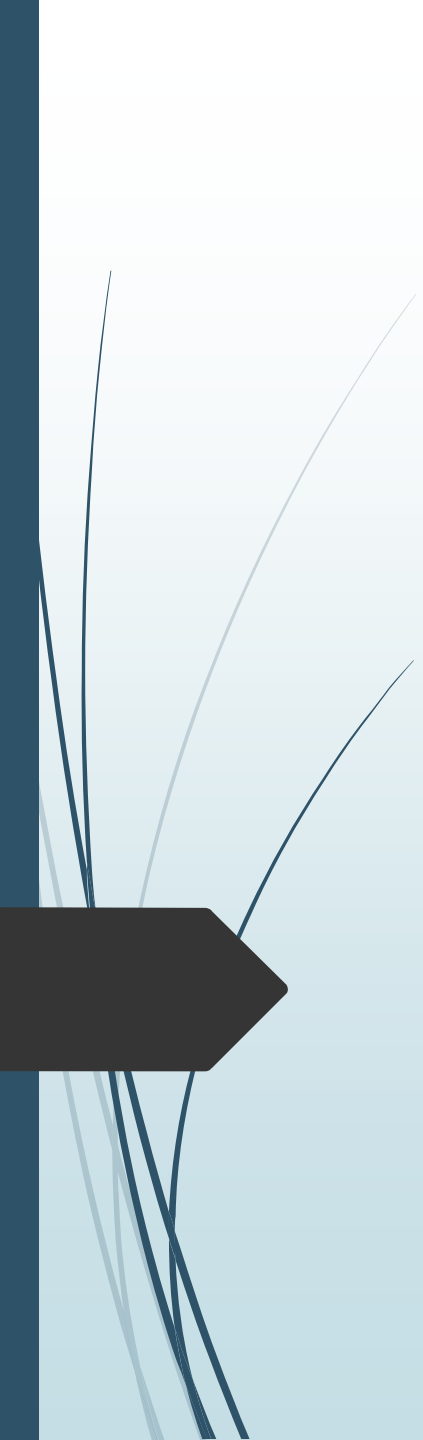




The Safe and Drug Free Schools & Campuses Act (34 C.F.R. Edgar Part 86): Updates and Review

Eric S. Davidson, Ph.D., MCHES, CSPS

State University of New York

Wednesday, October 26, 2018

GoToWebinar Housekeeping:

