



INDIANHILLS
COMMUNITY COLLEGE

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**2021
/2023**

Biennial Review

Drug and Alcohol Prevention Program



Indian Hills Community College Biennial Review of IHCC's Alcohol and Other Drug Programs 2021-2023

The Drug Free Schools and Campuses Regulations (34 CFR Part 86) of the Drug-Free Schools and Communities Act (DFSCA) require an institution of higher education (IHE) such as Indian Hills Community College to certify it has implemented programs to prevent the abuse of alcohol and use or distribution of illicit drugs both by IHCC students and employees both on its premises and as a part of any of its activities. At a minimum each institution of higher education must annually distribute the following in writing to all students and employees:

- Standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees;
- A description of the legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;
- A description of any drug or alcohol counseling, treatment, or rehabilitation or reentry programs that are available to employees or students; and
- A clear statement that the institution will impose sanctions on students and employees 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.
- The law further requires that the institution conduct a biennial review of its program with the following objectives:
 - Determining the effectiveness of the policy and implementing changes to the alcohol and other drug programs if they are needed; and
 - To ensure that the sanctions developed are enforced consistently.
- The biennial review must also include a determination as to:
 - The number of drug- and alcohol-related violations and fatalities occurring on the campus or as part of their activities that are reported to campus officials;
 - The number and types of sanctions the IHEs impose on students or employees as a result of such violations or fatalities.

Indian Hills Community College acknowledges its legal obligation to conduct a biennial review of compliance with the Drug-Free Schools and Communities Act and authorized an administrative review to be conducted to determine if the college fulfills the requirements of the previously mentioned Federal regulations. The Vice President of Academic Affairs Office along with the Institutional Research Office and the Student Development Office, is responsible for conducting the review and reporting on the findings. The purpose of this report is to comply as best as possible, using data collected over the past two years, and to give evidence of the procedures in place for subsequent biennial reports. The following campus units provide information for biennial reports:

- Student Development Office
- Institutional Research Office
- Security Office
- Mandatory Orientation Committee
- Care Team
- Human Resources Office

The intention of this document is to meet the legal requirements of conducting a biennial review and also summarize the programs and activities related to alcohol and drug prevention on Indian Hills Community College's campus during the 2021-2022 and 2022-2023 academic years. The following information was examined for the biennial review:

- Alcohol and drug policies at similar institutions
- Alcohol and drug information provided students
- *Student Handbook* policies related to drug and alcohol use on campus and the sanctions imposed for failure to comply
- *Staff Handbook* policies related to drug and alcohol use by college employees and the sanctions imposed for failure to comply
- Residence hall handbook policies related to drug and alcohol use by students living in the residence halls and the sanctions imposed for failure to comply
- Various resources available to students and employees regarding drug and alcohol abuse
- Incident reports in the Student Development Office related to any possible infractions of the drug and alcohol policy presented to students
- Local, State and Federal Mandates

Compliance with Drug-Free Schools and Communities Act:

Indian Hills Community College is committed to providing a drug free environment for all students and staff. Indian Hills Community College strives to remain in compliance with the requirements of the Drug-Free Schools and Communities Act (Amendments of 1989-Public Law 101-226). The college has adopted and implemented programs to prevent the abuse of alcohol and use or distribution of illicit drugs both by students and employees both on its premises and as a part of any of the college's activities. IHCC has a written policy on alcohol and other drugs and distributes this to students during orientation, through access to the online *Student Code of Conduct* and *the Annual Security and Fire Safety Report*. The *Staff Handbook* also contains the Drug and Alcohol Policy.

The materials are located on the college website and contain the following:

- Standards of conduct that prohibit unlawful possession, use or distribution of illicit drugs and alcohol on its property or as a part of its activities;
- A description of the health risks associated with the use of illicit drugs and abuse of alcohol;
- 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 federally mandated policy about alcohol and other drugs is reviewed in more detail with students during mandatory online orientation. In addition, the alcohol and drug policy is presented to all employees through the online Staff Handbook as well as at all new employee orientations.

