



## Concordia University Drug and Alcohol Abuse Prevention Program (DAAPP)

Updated January 2016

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### INTRODUCTION:

Concordia University cares about the health, safety, and success of its students and employees and has a commitment to proactively address high-risk drinking and substance use. The illegal use and abuse of alcohol or other drugs by students or employees interferes with the academic learning process and places the safety of individuals and the campus community at risk. Our goal is to improve academic success and the quality of student life on the campus by increasing healthy lifestyles and reducing the harm associated with alcohol and other drug abuse.

It is expected that all students and employees comply with Concordia's alcohol and drug policies. The University takes this matter seriously. For students, violation of these policies will result in immediate referral to the student conduct process and sanctions. For employees, the matter will be referred to Human Resources for further action.

It is important those in our community have all the information so you are able to comply and also understand the associated risks with alcohol and drug use. In addition, we are sharing this information in compliance with federal law (Drug Free Schools Act). Other important information included below:

- Resources
- University conduct standards for alcohol and drug use
- Legal and University sanctions for alcohol and drugs
- Health risks associated with alcohol and drug use

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## **POLICIES:**

Student and employee policies related to alcohol and other drug use are included in the applicable handbooks (student and employee) and are reinforced during orientation and through communication from Student Affairs and Human Resources.

### **STUDENT POLICIES:**

#### **DRUG AND ALCOHOL FREE COMMUNITY**

Our community is committed to a drug free campus, which would include the absence of alcohol and illegal mood altering substances. This policy reflects our conviction that the use of these substances within the context of this community is inappropriate for legal, educational, and developmental reasons. The potential of these substances to promote behavior that is destructive to both property and lives makes them unacceptable in a community committed to healthy development.

#### **DRUG FREE CAMPUS**

Civil law clearly defines illegal mood altering substances. The university will cooperate fully with police officials to address illegal behavior. Drug paraphernalia is not allowed on campus. Hookahs are also not allowed on-campus.

#### **ALCOHOL FREE CAMPUS**

There is to be no possession, consumption or sale of alcohol on-campus by anyone of any age. In addition, students may not consume alcohol or be intoxicated at any off-campus student event sponsored and funded by the University. Disruptive or self-abusive behavior including, but not limited to, intoxication or the display of alcoholic beverage containers are considered violations.

1. Persons under the age of 21:

Possession or use of alcohol by any person on campus under the age of 21 is a clear violation of civil law. Police officials may be contacted. In addition to regular university conduct sanctions for campus policy violations, the university reserves the right to notify students' parents or legal guardians.

2. Persons 21 years of age and older:

All persons entering the campus, whether 21 years of age or older, are required to comply with the university alcohol free policy. Violations of this policy will result in university conduct sanctions. In addition, our community emphasizes that supplying alcohol to minors is a clear violation of civil law. Police officials may be contacted.

Being in a room where alcohol or drugs are being used or openly displayed is considered passive approval and you also will be found in violation of the policy. Also, possession or display of empty alcohol containers is not allowed. All alcohol or drug related items will be confiscated by Public Safety and/or the Resident Assistant to be photographed and then dumped or destroyed.

**STUDENT SAFETY COMES FIRST! IN ANY EMERGENCY INVOLVING ALCOHOL OR OTHER DRUGS, CALL 911 IMMEDIATELY FOR EMERGENCY MEDICAL ASSISTANCE.**

Concordia University is strongly committed to the health, safety, and wellbeing of all its students. Students are encouraged to look out not only for their own health and wellbeing, but also for that of their peers. When a student's health or safety is threatened or appears to be at risk, take immediate action to prevent injury, illness, or danger. Medical Clemency is a policy that allows students to seek help for themselves or others involved in a drug or alcohol-related emergency, without being referred to the formal conduct

process.

Concordia University is deeply concerned that, in a medical emergency involving alcohol or other drugs, some students may consider refraining from calling for help because of fear that doing so might subject them to disciplinary action. To address this concern, the following protocol will be used for addressing possible disciplinary consequences when medical emergencies result from the use of alcohol or other drugs. A student may only claim Medical Clemency prior to any report or discovery of an alcohol or drug violation by Residence Life or Public Safety.