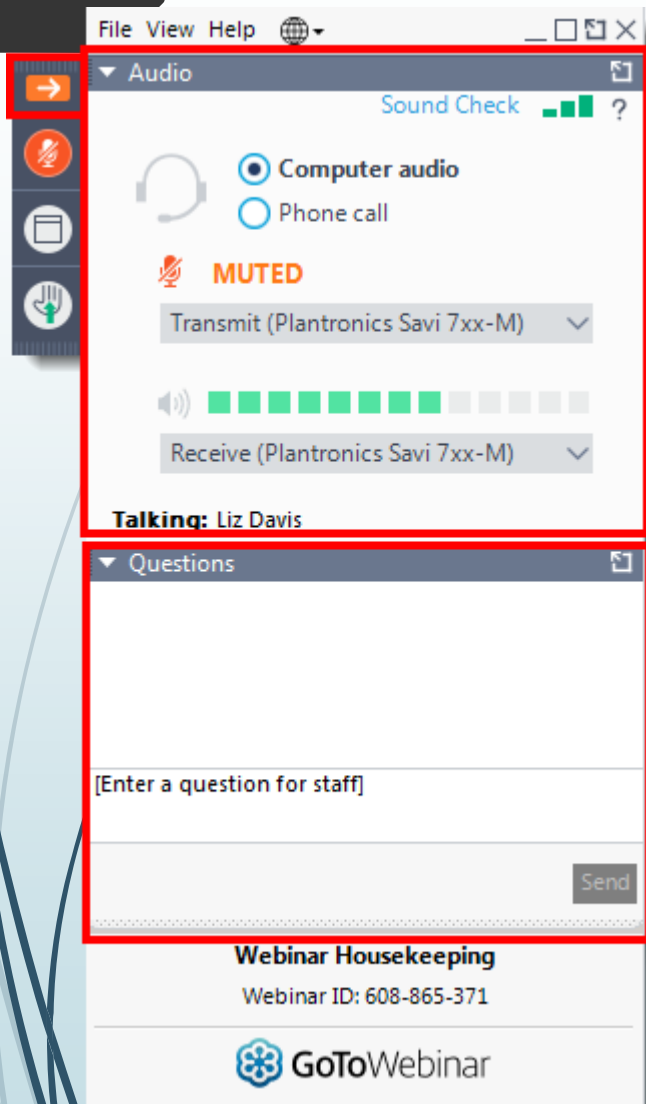
What Attendees See

The screenshot displays a GoToWebinar interface. The main window, titled "Waiting to view Liz Davis's screen" and "Talking: Liz Davis", shows the webinar title "Webinar Housekeeping". Below the title, it lists the organizer and presenter as "Liz Davis". The audio section provides instructions: "Audio: Use your microphone and speakers (VoIP) or call in using your telephone." It also lists contact information: "United States: +1 (951) 384-3421", "Access Code: 400-696-084", and "Audio PIN: 19", with a link to "List Additional Conference Call Numbers".

On the right side, there is a sidebar with audio controls. The "Audio" section shows "Computer audio" selected and "Phone call" as an option. A "MUTED" status is indicated, along with "Transmit (Plantronics Savi 7xx-M)" and "Receive (Plantronics Savi 7xx-M)" options. Below this is a "Questions" panel with a text input field labeled "[Enter a question for staff]" and a "Send" button. At the bottom of the sidebar, the webinar title "Webinar Housekeeping" and ID "Webinar ID: 608-865-371" are displayed, along with the GoToWebinar logo.

The Windows taskbar at the bottom shows icons for Internet Explorer, File Explorer, Google Chrome, and the GoToWebinar application.

GoToWebinar Housekeeping: Attendee Participation



Your Participation

Open and close your control panel

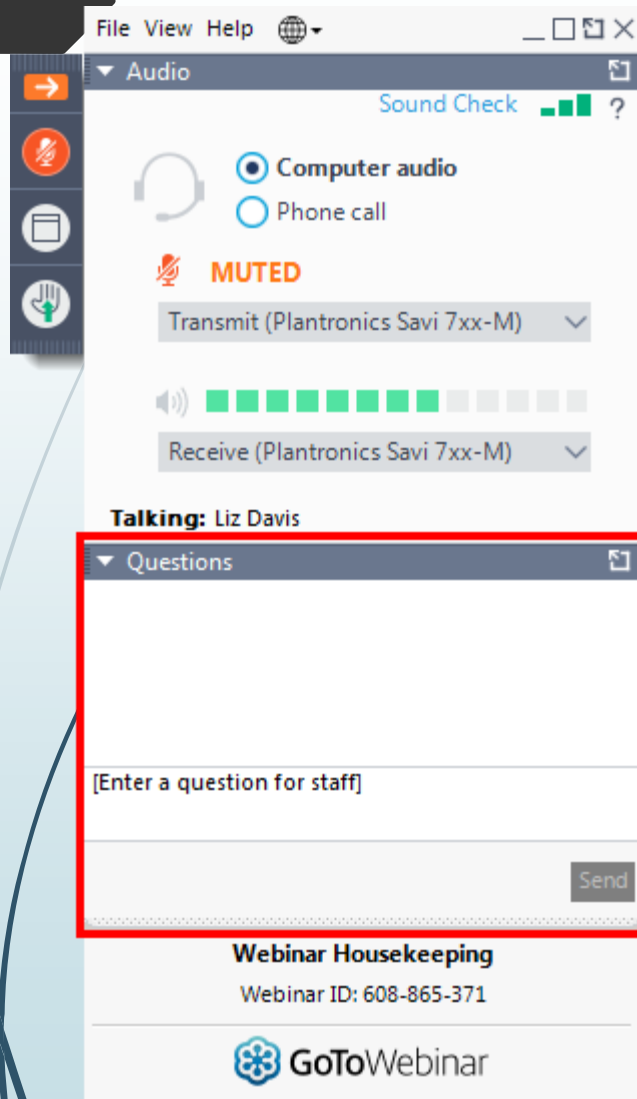
Join audio:

- Choose Mic & Speakers to use VoIP
- Choose Telephone and dial using the information provided

Submit questions and comments via the Questions panel

Note: Today's presentation is being recorded and will be provided within 48 hours.

GoToWebinar Housekeeping: Time for Questions



Your Participation

- Please continue to submit your text questions and comments using the Questions panel

For more information, please [\[insert contact information\]](#)

Note: Today's presentation is being recorded and will be provided within 48 hours.

