

DIXIE STATE COLLEGE OF UTAH POLICIES AND PROCEDURES MANUAL	Section: 5-Student Services
	Policy No: 37
	Approved: 6/5/98 Revised: 03/15/01 Revised: 11/17/05
Policy: STUDENT SUBSTANCE ABUSE PREVENTION AND TESTING	

5-37 STUDENT SUBSTANCE ABUSE PREVENTION AND TESTING

37.1 College code prohibits possession, consumption or distribution of hallucinatory, narcotic or other illegal drugs, and possession, consumption or distribution of alcoholic beverages or use of tobacco by underage students on campus, including athletic venues. Off-campus college functions are subject to state and local laws. However, any student charged with a crime committed on or off campus is in violation of college policy and may be subject to discipline.

37.2 Staff and students are encouraged to report violations of campus regulations. Charges of violations of the code will be resolved through the office of the vice president of student services. The sanctions taken may include, but are not limited to, referral for assessment to the Substance Abuse Program administrator, appearance before the Student Affairs Committee, probation, suspension, or expulsion. Disciplinary action is deemed necessary to maintain the college's standards.

37.3 The administration of Dixie State College supports and endorses all provisions of local, state, and federal law which would prohibit or restrict the use of alcohol or other illicit drugs, including use of tobacco by underage students, on the college campus or at any college function, and insists upon strict compliance with these statutes by every member of the campus community.

37.4 This administration is aware of the dangers of alcohol, underage tobacco use, or other illicit drug use and recognizes that health, safety, productivity, or legal problems can occur when campus members choose to use such substances. Therefore, they have created programs which discourage the use of alcohol, *tobacco*, or other illicit drugs by the campus community.

37.5 The Dixie State College Alcohol, Tobacco, and Other Drug Prevention Program is responsible for providing programs which promote an awareness of problems related to substance abuse, offering a Level I and II alcohol, tobacco, and other drug programs.

37.6 Provided in this set of policies and procedures for Dixie State College is a philosophy which reflects a positive solution to these problems. The proactive, positive

approach is designed to provide the user with professional help based on minimal loss of integrity and interruption of academic pursuits.

37.7 The student should realize that violation of this policy may result in disciplinary action, probation, and/or dismissal from Dixie State College.

37.8 Conditions referred to in this policy have no bearing on the legal actions taken by local, state, or federal law enforcement agencies.

37.9 Alcohol Policy

37.9.1 The use, consumption, distribution, storage, or sale of any alcoholic beverage by anyone of any age, or the possession of any container of said beverage by any Dixie State College student under the age of 21, on or off campus, is prohibited. Also see Student Code of Conduct Policy 5-33.

37.9.2 The use of any college funds or monies, or any attempt to obtain such funds for the use, consumption, possession, distribution, or sale of alcoholic beverages is prohibited.

37.9.3 Students who are of legal age and choose to drink are expected to maintain responsible control over their drinking and to conform to the laws of this state. Strictly prohibited are drinking alcoholic beverages, being intoxicated, being in possession of or distributing alcohol on any property owned, leased, or in use by the college or any unit or subdivision thereof.

37.10 Consequences for Alcohol Related Violations

37.10.1 First Offense: Any Dixie State College student who is a minor, and who is in possession of or under the influence of alcohol, is considered in violation of this policy. Also, any infraction of Section 37.7.3 for legal age students is a violation of this policy.

37.10.1.1 A violation shall result in probation for one semester or up to 100 consecutive days from the time of the violation.

37.10.1.2 The offending student must enroll in a college approved alcohol/drug education and awareness program designated Level I.

37.10.1.3 The Level I course will consist of a minimum of ten hours of compulsory attendance, and will be determined by the program coordinator.

37.10.1.4 Satisfactory compliance of attendance and requirements for the course shall be determined by the program coordinator.

37.10.2 Second Offense: Any Dixie State College student who is a minor, and who is in

possession of alcohol, is considered in violation of this policy. Also, any infraction of Section 37.9.3 for legal age students is a violation of this policy.

37.10.2.1 A second violation shall result in probation for a period of one calendar year from the time of the infraction and enrollment in a alcohol/drug education and prevention program, designated Level II.

37.10.2.2 The Level II program shall consist of twenty hours of compulsory attendance as required by the program coordinator.

37.10.2.3 Completion of all requirements for the Level II course and completion of Level I requirements presented in Section 37.8.1 will be mandatory.

