. (b.) It is not an offense under this section if the open alcoholic beverage container is possessed: (1) Outside of the passenger area of the motor vehicle or other area of the motor vehicle commonly used for the transportation of passengers, such as in the trunk or cargo area of the motor vehicle; (2) In a locked area of the motor vehicle, including without limitation a glove compartment or center

console of the motor vehicle; (3) In a permanently sealed container that cannot be unsealed without breaking the seal or destroying the container; or (4) By a passenger in the motor vehicle, but not the driver; as long as the open alcoholic beverage container is possessed within the living quarters of the motor vehicle or the area of the motor vehicle that is designated for passengers only, the open alcoholic beverage container is not readily accessible to the driver of the motor vehicle, and the motor vehicle is: (A) Designed, maintained, or used primarily for the transportation of persons for compensation; or (B) A recreational vehicle, motor home, or house trailer.

## HEALTH RISKS

**Alcohol** — Can cause short term effects such as loss of concentration and judgment; slowed reflexes; disorientation leading to higher risk of accidents and problem behavior; long term effects include risk of liver and heart damage, malnutrition, cancer, and other illnesses; can be highly addictive to some persons.

**Amphetamines** — Can cause short term effects such as rushed, careless behavior and pushing beyond your physical capacity, leading to exhaustion; tolerance increases rapidly, long term effects include physical and psychological dependence and withdrawal can result in depression and suicide; continued high doses can cause heart problems, infections, malnutrition, and death.

**Cocaine (Crack)** — Can cause short term effects such as impaired judgment; increased breathing, heart rate, heart palpitations; anxiety, restlessness, hostility, paranoia, confusion; long term effects may include damage to respiratory and immune systems; malnutrition, seizures, and loss of brain function; highly addictive.

**Designer Drugs/Synthetic Cannabinoids (bath salts, K2, spice)** — Can cause short term effects such as elevated heart rate, blood pressure, and chest pain; hallucinations, seizures, violent behavior, and paranoia; may lead to lack of appetite, vomiting, and tremor; long-term use may result in kidney/liver failure, increased risk of suicide and death.

**Hallucinogens (PCP, LSD, ecstasy, dextromethorphan)** — Can cause extreme distortions of what's seen and heard; induces sudden changes in behavior, loss of concentration, and memory, increases risk of birth defects in user's children; overdose can cause psychosis, convulsions, coma, and death. Frequent and long-term use can cause permanent loss of mental function.

**Inhalants (nitrous oxide, amyl nitrite, butyl nitrite, chlorohydrocarbons, hydrocarbons)** — Can cause short term effects such as nausea, dizziness, fatigue, slurred speech, hallucinations, or delusions; may lead to rapid and irregular heart rhythms, heart failure, and death; long-term use may result in loss of feeling, hearing, and vision; can result in permanent damage to the brain, heart, lungs, liver, and kidneys.

**Marijuana** — Can cause short term effects such as slow reflexes; increase in forgetfulness; alters judgment of space and distance; aggravate pre-existing heart and/or mental health problems; long term health effects include permanent damage to lungs, reproductive organs, and brain function; Can interfere with physical, psychological, and social development of young users.

**Opiates/Narcotics (heroin, morphine, opium, codeine, oxycodone, china white)** — Can cause physical and psychological dependence; overdose can cause coma, convulsions, respiratory arrest, and death; long term use leads to malnutrition, infection, and hepatitis; sharing needles is a leading cause of the spread of HIV and hepatitis; highly addictive, tolerance increases rapidly.

**Sedatives** — Can cause reduced reaction time and confusion; overdose can cause coma, respiratory arrest, convulsions, and death; withdrawal can be dangerous; in combination with other controlled substances can quickly cause coma and death; long term use can produce physical and psychological dependence; tolerance can increase rapidly.

**Tobacco (cigarettes, cigars, chewing tobacco)** — Can cause diseases of the cardiovascular system, in particular smoking being a major risk factor for a myocardial infarction (heart attack), diseases of the respiratory tract such as Chronic Obstructive Pulmonary Disease (COPD) and emphysema, and cancer, particularly lung cancer and cancers of the larynx and mouth; nicotine is highly addictive.

## Medical Usage of Marijuana under Arkansas State Law

This policy prohibits the possession, use, manufacture, sale, or distribution of marijuana on University property or in University activities. Marijuana remains a controlled substance under federal law, and the University remains bound by federal laws prohibiting marijuana on University property or in its activities. This prohibition extends to all forms of marijuana, including state-authorized prescription medical marijuana. Students who wish to request reasonable accommodation for disabilities treated by state-authorized prescription medical marijuana should contact Disability Services and proceed through the University's disability accommodation process for determining any appropriate

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- Offering substance-free social, extracurricular, and public service options.
- Creating a health-promoting normative environment.
- Restricting the marketing and promotion of alcohol and other drugs.
- Limiting availability of alcohol and other drugs.
- Developing and enforcing campus policies and enforce laws to address high-risk and illegal alcohol and other drug use.
- Providing early intervention and referral for treatment.
- All new undergraduate students are required to complete AlcoholEdu® for College: Primary, an online education program.
- Administering and utilizing results from the Core Survey to determine problematic drinking behaviors specific to our campus to help inform programming and prevention efforts.

### **LOCAL TREATMENT FACILITIES**

Counseling services are provided on campus to students by calling (479) 968-0329 or by visiting the Health and Wellness Center located in the Doc Bryan Student Services Center, Suite 119. These services are provided by licensed counselors, but do not include drug rehabilitation or detoxification services. Please see a counselor for more referral resources.

#### **Oasis Renewal**

14913 Cooper Orbit Rd  
Little Rock, AR 72223  
(501) 376-2747  
[Oasisrenewalcenter.com](http://Oasisrenewalcenter.com)

#### **Restored Life Services of Arkansas**

3127 W 2nd Ct, Suite A  
Russellville, AR 72801  
(479) 219-4100  
[www.restoredlifeservices.com](http://www.restoredlifeservices.com)

#### **Adult and Teen Challenge of the Greater South**

620 S Arkansas Ave  
Russellville, AR 72801  
(479) 967-0442  
<https://www.atcgreatersouth.org>

#### **Turning Point at Saint Mary's**

1808 W Main Street  
Russellville, AR 72801  
(479) 967-0701  
[www.saintmarysregional.com](http://www.saintmarysregional.com)

#### **ARVAC Inc. Freedom House**

400 Lake Front Drive  
Russellville, AR 72801  
(479) 968-7086  
<http://www.arvacinc.org/>

#### **Alcoholics Anonymous**

<http://www.arkansascentraloffice.org/>

#### **Narcotics Anonymous**

<http://www.arscna.org/>

#### **The Hope Center**

1706 East 2nd Street  
Russellville, AR 72801  
(479) 968-1635  
<https://projecthoperc.com>

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## **CONFISCATION**

Illegally possessed, used, manufactured, sold, or distributed substances, ingredients, or paraphernalia may be confiscated. The University may request, as a condition of presence on University property or participation in University activities, production of other items where the University reasonably determines that they are or contain evidence of a violation of this policy.