- a) Any individual who seeks campus or medical assistance on behalf of another student during an alcohol or other drug-related emergency will meet with the appropriate college official(s) to discuss the incident, but will not be subjected to disciplinary proceedings through Concordia's conduct process for possession or consumption of alcohol or other drugs.
- b) The recipient of medical clemency will not be required to resolve the matter through Concordia's conduct process if she/he agrees (1) to participate in a referral to an appropriate campus or community resource, and (2) to comply with any possible recommendations set forth by that resource. If the recipient of medical attention does not comply with provisions one and two then he or she will be sent through the normal conduct review process. (3) Because the safety and wellbeing of our students is such a concern, students with multiple Medical Clemencies may be required to seek professional evaluation regarding their alcohol and/or drug use.
- c) Misuse of the Medical Amnesty Policy: The Medical Amnesty Policy should not be abused. This policy does not protect students who are found to be in violation of other Concordia policies from disciplinary action. Cases in which the individual in need of help is found to be responsible for sexual abuse/assault; physical assault; vandalism; theft; destruction of property, etc., will in most cases result in formal disciplinary action as described in applicable Concordia policies.

The responsibility for determining applicability of this protocol rests solely with the Dean of Students or his/her designee. This protocol is not intended to address possible violations of criminal laws or their consequences outside the Concordia campus.

In cases of sexual harassment or sexual assault involving alcohol or other drugs, the University will not pursue disciplinary action against someone who complains of sexual harassment or sexual assault if they were under the influence of alcohol or drugs in relation to the complaint.

## **EMPLOYEE POLICIES:**

### **Alcohol and Drug Abuse**

Concordia University, in conformity with the Drug-Free Workplace act of 1988, states that the manufacture, distribution, dispensation, possession or use of controlled substances is unlawful and prohibited in this workplace. Employees who violate this policy may be referred to the Employee Assistance Program, suspended or terminated. Employees who are convicted of violating any criminal drug statute must notify the Assistant Director of Human Resources within 5 days of that conviction.

In addition, the university strictly prohibits employees from being under the influence of alcohol and/or any drug while on duty or performing university business, including driving University-owned vehicles. This under-the-influence prohibition which includes legally prescribed medications, means that to the extent such use causes the employee's work ability, job performance, or safety on the job, the employee has

violated the policy and is subject to disciplinary action up to and including termination.

### **Voluntary Employee Substance Abuse Assistance Program**

If an employee comes forward to admit involvement with alcohol or other drugs, the university is committed to working with the employee to address the issue. A referral will be made to a trained counselor. The university will then assist the employee to carry out the recommendations of the trained counselor. This could entail continued counseling, enrollment in an alcohol or other drug education/rehabilitation program and/or inpatient treatment. If an employee does come forward to follow this process no disciplinary action will take place. Cost of the referral and treatment shall be the responsibility of the employee, however, all of the university's health care providers currently provide coverage for substance abuse treatment.

### **Involuntary Substance Abuse Rehabilitation Leave**

If the University determines an employee is using drugs or alcohol, to the detriment of his/her work performance, the University can make rehabilitation a requirement of continued employment with the University. When such action is taken, an agreement should be developed between the university and employee, which may include a commitment to no longer use of alcohol or drugs and meet aftercare requirements imposed by the rehabilitation program. The employee must sign a release of information for the University so that information on the progress of rehabilitation and aftercare is available. Employees on involuntary rehabilitation leave may be given up to thirty days of paid rehabilitation leave to participate in a rehabilitation program or similar accommodations for a part-time or after working hours program. The University should make reasonable efforts to keep the employee's enrollment in a rehabilitation program confidential. Costs of participation in such a program will be paid by the employee or his/her health care provider.

Subject to other terms and conditions, benefits should remain in effect for the thirty days an employee is on an approved rehabilitation leave and the university should continue to contribute the designated amount toward the cost of their benefits.

## **PROGRAMMING:**

### **STUDENT RESOURCES:**

#### **Counseling Services:**

Call the Counseling Directory line at 503-493-6499 and press 1  
Lower level, Centennial Hall

<http://www.cu-portland.edu/student-services/counseling-services>

#### **Health Services:**

[StudentHealthServices@cu-portland.edu](mailto:StudentHealthServices@cu-portland.edu)

message only: 503-493-6226

Centennial Hall, Room C004

<http://www.cu-portland.edu/student-services/healthwellness-services>

**Public Safety:**

[publicsafety@cu-portland.edu](mailto:publicsafety@cu-portland.edu)

503-280-8517

Hagen Center, in Student Activity Center (SEAC)

<http://www.cu-portland.edu/student-services/campus-safety>

**Multnomah County Crisis Line:** 503-988-4888

**National Drug Information Treatment and Referral Hotline** (1-800-662-HELP)

The U.S. Department of Health and Human Services (HHS) Substance Abuse and Mental Health Services Administration's toll-free telephone number for alcohol and drug information /treatment referral assistance. When you call the toll-free number, you can speak to a representative concerning substance abuse treatment, request printed materials on alcohol or drugs, or learn more about local substance abuse treatment referral information in your state.