37.10.2.4 In accordance with the State Board of Regents Policy No. R261, Parental Notification Regarding Alcohol and Drug Violations applies to any Dixie State College student who has a second alcohol violation. Upon the college officials becoming aware of the second alcohol violation for any student under 21 years of age, the college has the option of notifying his/her parents of the violation by the vice president of student services or his/her designee.

37.10.3 Third Offense: Any Dixie State College student who is a minor, and who is in possession of or under the influence of alcohol, is considered in violation of this policy. Also, any infraction of Section 37.9.3 for legal age students is a violation of this policy. The student will be referred to the college's student affairs disciplinary process hearing boards which may choose to:

37.10.3.1 Immediately suspend the student, with dismissal possible, subject to appeal;

37.10.3.2 Allow the student to complete the remainder of the semester for which s/he is currently enrolled, followed by suspension from the college; or

37.10.3.3 Allow the student to continue for the current and subsequent semesters.

37.10.3.4 The latter alternative shall require a mandatory probationary period for as long as the student is attending Dixie State College, and under professional treatment.

37.10.3.5 The committee may also take other action deemed appropriate for the violation of alcohol/drug offenses.

37.10.3.6 If the student is allowed to continue on campus subsequent to the violation, the student affairs committee shall refer the student to the college alcohol/drug prevention center.

37.10.3.7 This may result in the requirement that the student enter an in-patient treatment

program of up to thirty days duration. Should this occur, the student will be given an opportunity to complete the rehabilitation with the least interference to his/her college education. This may include postponement of treatment until the completion of the semester, or until summer.

37.10.3.8 The in-patient program will be at the expense of the student.

37.10.3.9 Non-compliance with recommended treatment by the alcohol/drug prevention staff will result in automatic suspension for a minimum of one year.

37.10.3.10 Treatment must begin no more than thirty days from the date of the alcohol/drug prevention staff mandate.

37.10.3.11 This student shall remain on probation for the entire duration of enrollment at Dixie State College and shall be placed into rehabilitation activities in the alcohol/drug center until in-patient treatment begins.

37.10.3.12 A minimum requirement of this waiting period will include weekly reports to the program coordinator, until the student enters the treatment program, and involvement in campus alcohol/drug education activities as directed by the professional staff of the center.

37.11 Serious Offenses Involving Alcohol: In the event that a student is charged for offenses which involve the negligent use of alcohol, such as, but not limited to, driving while intoxicated, contributing to the delinquency of a minor, or exhibiting drunk and disorderly conduct, and the offense is clearly established by the office of the vice president of student services to be in violation of the Code of Conduct which is displayed in the Dixie State College Student Handbook, the offense shall be treated as a third offense (as described above).

37.11.1 This offense is subject to disciplinary action up to and including dismissal.

37.12 Alcohol Offenses - Court Referred: If the circuit court judge or a justice of the peace refers a student to the alcohol/drug prevention program, the student will be placed into the proper program according to offense criteria mentioned in the above policy.

37.12.1 Campus sanctions will NOT apply unless such restrictions are imposed by a decision of the Student Affairs Committee.

37.13 Alcohol Offenses - Referral Procedures For On-Campus Agencies:

37.13.1 General Conditions: Referrals typically arise from concerned departments on campus. If such a referral is made too late in the semester for the student to complete program requirements, the student must contact the alcohol/drug prevention center and request a program extension. The student's enrollment will automatically extend into the

next academic semester.

37.13.2 This will include summer semester unless the student does not enroll for summer semester, in which case the terms of program enrollment will extend to fall semester.

37.14 Outside Agency Referrals: Requirements of civic alcohol/drug programs cannot be used to replace any sanctions imposed on a student by on-campus programs or departments which would restrict or discipline a student for violation of the above policies.

37.15 Confidential Records Management and Follow-up Procedures: The alcohol/drug prevention program will maintain all records of education and service hours.

37.15.1 These records will consist of notices of non-compliance, progress reports, and other survey forms.

37.15.2 This office must comply with federal confidentiality statutes and may, therefore, be limited to follow-up information which consists merely of a statement that the student is enrolled in an education program and is in compliance with requirements of the program.

37.15.3 Notification of a student's performance in the program will be made only if the requesting agency files a waiver of confidentiality or a 'consent for information form' from the student with the program coordinator.

37.15.4 If a student refuses to sign such a form, the alcohol/drug prevention office shall comply with federal mandates concerning confidentiality.

37.16 Non-compliance Procedure: The office of alcohol/drug prevention shall issue a report of non-compliance for each student who fails to maintain standard progress in any of its alcohol/drug education and prevention programs. The report will be issued to the referring campus agency.