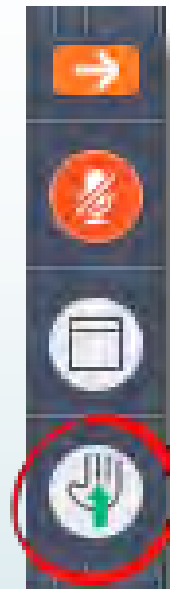
▼ Questions

[Enter a question for staff]

Send

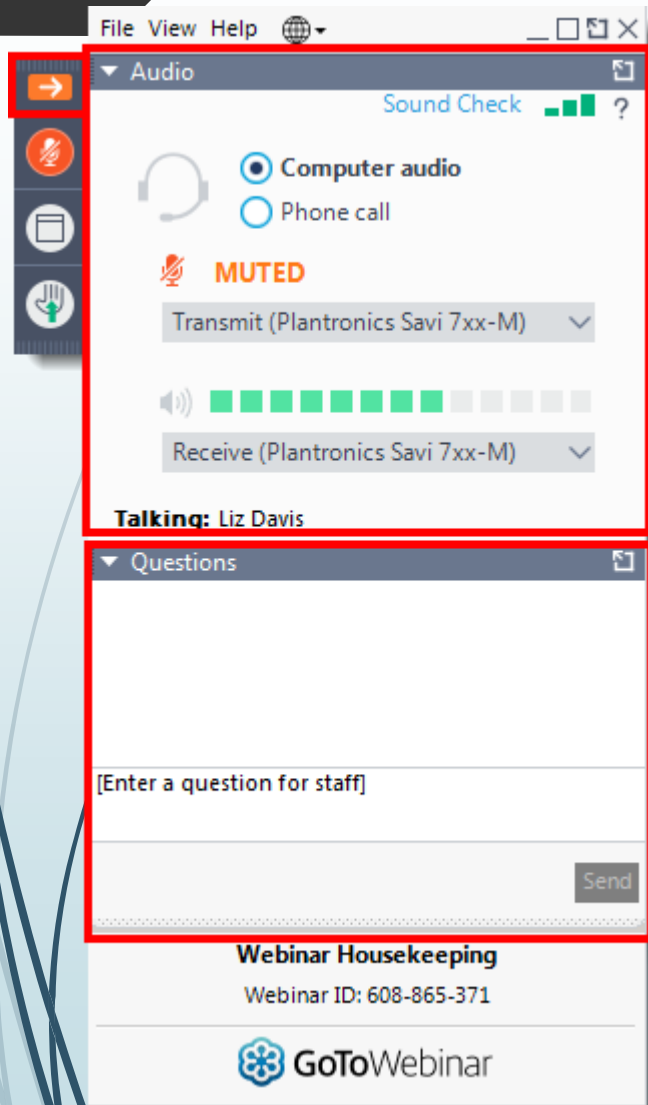
Webinar Housekeeping
Webinar ID: 608-865-371

 **GoToWebinar**



The following slides are redesigned for webinars utilizing hand raising.

GoToWebinar Housekeeping: Attendee Participation



Your Participation

Open and close your control panel

Join audio:

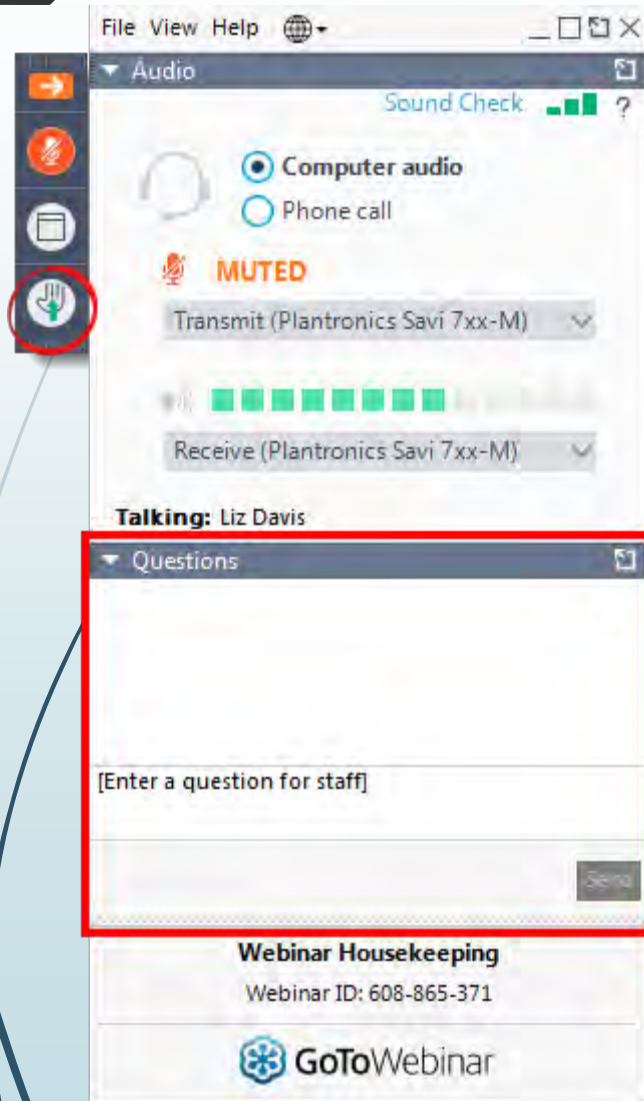
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GoToWebinar Housekeeping: Time for Questions