### **Use of Alcohol/Drugs as a Defense to Policy Violations**

The use of drugs or alcohol will not serve as a defense to violations of University policies, including this policy.

### **Title IX Amnesty Policy**

As the policy relates to incidents covered under Title IX, the University may offer amnesty to parties and witnesses to encourage reporting and participation in the process. See the following excerpt from the Equal Opportunity, Harassment (Sexual Misconduct), and Nondiscrimination Policy and Procedures :

To encourage reporting and participation in the process, ATU maintains a policy of offering parties and witnesses amnesty from minor policy violations – such as underage consumption of alcohol or the use of illicit drugs – related to the incident.

Amnesty does not apply to more serious allegations such as physical abuse of another or illicit drug distribution. The decision not to offer amnesty is based on neither sex nor gender, but on the fact that collateral misconduct is typically addressed for all students within a progressive discipline system, and the rationale for amnesty – the incentive to report serious misconduct – is rarely applicable to a Respondent with respect to a Complainant.

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## **DISCIPLINARY SANCTIONS**

Students violating the University policy on alcohol or other drugs are subject to sanctions up to and including expulsion from the University and referral for prosecution. Any employee violating any criminal drug statute while in the workplace will be subject to discipline up to and including termination. The University may notify parents or guardians of students under age 21 who are found to be in violation of the drug or alcohol policies as set forth in the Student Code of Conduct.



# ANNUAL NOTIFICATION of ALCOHOL AND OTHER DRUGS PREVENTION PROGRAM AND POLICY, 2021-22

## STANDARDS OF CONDUCT

Arkansas Tech University is committed to the maintenance of a drug and alcohol free work place and to a standard of conduct for employees and students that discourages the unlawful or unauthorized use, possession, storage, manufacture, distribution, or sale of alcoholic beverages and any illicit drugs or drug paraphernalia in University buildings, any public campus area, in University housing units, in University vehicles, or at any University affiliated events held on or off-campus, which are sponsored by students, employees and their respective campus organizations (including all fraternities and sororities). For Arkansas Tech University employees, compliance with this policy is a term and condition of employment. For Arkansas Tech University students and student organizations, compliance with this policy is a term and condition of continued enrollment/organizational registration. All violators of this policy or of federal, state, or local laws regarding drugs or alcohol will be subject to disciplinary action and possibly criminal prosecution.

## LEGAL SANCTIONS

**Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance** — 1st conviction: Up to 1 year imprisonment and a fine of at least \$1,000 but not more than \$100,000, or both. After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and a fine of at least \$2,500 but not more than \$250,000 or both. After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and a fine of at least \$5,000 but not more than \$250,000 or both. Special sentencing provisions for possession of crack cocaine are mandatory 5 to 20 years in prison and a fine of up to \$250,000; both if (a) 1st conviction and the amount of crack possessed exceeds 5 grams, (b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams (c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram. Personal and real property used to possess or to facilitate possession of a controlled substance may be forfeited if that offense is punishable by more than 1 year imprisonment. Vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance may also be forfeited. Additional sanctions include civil fines of up to \$10,000; denial of federal benefits, such as student loans, grants, contracts, and professional commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses; and ineligibility to receive or purchase a firearm. Other sanctions vested within the authorities of individual federal agencies are revocation of certain federal licenses and benefits such as pilot licenses and public housing.

Federal law prohibits, among other things, the manufacturing, distributing, selling, and possession of controlled substances as outlined in 21 United States Code, Sections 801 through 971. Depending on the amount, first offense maximum penalties for trafficking marijuana range from up to five years' imprisonment and a fine of up to \$250,000 to imprisonment for life and a fine of \$4 million. Depending on the amount, first offense maximum penalties for trafficking other controlled substances (e.g., methamphetamine, heroin, cocaine, cocaine base, PCP, LSD, fentanyl, and fentanyl analogue) range from five years to life imprisonment and fines range from \$2 to \$4 million. First offense penalties and sanctions for the illegal possession of small amounts of controlled substances, including marijuana, range from up to one year in prison or a fine of at least \$1,000. Penalties are more severe for subsequent offenses.

Students convicted of federal drug crimes may be ineligible to receive federal loans.

## STATE OF ARKANSAS SANCTIONS AND PENALTIES

• **Underage DUI Law** — The State of Arkansas' "Underage DUI (Driving Under the Influence) Law" (863) makes it an offense for a person under the age of 21 with a blood alcohol content of .02 or higher (approximately one can of beer, one glass of wine, or one drink of hard liquor) to operate a motorized vehicle or motor boat. Penalties for a first offense can result in (1) suspension of driver's license for not less than 90 days; (2) a fine of no less than \$100 nor more than \$500; (3) assignment to public service work; and/or (4) completion of an alcohol and driving education program.

- **Driving While Intoxicated** — A person who drives a motorized vehicle or motorboat while influenced or affected by the ingestion of alcohol, a controlled substance, or any intoxicant commits the offense of driving while intoxicated. Penalties for such an offense may include (1) suspension of license for 6 months for the first offense with a blood alcohol content of at least .08; suspension of 180 days for the first offense with a blood alcohol content of .15 or more; suspension for 6 months for first offense if intoxicated by use of a controlled substance; (2) imprisonment for no less than 24 hours and no more than one year for the first offense (with additional imprisonment for subsequent offense); (3) fines of no less than \$150 and no more than \$1,000 for the first offense (with stiffer fines for subsequent offenses); (4) as an inability to pay fines will result in court-ordered public service work ; and (5) a requirement to complete an alcohol education program as prescribed and approved by a contractor with the Division of Behavioral Health Services, or an alcoholism treatment program licensed by the Division of Behavioral Health Services. A blood alcohol level in excess of .04 may be considered with other competent evidence in determining guilt or innocence. A blood alcohol level of .08 or more shall give rise to a presumption of intoxication.
- **Public Intoxication** — A person commits the offense of “Public Intoxication” if (1) he appears in a public place manifestly under the influence of alcohol or a controlled substance to the degree that he is likely to endanger himself or other persons or property, or (2) he unreasonable annoys persons in his vicinity. Public intoxication is a Class C misdemeanor and can result in a fine of up to \$500, and/or imprisonment in the county jail (or other authorized institution) for up to 30 days.
- **Drinking in Public** — A person commits the offense of “Drinking in Public” if that person consumes alcohol in any public place. This includes consumption while in a vehicle on a street or highway. Penalties include a fine of up to \$500, and/or imprisonment for up to 30 days. Possession of any alcoholic beverages in Tech residence halls or on any other University property is prohibited.
- **Possession of or Purchasing Alcohol by a Minor** — It is illegal for a person under the age of 21 to possess, purchase, or ingest alcohol. Penalties include a fine of up to \$500, probation under the direction of the court, driver's license suspensions for a period of up to one year, and writing themes or essays on intoxicating liquors, wine, or beer.
- **Knowingly Furnishing to a Minor** — A person commits the offense of “Knowingly Furnishing to a Minor” if, being an adult, he or she knowingly gives, procures, or otherwise furnishes alcoholic beverage to a minor. Such an offense is a Class A misdemeanor and can result in (1) a fine of up to \$2,500 and/or (2) imprisonment in the county jail (or other authorized institution) for up to one full year.
- **Manufacture or Delivery of a Controlled Substance** — It is unlawful for any person to manufacture, deliver, or possess with intent to manufacture or deliver, a controlled substance. Penalties for the manufacture or delivery of a controlled substance can range from three (3) years to life in prison, and fines up to \$250,000, depending on the quantity and type of drug. In addition, real and personal property used in the manufacture, delivery, or importing of controlled substances may be forfeited to the government.
- **Manufacture or Delivery of a Counterfeit Substance** — It is unlawful for any person to create, deliver, or possess with intent to deliver a counterfeit substance purporting to be a controlled substance. Penalties for the creating and/or delivery of a counterfeit substance can range up to 10 years in prison and fines up to \$10,000 depending on the type of drug being counterfeited.
- **Possession of Drug Paraphernalia** — It is unlawful for any person to possess drug paraphernalia with the purpose to use the drug paraphernalia to inject, ingest, inhale, or otherwise introduce into the human body a controlled substance.
- **Possession of a Controlled or Counterfeit Substance** — It is unlawful for any person to possess a controlled substance or counterfeit substance. Penalties for possession of a controlled or counterfeit substance can range up to 30 years in prison and fines up to \$15,000, depending on the type of drug (or counterfeit) possessed.
- **Possession of Open Container Containing Alcohol in a Motor Vehicle** — (a.) It is unlawful for a person to possess an open alcoholic beverage container within an area of a motor vehicle that is: (1) Designated to seat the driver or a passenger in the motor vehicle and the motor vehicle is in operation; or (2) Readily accessible to the driver or a passenger in the motor vehicle while in a seated position and the motor vehicle is located on a public highway or the right-of-way of a public highway. (b.) It is not an offense under this section if the open alcoholic beverage container is possessed: (1) Outside of the passenger area of the motor vehicle or other area of the motor vehicle commonly used for the transportation of passengers, such as in the trunk or cargo area of the motor vehicle; (2) In a locked area of the motor vehicle, including without limitation a glove compartment or center