**EMPLOYEE RESOURCES:**

- Voluntary Employee Substance Abuse Assistance Program (noted previously)
- Telephone and online support through the Employee Assistance Program (EAP)
  - <http://hr.cu-portland.edu/file/view/EAP%20Overview.pdf/440575590/EAP%20Overview.pdf>
  - <http://apps.cignabehavioral.com/web/basicsite/consumer/educationAndResourceCenter/alcoholism/alcoholismMemberInfo.jsp>

**PROGRAMS:**

- Distribution of employee and student handbooks which include detailed information on University policies related to alcohol and drug use
- Annual Employee Fair providing important information on health and support services, including the Employee Assistance Program (EAP) noted previously
- Student Health 101 online magazine (<http://readsh101.com/cu-portland.html>) is a significant education and programming piece for students, with monthly reports usually showing 200 to 300 or more *unique* online users each month spending hundreds of hours reading articles on student health, including alcohol and drug use and associated issues. SH 101 informed Concordia that its student readership is "much higher" than the national average.
- Annual Residence Night Live program in fall semester focusing on alcohol education. Attendance has averaged well over 100 students each year the past 2 years.
- Behaviors which can interfere with academic and life success are highlighted in Concordia's freshman year experience course called "Commitment." Alcohol and drug use is specifically discussed as one of these issues.
- Residence Life Orientation (required) addresses issues of alcohol/drug use, community standards, and student success.
- Mandatory meetings occur monthly in residence halls to address community concerns, including alcohol/drug-related behavior.
- Professional Residence Life staff and Counseling staff have had training in Motivational Interviewing with Jason Kilmer from University of Washington
- Counseling and Health Services staff provide individual alcohol and drug assessment and education
- Health Services has worked significantly over the past 2 years to help educate the Concordia community on the benefits of being a smoke-free campus. A significant step in that direction is expected by August 1, 2015.

- Health Services programmed (tabling, flyers) on the Great American Smokeout day.

### **ATHLETIC PROGRAMS:**

There are just over 300 student-athletes at Concordia. Concordia is officially transitioning from NAIA to NCAA Division II in summer 2015. As part of the NCAA Candidacy Year One Annual Report, Concordia was required to submit an Institutional Self Study Guide (ISSG) which included information on Drug & Alcohol Educational Programs.

Summary of Concordia University Athletics Drug Education Program:

The Assistant Athletics Director for Student-Athlete Welfare & Development, in coordination with the Athletics Training staff, is responsible for developing a drug education program which will include presentations to the Student-Athlete Advisory Committee, in Student-Athlete Leadership Training classes, to all Student-Athletes at the fall welcoming event and in team Compliance and Eligibility meetings conducted each semester. All Student-Athletes are required to attend the fall welcoming event and a Compliance and Eligibility meeting each semester. (S-A Handbook)

- Team Meetings – Compliance & Policies
  - The Associate Athletics Director and the Athletics Compliance Officer (Assistant Athletics Director for Compliance & Academic Support) and the Head Athletic Trainer meet with every team each semester to review rules compliance and the provisions of the Student-Athlete Handbook.
  - Institutional and National Association Drug Policies and sanctions are a point of emphasis
  - All Student-Athletes are required to acknowledge in writing that they are responsible for and will abide by the terms and provisions of the policies contained in the S-A Handbook, which acknowledgement specifically references ‘the CU Athletics Alcohol/Substance Use and Drug Testing Policy’..
- Educational Sessions
  - Each fall the Athletics Department hosts a ‘Welcome Back BBQ’ for all Student-Athletes. The program includes a presentation on ‘What Goes Into Your Body’, which is conducted by faculty from the Department of Exercise and Sport Science and/or members of the Athletics Department Training staff.
  - ESS faculty and Athletics Trainers have also address the effects of drug use with the Student-Athlete Advisory Committee and in our Student-Athlete Leadership Training classes.
- Published Materials
  - Athletics Department and NCAA Drug Policies are addressed at length in the Student-Athlete Handbook, which is available on the Athletics Department web site
  - NCAA Drug Education materials will be posted in Athletic Facilities and distributed to Student-Athletes commencing Fall 2015.