(Use hands for unmuting!)



Your Participation

- Please continue to submit your text questions and comments using the Questions panel
- Please raise your hand to be unmuted for verbal questions.

For more information, please [\[insert contact information\]](#)

Note: Today's presentation is being recorded and will be provided within 48 hours.



Sponsored in Whole or in Part
Through a Grant From the
*NYS Office of Alcohol and
Substance Abuse Services*





Introductions

- Who I Am
 - Who I Am Not
- 



COMPLYING WITH THE DRUG-FREE SCHOOLS AND CAMPUSES REGULATIONS

[EDGAR Part 86]

A Guide for University
and College Administrators

U.S. Department of Education

<http://www.higheredcompliance.org/resources/resources/dfscr-hec-2006-manual.pdf>

A dark blue arrow points to the right, and several thin, curved lines sweep upwards from the bottom left corner towards the text.

What do you remember of
Substance Abuse Prevention
in the 1980's?



Creation of Drug Free Schools and Campuses Act

- Just Day No – Nancy Reagan
- Codified along with Safe and Drug Free Workplace Act in 1988
- Americans with Disabilities Act of 1990
- Initiation of Biennial Review in 1990



DFSCA Monitoring & Compliance

- US Dept of Safe and Drug Free Schools (1990-1998)
- Office of Postsecondary Education (OPE) (1998-2010)



Past Statements Made RE: Not Doing DFSCA

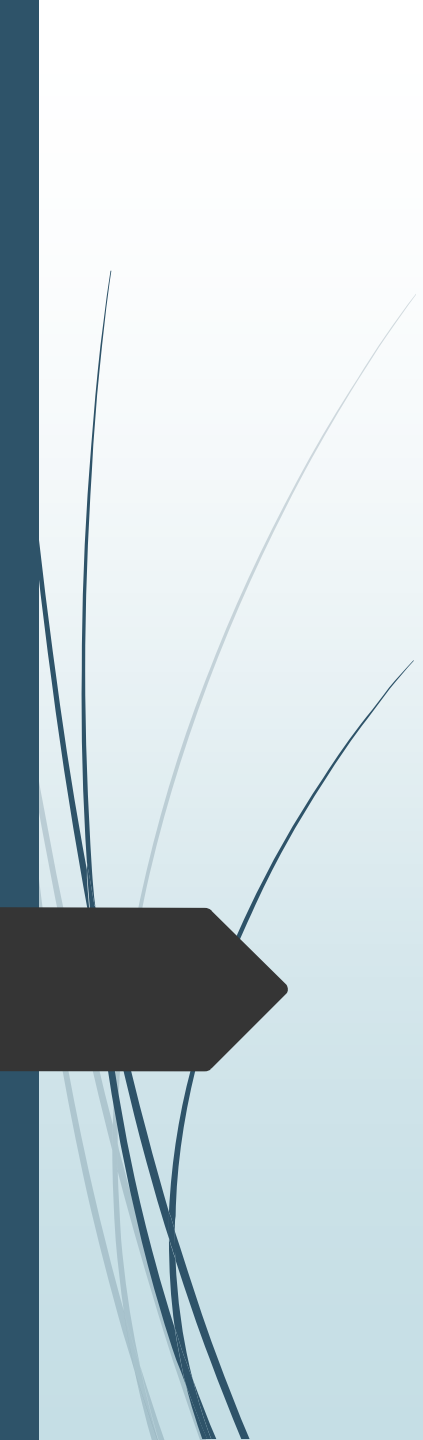
- “DFSCA doesn’t apply to community colleges”
- Only applies to residential, 4 year colleges
- There are no penalties, so its not a priority
- Very little drinking occurs on campus – not an issue
- We’re a religious institution – our students sign contracts that they won’t drink
- We’re a nursing school – we cover these issues in our coursework
- We do Clery – we’re fine!