console of the motor vehicle; (3) Behind the last upright seat or in an area not normally occupied by the driver or a passenger, in a motor vehicle that is not equipped with a trunk (4) By a passenger in the motor vehicle, but not the driver, as long as the open alcoholic beverage container is possessed within the living quarters of the motor vehicle or the area of the motor vehicle that is designated for passengers only, the open alcoholic beverage container is not readily accessible to the driver of the motor vehicle, and the motor vehicle is: (A) Designed, maintained, or used primarily for the transportation of persons for compensation; or (B) A recreational vehicle, motor home, or house trailer. This is a Class C Misdemeanor punishable by up to 30 days in jail and a fine of up to \$500.

### **HEALTH RISKS**

**Alcohol** — Can cause short term effects such as loss of concentration and judgment; slowed reflexes; disorientation leading to higher risk of accidents and problem behavior; long term effects include risk of liver and heart damage, malnutrition, cancer, and other illnesses; can be highly addictive to some persons.

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**Marijuana** — Can cause short term effects such as slow reflexes; increase in forgetfulness; alters judgment of space and distance; aggravate pre-existing heart and/or mental health problems; long term health effects include permanent damage to lungs, reproductive organs, and brain function; Can interfere with physical, psychological, and social development of young users.

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To encourage reporting and participation in the process, ATU maintains a policy of offering parties and witnesses amnesty from minor policy violations – such as underage consumption of alcohol or the use of illicit drugs – related to the incident.

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## **Appendix G**

### **Process for Biennial Review**

In compliance with the Drug Free Communities and Schools act of 1989, Arkansas Tech University reviews the alcohol and other drug policies, prevention programs, sanctioning, and enforcement consistency every two years. The review is completed and filed by December 31 on even numbered years. Overseeing this review is the Alcohol and Other Drug Committee, comprised of members from Residence Life, Student Conduct, Faculty, Campus Life, Public Safety, and Student Wellness. The committee is chaired by a counselor in the Student Wellness Department. Conducting the review is the primary responsibility of the chair.

## Appendix H

### OneTech Portal Message

#### It is your responsibility...

#### Make time. Read. Understand. Follow.

As a student at Arkansas Tech University, it is your responsibility to become familiar with all rules, regulations, and policies that shape the structure of our campus community.

**Arkansas Tech University Vision Statement.** Arkansas Tech University: where students succeed, innovation thrives, and communities flourish.

**Arkansas Tech University Mission Statement.** Arkansas Tech University is dedicated to student success, access, and excellence as a responsive campus community providing opportunities for progressive intellectual development and civic engagement. Embracing and expanding upon its technological traditions, Tech inspires and empowers members of the community to achieve their goals while striving for the betterment of Arkansas, the nation, and the world.

**Student Handbook and Student Code of Conduct.** The Student Handbook and Student Code of Conduct can be found online at <http://www.atu.edu/studenthandbook>.

**Equal Opportunity, Harassment (Sexual Misconduct), and Nondiscrimination Policy and Procedures.** If you believe you have been involved in an incident of sexual misconduct or any other type of discrimination, you have the right to pursue action through the ATU conduct system and/or the appropriate law enforcement authorities. Options for reporting are provided in the Equal Opportunity, Harassment (Sexual Misconduct), and Nondiscrimination Policy and Procedures. Assistance is available upon request for individuals wishing to review these reporting options regardless of whether a formal complaint is filed with the Title IX Coordinator, Amy Pennington, the AA/EEO Officer, Melissa Riffle, or to law enforcement officials. The entire Equal Opportunity, Harassment (Sexual Misconduct), and Nondiscrimination Policy and Procedures can be located in the Student Handbook online at <http://www.atu.edu/studenthandbook>.

**Alcohol and Other Drugs Prevention Program and Policies.** ATU is committed to the maintenance of a drug and alcohol free environment. Use of illegal drugs, alcohol, tobacco products, including e-cigarettes/vapor pens is not permitted on campus. The entire Alcohol and Other Drugs Prevention Program and Policies can be located in the Student Handbook online at <http://www.atu.edu/studenthandbook>.

**Computer Use Policies, Digital Millennium Copyright Act Policy Violations.** Downloading and sharing copyrighted material online without permission is both illegal and unethical. ATU is obligated, based on federal regulations, to address and resolve any cases of copyright infringement brought to our attention. It is your responsibility to read and understand the ATU computer use policies. These policies can be located in the Student Handbook and on the Computer Services website at <https://support.atu.edu/support/solutions/articles/7000019369-appropriate-use-of-computer-resources>.

**Emergency Alerts.** ATU has the ATU Alert system to communicate important emergency messages with members of the campus community. Emergency messages will be sent out via text messaging, telephone calls, emails, and desktop notifications in the event of a situation that poses an immediate threat to the life safety of campus. Other messages sent out using the ATU Alert system include winter weather closings. Information on this important emergency notification system and other emergency procedures can be located at [www.atu.edu/emergency](http://www.atu.edu/emergency). Printed versions of the Emergency Procedure Guide can also be obtained in the Department of Public Safety.