### **CONDUCT VIOLATIONS**

Student Conduct sanctions included: 3<sup>rd</sup> Millennium’s *Under the Influence* and *Marijuana 101*, plus educational reflections/research papers, event attendance, community service within CU Community, follow-up meetings with staff, Counseling appointments, campus nurse appointments, drug testing, Athletic Department notifications, parent notifications and conduct fines. Disciplinary Probation (the step before suspension) and Suspension were also utilized.

## **UNIVERSITY and LEGAL SANCTIONS**

### **UNIVERSITY SANCTIONS:**

#### **General Sanctioning Guidelines**

Because of the serious threat to health and safety and disruption of the educational living environment that policy violations entail, usually one or more educational sanctions and a monetary sanction will be assigned.

#### **1. Educational Sanctions**

Educational sanctions are utilized as a means of holding students accountable for their actions. Students may be given “community restitution” projects designed to give them a better understanding of how their behavior impacts the community as well as “giving something back to the community.” The goals of educational sanctioning are to create positive learning experiences in which the student can obtain the skills to become responsible and accountable for their actions and behavior.

#### **2. Monetary Sanctions**

- Violations of the residential Visitation policy and/or non-compliance are usually sanctioned at the first offense of at least \$25 and the second offense of at least \$50.
- Violations of the Alcohol and Drug Policy and any other illegal activity are usually sanctioned at the first time offense of at least \$50 and second offense of at least \$100 (note: first-time drug offenses may result in \$125 monetary sanction in addition to other sanctions, including drug testing).
- Destructive and Violent Behaviors are usually sanctioned at a first time offense of \$50 plus the amount of restitution needed to repair the situation
- Violations of other University Policy may involve monetary sanctions.
- Repeated Violations and multiple policy violations will usually involve a larger range of sanctions including the total cost of each offense and each policy violation.
- Students hosting a party/gathering where policy is being violated may be held to a higher level of responsibility. This may result in additional monetary fines and educational sanctions.
- Students not completing educational sanctions may incur additional monetary sanctions

#### **3. Disciplinary Warning**

This level of sanction gives notice to the student that he/she has violated University policy and that further violations will result in more severe disciplinary action.

#### **4. Disciplinary Probation**

When the behavior of a student is a serious detriment to community (either the overall CU community or within a residence hall) and other sanction levels have been exhausted, he/she may be placed on Disciplinary Probation. A specified term will be worked out as well as criteria for getting off probation. Probation is the level of sanction that would usually precede suspension or expulsion from the University. It may include limiting access to certain areas of the campus. In cases related to alcohol or drug violations, parental notification will likely accompany Disciplinary Probation. Note: In some cases, resident students may be evicted from the residence halls. In this event, there will be no housing refund for the current term and the return of one’s housing deposit of \$250 remains contingent on following the proper check-out procedures and condition of the room.

## **ACADEMIC SANCTIONS FOR BEHAVIOR INCIDENTS**

Pertaining to habitual violations of campus policies, dangerous or threatening behavior, or violations of criminal law by residential or commuter students, the following sanctions are available only to the Dean of Students or the Judicial Review Board (comprised of 3 faculty and 2 students).

### **1. Short Term Suspension**

This would mainly consist of a time period, no more than one school week in length, where a student would be banned from attending classes. Suspensions are defined as follows: the student has no access to campus services (housing, dining services, etc.) or faculty members; it is the responsibility of the student to make up any school work; faculty members are under no obligation to facilitate make-up work or missed tests.

### **2. Long Term Suspension**

Long term suspension will last at least until the end of the current term and no longer than one additional term.

### **3. Expulsion**

This step requires the action of the Judicial Review Board or the Dean of Students. The expulsion could be appealed to the Vice Provost for Student Services and Enrollment Management, and ultimately to the President.

In the event of long term suspension, or expulsion, the financial policies stated in the Concordia University Catalog under Tuition and Fees-Refund Policy will be utilized. In all of these cases, these sanctions will only be utilized when other courses of action have been exhausted or proven inadequate to the violation or behavior.

## **LEGAL SANCTIONS:**

The following are Federal penalties and sanctions for Illegal Possession of a Controlled Substance. Additional penalties are imposed for trafficking.