37.16.1 The agency will be responsible for any disciplinary action taken beyond that point.

37.16.2 It is required that the referring agency notify the vice president of student services in all cases of non-compliance.

37.17 Student Responsibility While on Probation: It will be the responsibility of the student, while on probation, to complete all requirements of a program, regardless of the level, and to comply with all restrictions imposed by the drug/alcohol prevention center or any other organization which would normally and reasonably impose restrictions.

37.18 Tobacco Abuse Policy

37.18.1 In accordance with Dixie State College policy, Dixie State College prohibits tobacco use inside campus buildings.

37.18.2 In accordance with Utah Indoor Clean Air Act, Dixie State College prohibits smoking within 25 feet of entrances, windows, and air intake vents (Utah Rule 392-510-9(2)).

37.18.3 Tobacco use is prohibited in partially enclosed areas such as walkways, courtyards, and covered buildings; areas immediately adjacent to building entrances; and exterior stairways and landings.

37.18.4 Tobacco use is prohibited at all college sponsored events including, but not limited to, outdoor venues such as football stadiums, baseball stadiums, and soccer fields.

37.18.5 The sale or distribution of tobacco products on campus is prohibited.

37.18.6 Campus organizations are prohibited from accepting money or gifts from tobacco companies.

37.18.7 Any advertising in support of tobacco is prohibited on campus grounds and in any campus publication.

37.18.8 The college will provide accessible tobacco treatment on campus to encourage tobacco users to quit.

37.19 Disciplinary Action For Violations Related To Tobacco

37.19.1 Students found in violation of this policy will be reported to the campus police.

37.19.2 First time offenders: Will be given a written warning and be informed of Dixie State College's tobacco policy.

37.19.3 Second time offenders: Will be required to attend an introductory class on tobacco cessation.

37.19.4 Third time offenders: Will be required to complete a tobacco cessation class.

37.19.5 Additional offenses: Will be referred for disciplinary action through the student judicial affairs process.

37.19.6 Violators may also be subject to the Utah Indoor Clean Air Act and its attendant civil penalties (listed under Utah Code Section 26-38-8).

37.20 Other Drug Abuse Policy

37.20.1 The possession, use, manufacture, and distribution of any narcotic, hallucinogen, or controlled drug without government approval is illegal under both federal law and state law.

37.20.2 Students may be subject to prosecution by civil authorities for violation of these laws.

37.20.3 Possession of a controlled substance will be allowed only when there is a verifiable prescription bearing the name of the individual in proprietary control of the substance and the signature of the treating physician.

37.20.4 Drugs included in this policy shall refer to those associated with psychoactive substances that affect the central nervous system and include, but are not limited to, alcohol, amphetamines or similarly acting sympathomimetic, cannabis, cocaine, hallucinogens, inhalants, opiates, phencyclidine or similarly acting arylcyclohexylamines, and sedatives, hypnotics, or anxiolytics.

37.20.5 Upon the specific advice of the athletic director and in order to conform to rules concerning drug usage and screening as established by the National Junior College Athletic Association, this list shall include those chemical substances commonly referred to as steroids.

37.21 Disciplinary Action for Violations Related to Drugs other than Alcohol

37.21.1 First Violation: The minimum penalty for a first-time violation of the Drug Abuse Policy for the illegal use, possession, manufacture, or distribution of prescription drugs or controlled substances, as outlined above, will be disciplinary probation for one semester or up to 100 consecutive days from the time of the violation and successful completion of a drug abuse education program (Level I) of not less than twenty hours.

37.21.1.1 In accordance with the State Board of Regents Policy No. R261, Parental Notification Regarding Alcohol and Drug Violations applies to any Dixie State College student who has a first drug violation. Upon the college officials becoming aware of the first drug violation, any student under 21 years of age will have his/her parents notified of the violation by the vice president of student services or his/her designee.

37.21.2 Second Violation: A second offense for the use, possession, manufacture or distribution of an illegal prescription drug or controlled substance will result in suspension from the college for at least one calendar year.

37.21.2.1 Readmission into the College will require documented evidence that the person has satisfactorily completed an in-patient treatment program of not less than 28 continuous days or 150 hours of individual/group treatment in a licensed center for the

treatment of chemical dependency.

37.21.2.2 Enrollment in such a program by the student must be accompanied by a signed consent form which would allow the coordinator of the campus alcohol/drug prevention center to monitor the progress of the student while in treatment. It will further authorize the coordinator to determine the effectiveness of that program through a personal interview with the student upon completion of the in-patient treatment.