**Right to Know and Act 852 of 2015.** Pursuant to the Student Right to Know Act, information about the various aspects of ATU and its campus is available for your review. You can access this information at <http://www.atu.edu/righttoknow/>. A report on employment and earnings outcomes for certain degrees is included.

**Clery Act.** The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires institutions of higher education to distribute to all current and prospective students and employees policies related to campus security and crime statistics. To view the ATU Campus Security & Fire Safety Report, please visit <http://www.atu.edu/psafe/cleryreport.php>.

**Voter Registration Information.** Pursuant to the Higher Education Act of 1965 and the National Voter Registration Act of 1993, ATU is pleased to provide information about voter registration. You can find Arkansas voter information as well as a voter registration application online at [https://www.atu.edu/service/tech\\_votes.php](https://www.atu.edu/service/tech_votes.php).

**Jerry Cares.** You're part of something special, the ATU family. Just like any family, we face tough issues together. We share in the responsibility of working together to ensure that we have a safe campus. The Jerry Cares campaign equips you with the tools, training, and resources necessary to take action. You can play a role. If you sense that something doesn't seem right, say something by contacting the **CARE Team**. Visit [www.atu.edu/jerrycares](http://www.atu.edu/jerrycares) to learn more.

**I, (student's name will be inserted), acknowledge that I have been notified of the rules, regulations, and policies of Arkansas Tech University. I understand that it is my responsibility to monitor these rules, regulations, and policies should information be updated in the future.**



## Appendix I

| <b>Arkansas Tech University Student Services - Conduct Sanction Rubric (2020-21)</b>                  |  |  |   |   |   |
|---|--|--|---|---|---|
| The following are recommended sanctions based on the policy violation. This is for internal use only. |  |  |   |   |   |
| Violation   | Description  | Sanction - 1st offense   | Sanction - 2nd offense  | Sanction - 3rd offense  | Possible Educational Sanctions  |
| <b>Alcohol</b>  | Possession, consumption, intoxication, or in the presence of   | \$50 fine, Group Alcohol Workshop, probation 6 months, parental notification if under 21   | <b>Refer to AC:</b> \$100 fine, probation 1 year, JE Alcohol, parental notification if under 21   | <b>Refer to Associate Dean for Student Conduct:</b> Substance abuse assessment        | Group Alcohol Workshop, JE Alcohol  |
|   | Intoxication resulting in assessment/transport/biohazard   | <b>Refer to AC:</b> \$50 fine, Group Alcohol Workshop, probation 6 months, parental notification if under 21   | <b>Refer to AC:</b> \$100 fine, probation 1 year, educational sanction, JE Alcohol, substance abuse assessment, parental notification if under 21 | <b>Refer to Associate Dean for Student Conduct</b>                                    | Group Alcohol Workshop, JE Alcohol  |
|   | Paraphernalia only, i.e., decorations (this does not include empty cans/bottles in trash which would be considered possession)   | Educational sanction   | Educational sanction, probation 6 months  | <b>Refer to AC:</b> \$50 fine, Group Alcohol Workshop, probation 6 months             | JE Alcohol, Reflective Essay, Guide to Residence Hall Living Review                               |
| <b>Bicycles</b>   | Bicycles indoors/riding indoors (see handbook)   | Warning and/or educational sanction  | Probation 1 month, educational sanction   | \$25 fine, probation 6 months   | Student Code of Conduct Review  |
| <b>Bullying/Cyberbullying</b>   | Harass, threaten, humiliate, defame, or intimidate   | <b>Refer to AC:</b> probation 6 months, educational sanction, discretion of AC   | <b>Refer to Associate Dean for Student Conduct</b>  | <b>Refer to Associate Dean for Student Conduct</b>                                    | JE, Letter of Apology, Reflective Essay, Article Review, Decision-Making Workshop, This I Believe |
| <b>Common Area Disturbance</b>  | Activity that may cause a disturbance (outdoor games, wrestling, running, etc)   | Warning and/or educational sanction  | Probation 1 month, educational sanction   | <b>Refer to AC:</b> \$25 fine, educational sanction, discretion of AC                 | JE, Mission and Values Statement, Guide to Residence Hall Living Review, Letter of Apology        |
| <b>Computer Misuse</b>  | Illegal downloading, file sharing, any illegal activity (see Routers if applicable)  | <b>Refer to Assistant Dean for Residence Life</b>  | <b>Refer to Assistant Dean for Residence Life</b>   | <b>Refer to Assistant Dean for Residence Life</b>                                     | Review of Copyright Infringement Policy and potential loss of internet access                     |
| <b>Double Occupancy</b>   | Occupying a 'vacant' space within unit   | Educational sanction. * If found during safety & security checks and first offense, send letter for item removal                                       | \$25 fine for each item, educational sanction   | <b>Refer to AC:</b> discretion of AC  | JE, Guide to Residence Hall Living Review   |
| <b>Drugs</b>  | Paraphernalia, possession, use, or in the presence of  | <b>Refer to Associate Dean for Student Conduct:</b> removal from housing, parental notification if under 21, probation 1 year, or suspension/expulsion | <b>Refer to Associate Dean for Student Conduct:</b> suspension/expulsion  | <b>Refer to Associate Dean for Student Conduct:</b> expulsion                         | JE  |
| <b>Escort</b>   | Allowing guest to be unescorted in building  | Warning if during the first month of the fall semester and educational sanction otherwise  | \$25 fine, probation 6 months, educational sanction   | <b>Refer to AC:</b> discretion of AC  | JE, Reflective Essay, Article Review, Guide to Residence Hall Living Review                       |
| <b>Failure to Comply</b>  | Not supplying identification, not responding to staff  | Educational sanction   | \$25 fine, probation 6 months   | <b>Refer to AC:</b> discretion of AC  | JE, Letter of Apology, Reflective Essay   |
| <b>Failure to Comply</b>  | Violation of health and safety regulations, i.e. not social distancing, not wearing a mask, gatherings that exceed numbers in COVID-19 Recovery <del>Emergency Act, Addendum, visitation violation</del> | Warning and IR submission for Maxient informational documentation  | Educational sanction: JE Community Living from Me to We or Health and Safety Addendum Review  | <b>Refer to AC:</b> \$25 fine, probation 3 months, discretionary educational sanction | <b>Refer to Associate Dean for Student Conduct</b>  |
| <b>Failure to Evacuate</b>  | Not leaving when a fire alarm sounds   | Educational sanction   | \$75 fine, probation 6 months   | <b>Refer to AC:</b> \$100 fine, probation 6 months                                    | JE Fire Safety Module   |
| <b>Fire Safety</b>  | Smoking in building, any lit fire (cigarettes, candles & incense), tampering with life safety devices  | \$100 fine, probation 6 months, educational sanction   | <b>Refer to AC:</b> Potential removal from housing  | <b>Refer to AC:</b> discretion of AC  | JE Fire Safety Module, Fire Safety Policy Review (2nd Offense)                                    |
|   | Possession of candles as decorations (wick has never been lit)   | Educational sanction   | \$25 fine, educational sanction   | <b>Refer to AC:</b> discretion of AC  | JE Fire Safety Module   |
|   | Hanging items from exposed pipes   | \$50 fine, JE Fire Safety Module   | \$100 fine, probation 6 months, Fire Safety Policy Review   | <b>Refer to AC:</b> discretion of AC  | JE Fire Safety Module, Fire Safety Policy Review (2nd Offense)                                    |
| <b>Harassment</b>   | Acts or communications that are intended to harass, intimidate, or humiliate   | <b>Refer to AC/Associate Dean for Student Conduct:</b> probation 6 months, educational sanction, potential no contact order                            | <b>Refer to Associate Dean for Student Conduct</b>  | <b>Refer to Associate Dean for Student Conduct</b>                                    | JE, Letter of Apology, Reflective Essay, Article Review, Decision-Making Workshop, This I Believe |
| <b>Illegal use of University Property</b>   | Lobby furniture in room, sitting on sports tables, moving furniture, etc.  | Educational sanction   | \$25 fine, probation 6 months, educational sanction   | <b>Refer to AC:</b> discretion of AC  | JE, Guide to Residence Hall Living Review   |