Drug Free Workplace Policy:

The College is committed in its efforts to provide and maintain a drug free environment for its students and employees. The use of alcohol and/or drugs can undermine employee productivity, the quality of service, and the College's image. To ensure employee and student safety the College has implemented the following Drug Free Workplace Policy applicable to all faculty and staff:

- It is unlawful to manufacture, distribute, dispense, possess, or use any controlled substances (including the illegal use of alcohol) during any period of normal employment on the premises of the College or at any other site where the employee is carrying out assigned duties. The only exception to the prior statement is for events sponsored by the College. During these events, alcoholic beverages may only be consumed by those persons over the age of 21 on campus in areas designated for the event. Employees are expected to comply with state law regarding the consumption and possession of alcoholic beverages and to exercise good judgment when consuming alcoholic beverages. Further, employees are prohibited from being at work under the influence of drugs or alcohol.
- Depending on the circumstances, other action, including notification of Campus Security, may be taken with respect to any violation of this policy. Any illegal substance found in the workplace will be confiscated and turned over to Campus Security.

Any employee who is directly engaged in the performance of work pursuant to the provisions of a federal grant or contract are required under the Drug-Free Workplace Act to notify their supervisors within five days of a conviction for a drug-statute violation occurring in the workplace. Additionally, employees must report any drug-related or alcohol-related misdemeanor or felony conviction to the Director of Human Resources.

Violation of any part of this policy may result in disciplinary action up to and including termination.

Workplace Policy:

In compliance with federal regulations, Indian Hills Community College has taken steps to ensure a drug free workplace. Those employees that wish to seek help for drug or alcohol related problems are encouraged to coordinate benefits through the Human Resources Office.

Should an employee be convicted of a drug violation in the workplace, federal law requires that the employee notify their employer within five calendar days of the conviction. Any employee involved in the manufacture, distribution, possession, use or dispensing of a controlled substance in the workplace may be subject to immediate termination.

**Human Resources
incident reports for staff:**2021-2022
2022-2023**Incidents in
Workplace:**0 Incidents
0 Incidents**Outcome:**Not applicable
Not applicable**Student Life Summary:**

All Indian Hills Community College students are responsible for complying with Iowa State laws and policies of IHCC. These guidelines establish that:

- No student may use or be in possession of alcoholic beverages.
- Personal possession and consumption of alcoholic beverages is not permitted at social events attended by students, and on the campus grounds.

Campus Summary:

- Students are prohibited from consuming, transporting, and distributing alcohol; possessing or being in the presence of alcohol while on campus; or exhibiting disruptive behavior.
- IHCC has a set number of annual events where alcohol is available for consumption by faculty, staff, and friends of the college.
- Alcohol found by staff will be disposed of immediately. Persons found in violation of this policy may be subject to administrative or disciplinary sanctions listed in the *Student Code of Conduct* and *Annual Security and Fire Safety Report* and can include:
 - Warning and/or probationary period (Disciplinary)
 - Contact with parent/guardian
 - Referral to an alcohol education program
 - Counseling services
 - Suspension from IHCC
 - Termination from IHCC
 - Possible arrest, imprisonment, or fine according to state alcohol laws

Intoxication from, or the use, display, or possession of alcoholic beverages or any controlled substance (drug) is prohibited on any IHCC property, unless the student has a valid prescription for the use of the controlled substance.

Enforcement:

The primary sources on campus that enforce the alcohol and drug policies are the Student Development Staff and the Human Resources Department. The Human Resources Office manages staff interventions and/or sanctions. It is the primary responsibility of the Dean of Student Development Office to assess instances of infractions by students and to determine sanctions. For 2021-2022 and 2022-2023 no referrals were made to the Student Conduct Hearing Board for Drugs and/or Alcohol violations. Indian Hills Community College has the following first offenses that were reported by Campus Personnel for drug and alcohol related offenses and sanctions were assessed on each as appropriate per the Student Handbook.