- 21 U.S.C. 844(a). First conviction: Up to one year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.
- After one prior drug conviction: At least 15 days in prison, not to exceed two years and fined at least \$2,500 but not more than \$250,000, or both.
- After two or more prior drug convictions: At least 90 days in prison, not to exceed three years and fined at least \$5,000 but not more than \$250,000, or both.
- Special sentencing provisions for possession of crack cocaine: Mandatory at least five years in prison, not to exceed 20 years and fined up to \$250,000, or both, if:
  - 1st conviction and the amount of crack possessed exceeds five grams.
  - 2nd crack conviction and the amount of crack possessed exceeds three grams.
  - 3rd or subsequent crack conviction and the amount of crack possessed exceeds one gram.
- 21 U.S.C. 853(a)(2) and 881(a)(7). Forfeiture of personal real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one year imprisonment. (See special sentencing provisions re: crack.)
- 21 U.S.C. 881(c)(4). Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.
- 21 U.S.C. 844a. Civil fine of up to \$10,000 (pending adoption of final regulations).
- 21 U.S.C. 853a. Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one year for first offense, up to five years for second and subsequent offenses.
- 18 U.S.C. 922(g). Ineligible to receive or purchase a firearm.



Miscellaneous. Revocation of certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies.

### **State of Oregon Sanctions**

For current information regarding Measure 91 in Oregon please visit:

<http://www.oregon.gov/olcc/marijuana/Pages/default.aspx>

Oregon Chapter 475 — Controlled Substances; Illegal Drug Cleanup; Paraphernalia; Precursors

[https://www.oregonlegislature.gov/bills\\_laws/ors/ors475.html](https://www.oregonlegislature.gov/bills_laws/ors/ors475.html)

### **HEALTH RISKS**

The use and abuse of alcohol and other drugs can cause a number of problematic changes in behavior and physiology. Alcohol or substance dependence occurs when a person continues their use despite recurrent social, interpersonal, physical, and/or legal consequences. For basic information about the risk of alcohol and other drugs please visit the National Institute on Drug Abuse website:

<http://www.drugabuse.gov/drugs-abuse/alcohol>

Concordia is committed to upholding the alcohol and other drug policies outlined in the Student Handbook. These policies, combined with alcohol and other drug prevention programs, intervention resources, and general University programming contribute greatly to the overall wellness and safety of both the individual student and the greater Concordia community.

### **DISTRIBUTION COMPLIANCE:**

In compliance with federal law, on an annual basis Concordia will provide the following information in writing to all of its current students and employees:

- A written statement about its standards of conduct that clearly prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities;
- A written description of the applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;
- A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
- A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students; and
- A clear statement that the institution will impose disciplinary sanctions on students and employees (consistent with federal, state, and local laws and ordinances) and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct. For the purpose of this section, please note that a disciplinary sanction may include the required completion of an appropriate treatment program.

Distribution and content will be managed by Concordia's Director of Counseling Services (or designee) in collaboration with DAAPP Review Committee. An email, updated each summer, will be sent to all students and employees during the first month of the fall semester. Information will be reinforced at all new student and new employee orientation sessions.

## **DAAPP REVIEW and TIMELINE:**

A multi-department process has been adopted to ensure input and collaboration among Public Safety, Student Affairs (including Counseling and Health Services), Residence Life, Athletics, Human Resources and Institutional Research. Further, a timetable and action steps have been adopted to ensure that:

1. Concordia's Drug and Alcohol Abuse Prevention Program (DAAPP) is reviewed annually with representatives from the aforementioned departments
2. Biennial Reviews are conducted in a timely manner and fully documented
3. Materials are distributed and notifications sent in accordance with the DFSCA

The DAAPP Review Committee will be coordinated and convened by the Director of Counseling Services (or his/her designee) at *least* twice per year to review Concordia's DAAPP, assessment methods being utilized, compliance with the DFSCA, and to prepare for the Biennial Review (BR). The BR will utilize guidelines in [Complying with the Drug-Free Schools and Campuses Regulations](#). The Biennial Review will be completed by the DAAPP Review Committee every two years. The following timeline will be utilized during the year the BR is to be completed:

- Sept-Nov: DAAPP Committee create and finalize plan for completion of next BR
- Jan-Feb: DAAPP Committee compile assessment results, data and documentation from appropriate sources
- Mar-May: DRAFT of new BR to be completed and reviewed by DAAPP Committee
- June: FINAL version of BR sent to University President for approval

All documentation will reside with the Director of Counseling Services (or his/her designee).

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