| Violation                                       | Description   | Sanction - 1st offense   | Sanction - 2nd offense  | Sanction - 3rd offense   | Possible Educational Sanctions   |
|---|---|--|---|--|--|
| Intimidation                                    | Threats made with the intent to harass or alarm   | Refer to AC/Associate Dean for Student Conduct: probation 6 months, educational sanction, potential no contact order                     | Refer to Associate Dean for Student Conduct                                     | Refer to Associate Dean for Student Conduct                      | JE, Letter of Apology, Reflective Essay, Article Review, Decision-Making Workshop  |
| Noise and Disruption                            | Excessive noise   | Educational sanction   | \$25 fine, educational sanction   | Refer to AC: discretion of AC                                    | JE, Letter of Apology, Reflective Essay  |
| Passive Participation                           | Obligation to remove yourself from situations that are policy violations  | Educational sanction   | Probation 6 months, educational sanction  | Refer to AC: discretion of AC                                    | JE, Letter to Your Future Self, This I Believe, Decision-Making Workshop   |
| Pet   | Possession of a pet   | Contained animal - \$75 fine, additional damage expenses<br>Uncontained - \$225 fine, additional damage expenses                         | Refer to AC: discretion of AC   | Refer to AC: discretion of AC                                    | N/A  |
| Physical Abuse                                  | Intentional physical contact with any person  | Refer to Associate Dean for Student Conduct: probation 1 year, educational sanction, or suspension/expulsion                             | Refer to Associate Dean for Student Conduct                                     | Refer to Associate Dean for Student Conduct                      | JE, Letter of Apology, Reflective Essay, Article Review, Decision-Making Workshop, This I Believe                          |
| Prohibited Items                                | Electrical items, decorations, etc.   | Educational sanction. * If found during safety & security checks and first offense, send letter for item removal                         | \$25 fine for each item, educational sanction                                   | Refer to AC: discretion of AC                                    | JE, Guide to Residence Hall Living Review  |
| Routers   | Using a device that extends the campus network  | Loss of Internet in room pending preliminary conference, educational sanction  | \$25 fine, loss of Internet privileges for 6 months                             | Refer to Associate Dean for Student Conduct                      | N/A  |
| Safety/Improper Building Entry                  | Hindering door closure (propping door, taping latch, damaging door), acting in a manner that places self or others in danger, entering/exiting through window, misuse of keys/access card | \$200 fine, educational sanction, probation 6 months   | Revocation of Housing   | Refer to AC: discretion of AC                                    | JE, Guide to Residence Hall Living Review  |
| Sexual Harrassment, Sexual Misconduct, Stalking | Refer to Associate Dean for Student Conduct/Title IX Coordinator  | Refer to Associate Dean for Student Conduct/Title IX Coordinator   | Refer to Associate Dean for Student Conduct/Title IX Coordinator                | Refer to Associate Dean for Student Conduct/Title IX Coordinator | N/A  |
| Theft   | Theft of and/or damage to property  | Refer to AC/Associate Dean for Student Conduct   | Refer to AC/Associate Dean for Student Conduct                                  | Refer to AC/Associate Dean for Student Conduct                   | N/A  |
| Threats   | Clear and serious expression of intent to commit violence   | Refer to AC/Associate Dean for Student Conduct: probation 6 months, educational sanction, potential no contact order                     | Refer to AC/Associate Dean for Student Conduct                                  | Refer to AC/Associate Dean for Student Conduct                   | JE, Decision-Making Workshop, Letter of Apology, Mission and Values Statement Reflection, Reflective Essay, Article Review |
| Tobacco   | Use in building (smokeless tobacco)   | Educational sanction   | \$25 fine, probation 6 months   | Refer to AC: discretion of AC                                    | JE, Guide to Residence Hall Living Review, Reflective Essay  |
|   | Use on University Property (including smokeless tobacco and ecigs)  | Warning  | Probation 6 months  | Refer to AC: discretion of AC                                    | N/A  |
| Trash   | Littering, leaving trash bags in a undesignated area  | \$25 fine, educational sanction  | \$50 fine, Probation 6 months, educational sanction                             | Refer to AC: discretion of AC                                    | JE, Mission and Values Statement, Guide to Residence   |
| Visitation                                      | Guest during non-visiting hours   | Warning if during the first month of the fall semester and educational sanction otherwise  | \$25 fine, probation 1 month, educational sanction                              | Refer to AC: discretion of AC                                    | JE, Reflective Essay, Article Review, Guide to Residence Hall Living Review  |
| Vandalism                                       | Damage to University property   | Fine for damage expenses, educational sanction   | Refer to AC: fine for damage expenses, educational sanction, probation 6 months | Refer to AC: discretion of AC                                    | JE, Letter of Apology, Reflective Essay, Decision-Making Workshop  |
| Weapons   | Possession of firearms, knives, etc.  | Refer to AC/Associate Dean for Student Conduct: probation 1 year, educational sanction, or suspension/expulsion, potential monetary fine | Refer to AC/Associate Dean for Student Conduct                                  | Refer to AC/Associate Dean for Student Conduct                   | Decision-Making Workshop, Article Review, Reflective Essay, JE   |
| Windows   | Use of sun blocking material, displays of any sort  | Warning  | Educational sanction  | Refer to AC: discretion of AC                                    | JE, Reflective Essay, Article Review, Guide to Residence Hall Living Review  |