Campus Incident Reports for Students

| Year | Number of Offenses | Outcomes |
|------|--------------------|---------------------------------|
| 2021 | 27 | Arrest, Fined, Program referral |
| 2022 | 11 | Arrest, Fined, Program referral |

Iowa Laws & Penalties

| Offense | Penalty | Incarceration | Max. Fine |
|--|-------------|---------------|-----------|
| Possession | | | |
| Any amount (first offense) | misdemeanor | 6 mos | \$ 1,000 |
| Any amount (second offense) | misdemeanor | 1 year | \$ 1,875 |
| Any amount (third offense) | misdemeanor | 2 years | \$ 6,250 |
| Offenders who are chronic abusers of marijuana may be sent to rehab. | | | |
| Cultivation or Distribution | | | |

| | | | |
|---|-------------|---------------|------------|
| 50 kg or less | felony | 5 years | \$ 7,500 |
| 50 - 100 kg | felony | 10 years | \$ 50,000 |
| 100 - 1000 kg | felony | 25 years | \$ 100,000 |
| Involving a minor | felony | 5* - 25 years | \$ 100,000 |
| To a minor within 1000 feet of a park, elementary or middle school, or school bus | felony | 10 years* | \$ 100,000 |
| * Mandatory minimum sentence | | | |
| Distribution includes possession with intent to distribute. | | | |
| Hash & Concentrates | | | |
| Penalties for hashish are the same as for marijuana except in one circumstance. Please see the marijuana penalties section for further details. | | | |
| Paraphernalia | | | |
| Possession, distribution, or manufacture of paraphernalia | misdemeanor | 6 mos | \$ 1,000 |
| Miscellaneous | | | |
| Sponsoring, promoting, or assisting in a gathering where marijuana will be used, distributed, or possessed | misdemeanor | 1 year | \$ 1,875 |
| Possession with intent to sell large amounts can lead to an automatic driver's license suspension. | | | |

Penalty Details

Marijuana is a schedule hallucinogenic substance under the Iowa Controlled Substances Act.

See: Iowa Code § 124.204(4)(m)

Possession for Personal Use

For first offenders, possession of any amount of marijuana is a misdemeanor and is punishable by a fine of up to \$1,000 and/or up to 6 months of imprisonment. Second offenders are subject to a fine of \$315-\$1875 and/or up to 1 year of imprisonment. Third offenses are considered aggravated misdemeanors and are punishable by a fine of \$625-\$6250 and/or up to 2 years of imprisonment.

See: Iowa Code § 124.401(c)(5)
Iowa Code § 903.1
Iowa Code § 124.409

Offenders who are chronic abusers of marijuana may be sent to rehab. If this program is successfully completed the court may place the defendant on probation.

See: Iowa Code § 124.409

Possession of marijuana within 1,000 feet of an elementary school, secondary school, public park, or school bus is punishable by the penalty for possession and 100 hours of community service.

See: Iowa Code § 124.401B

Cultivation or Distribution

Distribution of marijuana includes possessing marijuana with the intent to distribute it.

Delivery or possession with intent to deliver one half ounce or less of plant-form marijuana without remuneration is equivalent to simple possession in Iowa, with penalties for a first offense being a misdemeanor with incarceration of no more than 6 months, and a fine of no more than \$1000 dollars. Subsequent convictions for delivery without remuneration will be punished more severely, just as subsequent simple possession convictions would be.

See: Iowa Code § 124.410

Distribution or cultivation of 50 kilograms of marijuana or less is a class D felony punishable by a fine of \$750-\$7,500 and up to 5 years of imprisonment. Distribution or cultivation of 50-100 kilograms of marijuana is a class C felony and is punishable by a fine of \$1,000-\$50,000 and up to 10 years of imprisonment. Distribution or cultivation of 100-1,000 kilograms of marijuana is a class B felony and is punishable by a fine of \$5,000-\$100,000 and up to 25 years of imprisonment.

See: Iowa Code § 124.401(1)(b)

If a person over the age of 18 solicits a person under the age of 18 to assist in the distribution or cultivation of marijuana this act is punishable as a class C felony by a fine of \$1,000-\$50,000 and up to 10 years of imprisonment.

See: Iowa Code § 124.406(a)

If a person over the age of 18 distributes marijuana to someone under the age of 18 this constitutes a Class B felony punishable by a fine of \$5,000-\$100,000 and up to 25 years of imprisonment, in addition a mandatory minimum term of 5 years will apply. If the sale to a minor occurs within 1,000 feet of a park, elementary school, middle school, or marked school bus a mandatory minimum term of 10 years will apply.