| Arkansas Tech University Student Services - Conduct Sanction Rubric (2021-22)                         |  |  |   |   |   |
|---|--|--|---|---|---|
| The following are recommended sanctions based on the policy violation. This is for internal use only. |  |  |   |   |   |
| Violation   | Description  | Sanction - 1st offense   | Sanction - 2nd offense  | Sanction - 3rd offense  | Possible Educational Sanctions  |
| Alcohol   | Possession, consumption, intoxication, or in the presence of (reasonable person standard)                                      | \$50 fine, Group Alcohol Workshop, probation 6 months, parental notification if under 21   | Refer to Area Coordinator: \$100 fine, probation 1 year, JE Alcohol, parental notification if under 21  | Refer to Associate Dean for Student Conduct: Substance abuse assessment                     | Group Alcohol Workshop, JE Alcohol  |
|   | Intoxication resulting in assessment/transport/biohazard   | Refer to Area Coordinator/Assistant Dean for Residence Life: \$50 fine, Group Alcohol Workshop, probation 6  | Refer to Assistant Dean for Residence Life: \$100 fine, probation 1 year, educational sanction, JE Alcohol, substance abuse assessment, parental  | Refer to Associate Dean for Student Conduct   | Group Alcohol Workshop, JE Alcohol  |
|   | Paraphernalia only, i.e., decorations (this does not include empty cans/bottles in trash which would be considered possession) | Educational sanction   | Refer to Area Coordinator: Educational sanction, probation 6 months   | Refer to Director of Residence Education: \$50 fine, Group Alcohol Workshop, probation 6    | JE Alcohol, Reflective Essay, Guide to Residence Hall Living Review                               |
| Bicycles  | Bicycles indoors/riding indoors (see handbook)   | Warning and/or educational sanction  | Probation 1 month, educational sanction   | Refer to Area Coordinator: \$25 fine, probation 6 months                                    | Student Code of Conduct Review  |
| Bullying/Cyberbullying  | Harass, threaten, humiliate, defame, or intimidate   | Refer to Director of Residence Education: probation 6 months, educational sanction, discretion of AC   | Refer to Associate Dean for Student Conduct   | Refer to Associate Dean for Student Conduct   | JE, Letter of Apology, Reflective Essay, Article Review, Decision-Making Workshop, This I Believe |
| Common Area Disturbance   | Activity that may cause a disturbance (outdoor games, wrestling, running, etc)   | Warning and/or educational sanction  | Refer to Area Coordinator: Probation 1 month, educational sanction  | Refer to Director of Residence Education: \$25 fine, educational sanction, discretion of AC | JE, Mission and Values Statement, Guide to Residence Hall Living Review, Letter of Apology        |
| Computer Misuse   | Illegal downloading, file sharing, any illegal activity (see Routers if applicable)  | Refer to Assistant Dean for Residence Life : \$75, JE: Being a Good Cyber Citizen, loss of internet for 10 weeks   | Refer to Associate Dean for Student Conduct   | Refer to Assistant Dean for Residence Life: discretion of ADR                               | Review of Copyright Infringement Policy and potential loss of internet access                     |
| Drugs   | Paraphernalia, possession, use, or in the presence of  | Refer to Associate Dean for Student Conduct: removal from housing, parental notification if under 21, probation 1 year, or suspension/expulsion, educational   | Refer to Associate Dean for Student Conduct: suspension/expulsion   | Refer to Associate Dean for Student Conduct: expulsion                                      | JE  |
| ESA   | policy violations among approved animals; noise; cleanliness; community health violation;                                      | Refer to Assistant Dean for Residence Life: Noise - ESA policy review and reflection, animal training Cleanliness - ESA policy review, Fine for Damages (if applicable), Individualize pet plan to help animal Other Violations: ESA policy review and reflection, Individualize pet plan to help animal | Refer to Assistant Dean for Residence Life: Noise - JE, 6 months probation Cleanliness - JE, Fine for Damages (if applicable), Review Individualize pet plan to help animal, 6 months probation Other Violations: discretion of ADR | Refer to Assistant Dean for Residence Life: Relocation or Revocation                        | ESA policy review, JE, Animal Help Plan, Recommend Animal Trainer                                 |
|   | animal on campus prior to approval   | Refer to Assistant Dean for Residence Life: Follow Pet Policy sanction   |   |   |   |
| Escort  | Allowing guest to be unescorted in building  | Warning if during the first month of the fall semester and educational sanction otherwise  | \$25 fine, probation 6 months, educational sanction   | Refer to Area Coordinator: discretion of AC   | JE, Reflective Essay, Article Review, Guide to Residence Hall Living Review                       |
| Failure to Comply   | Not supplying identification, not responding to staff  | Educational sanction   | Area Coordinator: \$25 fine, probation 6 months   | Refer to Director of Residence Education: discretion of Dir                                 | JE, Letter of Apology, Reflective Essay   |
| Quarantine Violation  |  | Warning  | Suspension for quarantine period  | Suspension for the remainder of the semester  |   |
| Mask Compliance   | Verbal warning, offer to provide a mask, no IR submission if compliant. IR submission if student(s) fails to comply.           | Educational sanction: JE College and COVID   | Refer to Area Coordinator: \$25 fine, probation 3 months, discretionary educational sanction  | Refer to Associate Dean for Student Conduct   | Refer to Associate Dean for Student Conduct   |
| Failure to Evacuate   | Not leaving when a fire alarm sounds   | Educational sanction   | Refer to Areas Coordinator: \$75 fine, probation 6 months   | Refer to Director of Residence Education: \$100 fine, probation                             | JE Fire Safety Module   |
| Fire Safety   | Smoking in building, any lit fire (cigarettes, candles & incense), tampering with life safety devices                          | Refer to Area Coordinator: \$100 fine, probation 6 months, educational sanction  | Refer to Director of Residence Education: Potential removal from housing  | Refer to Assistant Dean for Residence Life: discretion of ADR                               | JE Fire Safety Module, Fire Safety Policy Review (2nd Offense)                                    |
|   | Possession of candles as decorations (wick has never been lit)   | Educational sanction   | \$25 fine, educational sanction   | Refer to Areas Coordinator: discretion of AC  | JE Fire Safety Module   |
|   | Hanging items from exposed pipes   | \$50 fine, JE Fire Safety Module   | Refer to Area Coordinator/Director of Residence Education: \$100 fine, probation 6 months, Fire Safety Policy   | Refer to Assistant Dean for Residence Life: discretion of ADR                               | JE Fire Safety Module, Fire Safety Policy Review (2nd Offense)                                    |
| Furniture   | taking furniture out of the room.  | Educational sanction   | JE - decision making  | Refer to Area Coordinator: probation 3 months, Letter to your future self                   | Review policy and write a reflection  |
| Harassment  | Acts or communications that are intended to harass, intimidate, or humiliate   | Refer to Area Coordinator/Associate Dean for Student Conduct: probation 6 months, educational sanction, potential no contact order   | Refer to Associate Dean for Student Conduct   | Refer to Associate Dean for Student Conduct   | JE, Letter of Apology, Reflective Essay, Article Review, Decision-Making Workshop, This I Believe |
| Illegal use of University Property  | Lobby furniture in room, sitting on sports tables, moving furniture, etc.  | Educational sanction   | Refer to Area Coordinator: \$25 fine, probation 6 months, educational sanction  | Refer to Director of Residence Education: discretion of Dir                                 | JE, Guide to Residence Hall Living Review   |

| Violation                                       | Description   | Sanction - 1st offense  | Sanction - 2nd offense   | Sanction - 3rd offense  | Possible Educational Sanctions   |
|---|---|---|--|---|--|
| Intimidation                                    | Threats made with the intent to harass or alarm   | Refer to Assistant Dean for Residence Life/Associate Dean for Student Conduct: probation 6 months, educational sanction, potential no           | Refer to Associate Dean for Student Conduct  | Refer to Associate Dean for Student Conduct   | JE, Letter of Apology, Reflective Essay, Article Review, Decision-Making Workshop  |
| Noise and Disruption                            | Excessive noise   | Educational sanction  | \$25 fine, educational sanction  | Refer to Area Coordinator: discretion of AC   | JE, Letter of Apology, Reflective Essay  |
| Passive Participation                           | Obligation to remove yourself from situations that are policy violations  | Educational sanction  | Refer to Area Coordinator: Probation 6 months, educational sanction  | Refer to Director of Residence Education: discretion of Dir                         | JE, Letter to Your Future Self, This I Believe, Decision-Making Workshop   |
| Pet   | Possession of a pet   | Refer to Assistant Dean for Residence Life: Contained animal - \$75 fine, additional damage expenses Uncontained - \$225 fine, additional       | Refer to Assistant Dean for Residence Life: discretion of ADR  | Refer to Assistant Dean for Residence Life: discretion of ADR                       | N/A  |
| Physical Abuse                                  | Intentional physical contact with any person  | Refer to Associate Dean for Student Conduct: probation 1 year, educational sanction, or suspension/expulsion                                    | Refer to Associate Dean for Student Conduct  | Refer to Associate Dean for Student Conduct   | JE, Letter of Apology, Reflective Essay, Article Review, Decision-Making Workshop, This I Believe                          |
| Prohibited Items                                | Electrical items, decorations, etc.   | Educational sanction. * If found during safety & security checks and first offense, send letter for item removal                                | \$25 fine for each item, educational sanction  | Refer to AC: discretion of AC   | JE, Guide to Residence Hall Living Review  |
| Routers   | Using a device that extends the campus network  | Loss of Internet in room pending preliminary conference, educational sanction   | \$25 fine, loss of Internet privileges for 6 months  | Refer to Associate Dean for Student Conduct   | N/A  |
| Safety/Improper Building Entry                  | Hindering door closure (propping door, taping latch, damaging door), acting in a manner that places self or others in danger, entering/exiting through window, misuse of keys/access card | Refer to Area Coordinator: \$200 fine, educational sanction, probation 6 months   | Refer to Director of Residence Education: Relocation or housing access restriction, if revocation, review with ADR | Refer to Assistant Dean for Residence Life: discretion of AC; Revocation of Housing | JE, Guide to Residence Hall Living Review  |
| Sexual Harrassment, Sexual Misconduct, Stalking | Refer to Associate Dean for Student Conduct/Title IX Coordinator  | Refer to Associate Dean for Student Conduct/Title IX Coordinator  | Refer to Associate Dean for Student Conduct/Title IX Coordinator   | Refer to Associate Dean for Student Conduct/Title IX Coordinator                    | N/A  |
| Theft   | Theft of and/or damage to property  | Refer to Area Coordinator/Associate Dean for Student Conduct  | Refer to Director of Residence Education/Associate Dean for Student Conduct  | Refer to Assistant Dean for Residence Life/Associate Dean for Student Conduct       | N/A  |
| Threats   | Clear and serious expression of intent to commit violence   | Refer to Assistant Dean for Residence Life/Associate Dean for Student Conduct: probation 6 months, educational sanction, potential              | Refer to Assistant Dean for Residence Life/Associate Dean for Student Conduct                                      | Refer to Assistant Dean for Residence Life/Associate Dean for Student Conduct       | JE, Decision-Making Workshop, Letter of Apology, Mission and Values Statement Reflection, Reflective Essay, Article Review |
| Tobacco   | Use in building (smokeless tobacco)   | Educational sanction  | Refer to Area Coordinator: \$25 fine, probation 6 months   | Refer to Director of Residence Education: discretion of AC                          | JE, Guide to Residence Hall Living Review, Reflective Essay  |
|   | Use on University Property (including smokeless tobacco and ecigs)  | Warning   | Refer to Area Coordinator: Probation 6 months  | Refer to Director of Residence Education: discretion of AC                          | N/A  |
| Trash   | Littering, leaving trash bags in a undesignated area  | \$25 fine, educational sanction   | \$50 fine, Probation 6 months, educational sanction  | Refer to Area Coordinator: discretion of AC   | JE, Mission and Values Statement, Guide to Residence   |
| Visitation                                      | Guest during non-visiting hours   | Warning if during the first month of the fall semester and educational sanction otherwise   | \$25 fine, probation 1 month, educational sanction   | Refer to Area Coordinator: discretion of AC   | JE, Reflective Essay, Article Review, Guide to Residence Hall Living Review  |
| Vandalism                                       | Damage to University property   | Fine for damage expenses, educational sanction  | Refer to Area Coordinator: fine for damage expenses, educational sanction, probation 6 months                      | Refer to Director of Residence Education: discretion of Dir                         | JE, Letter of Apology, Reflective Essay, Decision-Making Workshop  |
| Weapons   | Possession of firearms, knives, etc.  | Refer to Assistant Dean for Residence Life/Associate Dean for Student Conduct: probation 1 year, educational sanction, or suspension/expulsion. | Refer to Assistant Dean for Residence Life/Associate Dean for Student Conduct                                      | Refer to Assistant Dean for Residence Life/Associate Dean for Student Conduct       | Decision-Making Workshop, Article Reviv, Reflective Essay, JE  |
| Windows   | Use of sun blocking material, displays of any sort  | Warning   | Educational sanction   | Refer to Area Coordinator: discretion of AC   | JE, Reflective Essay, Article Review, Guide to Residence Hall Living Review  |



# Appendix J

## Student Conduct Process

### Article IV: Adjudication of Student Misconduct and Appeals Process

#### A. Filing Complaints

1. Any member of the University community may file charges against a student for violations of the Student Code of Conduct.

2. Charges alleging a violation of the Student Code of Conduct should be submitted as soon as possible after the incident.

3. Charges shall be prepared in writing and directed to the Student Conduct Administrator. The Student Conduct Administrator is Amy N. Pennington, Dean of Students, Doc Bryan Student Services Center, Suite 233, [apennington@atu.edu](mailto:apennington@atu.edu).

4. The Student Conduct Administrator or designee will assign the case to a conduct advisor to investigate and initiate the conduct process.

#### B. Preliminary Conference

1. The conduct advisor will present all charges, supporting documentation and meeting notification to the respondent in written form sent to the address listed in OneTech, via Tech email, via hand-delivery by university employees or delivered to the residence hall room of the respondent. This shall constitute full and adequate notice. The failure of a student to provide an address change or forwarding address, or the refusal or inability to accept the mailed notice, shall not constitute good cause for failure to comply with the notification.