See: Iowa Code § 124.406

Hash & Concentrates

Iowa classifies Marijuana and Tetrahydrocannabinols separately as hallucinogenic substances in Schedule 1 of the Iowa Controlled Substances Schedule. For the purposes of criminal justice, plant Marijuana and all Tetrahydrocannabinol derivatives thereof, including hashish and marijuana concentrates, are defined as Marijuana and punished equally in all but one circumstance. The only circumstance where plant-form Marijuana is treated differently is for a charge of delivery or possession with intent to deliver one half ounce or less without remuneration. In that circumstance, plant-form marijuana is punished equivalent to the penalties for simple possession, whereas delivery, or possession with intent to deliver an equivalent amount of hashish, hash oil, or other derivatives are punished in accordance with the regular penalties for distribution.

See: Iowa Code § 124.101
Iowa Code § 124.204
Iowa Code § 124.401
Iowa Code § 124.410

Paraphernalia

Possession, distribution, or manufacture of marijuana paraphernalia is simple misdemeanor and is punishable by a fine of up to \$1,000 and/or up to 6 months imprisonment. Paraphernalia includes any item that is knowingly used to ingest, inhale, manufacture, enhance, or test marijuana quality.

See: Iowa Code § 124.414

Intervention:

Indian Hills Community College has several options available for students and staff members who need to address alcohol and other drug abuse issues. The college works with local community health organizations to provide counseling for students and staff members. In addition, the college has an Employee Assistance Program for all employees with a 24/7 helpline that can be utilized as the employee desires. Additional resources for alcohol and drug abuse are listed in the IHCC 2022 Annual Security and Fire Safety Report.

Drug-Free Workplace Policy:

In compliance with the drug-free workplace requirements of Public Law 100-690 for recipients of federal contracts and grants, the following policy is in effect for Indian Hills Community College and published in the Staff Handbook and IHCC Catalog each year:

1. The unlawful manufacture, distribution, possession or use of a controlled substance is prohibited by IHCC on any property owned, leased, or controlled by IHCC or during any activity conducted, sponsored, authorized by, or on behalf of Indian Hills Community College. A controlled substance shall include any substance defined as a controlled substance in Section 102 of the Federal Controlled Substance Act (21 U.S. Code 802).
2. Indian Hills Community College has and shall maintain a drug-free awareness program to inform employees concerning the following:
 - a. The dangers of drug abuse in the workplace.
 - b. Maintenance of a drug free workplace.
 - c. Drug counseling and rehabilitation programs.
 - d. Possible penalties of drug-abuse and rehabilitation violations.

Health Risks Associated with Drug and Alcohol Use:

Illicit drug use may result in:

- Physical or psychological dependency;
- A craving or inability to stop using drugs;
- Adverse effects on the body systems; injury due to motor vehicle crashes, assaults or other unintended acts;
- Disruption of personal relationships and work habits;
- Ineligibility for some types of employment

Health risks associated with Drug and Alcohol use facts you should know if you are considering the consumption of alcoholic beverages:

- Iowa's legal drinking age is 21.
- Iowa's legal blood alcohol limit is .08.
- The fine for possession of alcohol under the legal age is \$300.

If you DO choose to drink:

Misuse of alcohol or drugs inhibits your ability to act responsibly or react quickly. Below are a few safety tips you should keep in mind:

- wAvoid combining alcohol with prescription medicines and club drugs; the combination can be dangerous.
- Never leave your drink unattended or accept a pre-poured drink from a stranger.
- Buzzed or drunk driving is deadly and illegal; leave your vehicle parked and find other transportation. Your life and others' lives depend upon your decision.
- Don't hesitate to call Indian Hills Security (641-683-5300) if you or your friends are in need of assistance and have been drinking. Our main concern is your safety!

Penalties for driving under the influence of alcohol or drugs in Iowa:

| Offense | Fine | and/or Jail | License Suspension |
|----------------|-----------------|--------------------|---------------------------|
| 1st | \$625—\$1,250 | 2 days to 1 year | 180 days |
| 2nd | \$1,875—\$6,250 | 7 days to 2 years | 2 years |
| 3rd | \$3,125—\$9,375 | 30 days to 5 years | 6 years |

Applicable Legal Sanctions

Both state and federal laws prohibit distribution of, manufacture of, or possession with intent to distribute a controlled substance or a counterfeit controlled substance. State penalties range from 5 years to life confinement and a fine of \$1,000 to \$1,000,000, depending upon the type and quantity of drug involved. Conviction may also result in the loss of state and federal benefits, such as grants, school loans, or work assistance, during the time periods required by federal law. Specific drugs, amounts, and penalties are described in Iowa Code § 124.

Maximum federal penalties range from 1 year confinement to life imprisonment and a fine of \$250,000 to \$4,000,000, depending upon the type and quantity of drug involved. State and federal legal sanctions are subject to change by the General Assembly and Congress, respectively.

Alcohol and Drug Prevention Programs

Counseling and Prevention Resource Center (CPRC)- Trustee Hall

The Behavioral Health Resource Center in Trustee Hall provides preventative, educational, and informative services to the Indian Hills community regarding substance use and abuse. (Provided by Ottumwa Health Group)

The Counseling and Prevention Resource Center in Trustee Hall provides preventative, educational, and informative services to the Indian Hills community regarding substance use and abuse.

- Counseling & Prevention Resource Center also provides a confidential setting, for you to explore
- concerns and achieve a better understanding of yourself — your feelings, attitudes, and strengths.

Additional Available Resources:

- Alcoholics Anonymous :(641) 919-3199
- SIEDA – Substance Abuse Services: (641) 682-8741
- Counseling & Prevention Resource Center: (641) 683-5152
- Campus Safety & Security: (641) 683-5300
Students or staff desiring information regarding drug and alcohol counseling, treatment, or rehabilitation program may contact one of the following agencies:
- Alcohol and Drug Dependency Services of Southeast Iowa
(319) 753-6567 (Burlington, IA)
- First Resources Corporation
641-682-8114 (Ottumwa, IA)
641-437-1722 (Centerville, IA)
- Oak Meadow Treatment Center
641-683-1302 (Ottumwa, IA)
- Prelude Behavioral Services
(319) 351-4357 (Iowa City, IA)
- St. Luke's Hospital
(319) 369-7211 (Cedar Rapids, IA)
- SIEDA Drug & Alcohol Services
(641) 682-8741 (Ottumwa, IA)
(641) 856-3112 (Centerville, IA)

Education and Awareness

Indian Hills provides quality educational programs for its students and staff on the subjects of drugs, alcohol, and sexual violence. Guest lectures, video presentations, and seminars are held to provide information to our college community about such areas as peer pressure resistance, health concerns, rehabilitation, and awareness.

When applicable, instructors provide educational information concerning drugs and alcohol within the academic environment. These areas may include: health, physical education, human service, and the behavioral science offerings.

Indian Hills Community College recognizes that use of illicit drugs and alcohol abuse may lead to severe health risks.

Significant Highlight/Changes during this time period:

During the past two years our campuses have provided workshops and presentations regarding the use of drugs and alcohol, which were all well attended. The college has continued to modify and enhance its drug policy for students. Educational programming both online and in group/public settings - including presentations such as "Shot of Reality" which uses comedy and props to emphasize the real effects of alcohol on the body, "The Blame Game" which delved into the harmful roles drugs and alcohol can have in social and relationship situations, and "The Hook Up," which presents the issues that drugs and/or alcohol may present on a college campus while leading to Title IX type situations - have been used recently to heighten awareness for all students and staff of the risks of using drugs and alcohol. In addition, the college has purchased and used Impairment Simulation goggles during Student Activities and other college approved activities.

Resources for Assistance:

All students and employees are encouraged to seek early help if they feel they have a problem with alcohol and/or other drugs, and to learn how to assist others with substance abuse problems. With early assistance it is less likely that serious consequences will result from an alcohol or other drug problem. There are resources in the community for assistance. Questions should be directed to the Executive Dean, Student Development & Athletics or the Director of Human Resources. The college also publishes a complete community resource guide with additional locations for student and staff assistance.

Some other resources include:

- Alcoholics Anonymous – <http://www.aa.org>
- Al-Anon – <http://www.nycalanon.org>
- Narcotics Anonymous – <http://www.na.org>
- Focus on Recovery Helpline (alcohol/drugs) – 1-800-374-2800 or 1-800-234-1253
- National Suicide Prevention Lifeline – 1-800-SUICIDE (784-2433)
- National Alliance for the Mentally Ill – 1-800-950-6264
- Department of Health and Human Services Drug and Alcohol Treatment Referral Routing Service – 1-800-662-4357
- Veterans – Locate the closest VAMC or VA Regional Office: 1-877-222-8387