2. The respondent shall meet with the conduct advisor in a preliminary conference.

3. The conduct advisor will review the charges and supporting documentation, advise the respondent of due process rights, and explain the Student Code of Conduct adjudication process during the preliminary conference.

4. The conduct advisor shall offer the respondent an opportunity to informally resolve the alleged violation.

a. The informal resolution process involves a review of the incident and discussion of the possible sanction(s).

b. If the respondent accepts responsibility for the violation and the resolution offered by the conduct advisor, the respondent and the conduct advisor shall complete an informal resolution agreement, which shall include information regarding the violations for which the respondent has been found responsible, the resulting sanctions, and signature (when applicable) of both the respondent and conduct advisor.

c. When the respondent agrees to take responsibility for the violation and the sanction recommended by the conduct advisor, the case will be settled and there shall be no subsequent proceedings.

d. The respondent has three (3) business days from the date of signing the informal resolution agreement to reconsider the agreement and request a formal hearing.

e. If the respondent wishes to request a formal hearing, he or she shall file a request for a formal hearing by notifying the Student Conduct Administrator in writing.

f. The outcome of an informal resolution cannot be contested after three (3) business days.

g. The outcome of a formal hearing shall replace any agreements made during the informal resolution.

h. If the charges cannot be settled by mutual consent of the respondent and the conduct advisor, if the respondent maintains innocence, or the respondent fails to attend the preliminary conference, the case will be forwarded to the Student Conduct Administrator for referral to a conduct body for a formal hearing.

i. A formal hearing shall be set to occur no less than five (5) business days and no more than ten (10) business days after the Student Conduct Administrator refers the case for a formal hearing. Time limits for scheduling of formal hearings may be adjusted at the discretion of the Student Conduct Administrator.

5. The conduct advisor may later serve in the same matter as a member of the conduct body.

6. The respondent may request one change in the date and time of the preliminary conference by requesting the change 24 hours prior to the scheduled conference by contacting the Conduct Advisor.

7. Failure of the respondent to attend the preliminary conference will result in a formal hearing being scheduled.

### **C. Formal Hearing**

If the charges cannot be settled by mutual consent of the respondent and the conduct advisor or if the respondent maintains innocence, the Student Conduct Administrator will refer case to the Student Services Conduct Board to adjudicate the case in a formal hearing.

#### **Composition of the Student Services Conduct Board**

This conduct body is assigned to conduct formal hearings involving alleged violations of the Student Code of Conduct that cannot be settled during a preliminary conference. The conduct board is composed of the following members, appointed by the Student Conduct Administrator: One (1) student representing membership from the following groups: Student Government Association, IFC/Panhellenic, Residence Hall Association, Gold Cabinet, or the Student Activities Board; Two (2) Resident Assistants; One (1) Student at-large; One (1) Residence Life staff member; One (1) Student Services staff member. The Student Conduct Administrator or designee will serve as the chairperson. The Student Services

Conduct Board will hear the case and determine the appropriate sanction(s). All participants are bound to confidentiality in accordance with the federal Family Educational Rights and Privacy Act (FERPA). Students serving on the Student Services Conduct Board must be full-time, in good academic standing, and demonstrate satisfactory conduct history.

#### Hearing Guidelines

1. Hearings shall normally be conducted in private.
2. The complainant, the respondent, and their advisors (if any), shall be allowed to attend the entire portion of the student conduct hearing at which information is received excluding deliberation. Admission of any person to the hearing who is not a party or potential witness shall be at the discretion of the conduct body and/or the chairperson of the conduct body.
3. In hearings involving more than one respondent, the Student Conduct Administrator or designee may at his or her sole discretion permit the hearings concerning each respondent to be conducted separately or jointly.
4. The complainant and the respondent have the right to be assisted by any advisor they choose, at their own expense. The complainant and/or respondent is responsible for presenting his or her own information. Advisors are not permitted to speak or to participate directly in any student conduct hearing. The complainant and respondent must notify the Student Conduct Administrator who they are bringing at least 72 hours prior to the hearing. A complainant and respondent should select as an advisor, a person whose schedule allows attendance at the scheduled date and time of the student conduct hearing; delays will not normally be allowed due to the scheduling conflicts of an advisor.
5. The complainant, the respondent, and the conduct body shall have the privilege of presenting witnesses, subject to the right of cross examination by the conduct body.
6. The complainant, the respondent, and the conduct body may arrange for witnesses to present pertinent information to the Student Services Conduct Board. Witnesses will provide information to and answer questions from the Student Services Conduct Board. The complainant and respondent will not be allowed to directly cross-examine each other or witnesses.
7. Pertinent records, exhibits, and written statements may be accepted as evidence for consideration by the conduct body at the discretion of the chairperson. This information must be provided to the Student Conduct Administrator at least 72 hours prior to the hearing.
8. All procedural questions are subject to the final decision of the chairperson of the conduct body.
9. After the portion of the hearing concludes in which all pertinent information has been received and the respondent, complainant, and witnesses are dismissed, the conduct body shall determine by majority vote whether the respondent has violated each section of the Student Code of Conduct in which the respondent is charged and determine the sanction(s), if any.
10. The determination of the conduct body shall be made on the basis of whether it is more likely than not that the respondent violated the Student Code of Conduct.

11. Formal rules of process, procedure, and/or technical rules of evidence, such as applied in criminal or civil court, are not used in the Student Services Conduct Board proceedings.

12. There shall be a single verbatim record, such as a digital recording, of all hearings before the Student Services Conduct Board, not including deliberations. The recording shall be the property of the University.

13. If the respondent does not appear before the conduct body for the formal hearing, the information in support of the charges shall be presented and considered in absentia.

14. The conduct body may accommodate concerns for the personal safety, well-being, retaliation, and/or fears of the confrontation of the complainant, respondent, and/or other witnesses during the formal hearing by providing a visual screen and/or by permitting participation by telephone, video conferencing, or by other means at the discretion of the Student Conduct Administrator or designee.

15. After the formal hearing, the Student Conduct Administrator will advise the respondent in writing of the determination of the conduct body and any imposed sanction. Each record of any disciplinary process or sanction imposed under the Student Code of Conduct involving a respondent and any alleged victim may constitute an educational record the release of which is governed by FERPA.

## **F. Appeals**

Appeal of the decision of the Student Services Conduct Board may be made in writing to Dr. Keegan Nichols, Vice President for Student Services, located in Student Services, Doc Bryan Student Services Center, Suite 202, (479) 968-0238, knichols@atu.edu within five (5) business days of notification of the decision.

The only basis for appeal shall be:

1. Alleged failure of the Student Services Conduct Board to follow procedures set forth in the Student Code of Conduct; or

2. Consideration of new evidence that was not reasonably available at the time of the hearing before the Student Services Conduct Board. If an appeal is upheld, the review of the case may result in a modified sanction or the case may be remanded to the Student Services Conduct Board for a new hearing. If the appeal is denied, the sanction imposed by the Student Services Conduct Board shall be immediately implemented. Sanctions issued following the Student Services Conduct Board hearing shall not be implemented until all appeals have been either exhausted or voluntarily waived.

(More information can be found by visiting the Student Handbook online)