Past Statements Made RE: Not Doing DFSCA

“If you can't tell me that my university will be fined for not doing this, or anyone will not be arrested for not doing this – you're wasting my time.”

Anonymous Student Affairs Senior Level Officer



Times Have Changed



Failure to Comply with the Drug-Free Schools and Campuses Regulations

► Old Warning

- Corrective action
- May terminate all forms of financial assistance, whether from the Department of Education or other federal agencies
- May require repayment of such assistance, including individual students' federal grants, such as Pell grants.



DFSCA Monitoring & Compliance

- Office of Safe and Drug-Free Schools (1989 – 2010)
 - Insufficient evidence to determine monitoring between 1989-1998
 - Between 1998-June 2010 – no oversight activities
- Office of Federal Student Aid – Clery Compliance Team (2010 – Present)

Kristine Guest



Paul Smith College
February 6, 2005
<http://compelledtoact.com/>



March 2012 Monitoring and Compliance Report

- OSDFS Performed No Oversight Activities from 1998 to June 2010
- FSA's Oversight Process Provided No Assurance That IHEs Were in Compliance with Part 86 Requirements
- IHEs That Did Not Participate in Title IV, HEA Programs Were Not Covered by FSA's Oversight Process Even Though They Were Covered by Title I of the HEA



March 2012 Monitoring and Compliance Report

- 28 random reviews; 14 Clery, 14 Financial Aid
- 5 were correctly identified and reported for non-compliance
- 18/23 reviews, lack of documentation to support FSA's conclusions that IHEs were in DFSCA compliance.
- 10/23 reviews, indications that FSA reviewers did not fully understand DFSCA requirements, reviewers concluded that IHEs had complied with certain DFSCA requirements despite documentation to the contrary.
- 4/23 reviews, FSA reviewers documented that IHEs were not in compliance with elements of Part 86 requirements but did not report the IHEs' noncompliance in the corresponding program review report.



New DFSCA Monitoring and Compliance

- Office of the President Letter – Fall 2011
- Monitoring and compliance administered by the Clery Compliance Division
- Increased number of schools reporting being audited for DFSCA



New DFSCA Monitoring and Compliance

- *The National Association of Clergy Compliance Officers and Professionals (NACCOP) conducted a review*
- January 1, 2014 – September 1, 2015
- 263 publically-available Clergy program reviews completed by ED since 2014
 - 57/263 institutions were found to be out of compliance with DFSCA in the last 2 years
 - 6 of those institutions being fined as a result.
- https://info.stanleycss.com/2016ResurgenceofDrugFreeSchools.html?utm_source=Partner&utm_medium=website&utm_term=Drug-Free-Schools&utm_campaign=DSA



Since 2015

- 23 non-compliant reported in FY16
- 32 non-compliant reported in FY18
- <https://studentaid.ed.gov/sa/clery-act-reports>
- <https://studentaid.ed.gov/sa/about/data-center/school/program-reviews>



New DFSCA Monitoring and Compliance – Jim Moore, Director – Clery Compliance Division

- Audits Methods
 - Full Financial Aid/Title IV Program Review/Recertification
 - Clery Compliance Review
 - Complaint Filed with Dept of Education
 - FBI-UCR Audit
 - Media Assessment
 - Random Audit



Schools Found in Violation – 2016 – Clery Audits

- Penn State (PA) - \$27,500
- Graham Hospital College of Nursing (IL) - \$15,000
- Jefferson College (MO) - \$27,500
- McDaniel College (MD) - \$35,000
- Wichita Area Technical College (KA) - \$27,500
- Rosemont College of the Holy Child Jesus (PA) - \$35,000



DFSCA Consequences

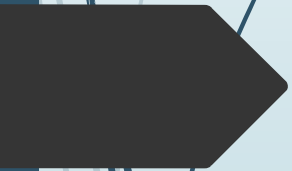
- Federal Civil Penalties
Inflation Adjustment Act Improvements Act of 2015
(2015 Act)
- April 20, 2017 Federal Register
- Increase in Civil Monetary Penalties from the previous
amount of \$35,000 to \$53,907.
- DFSCA and Clery!!!!!!



DFSCA Consequences

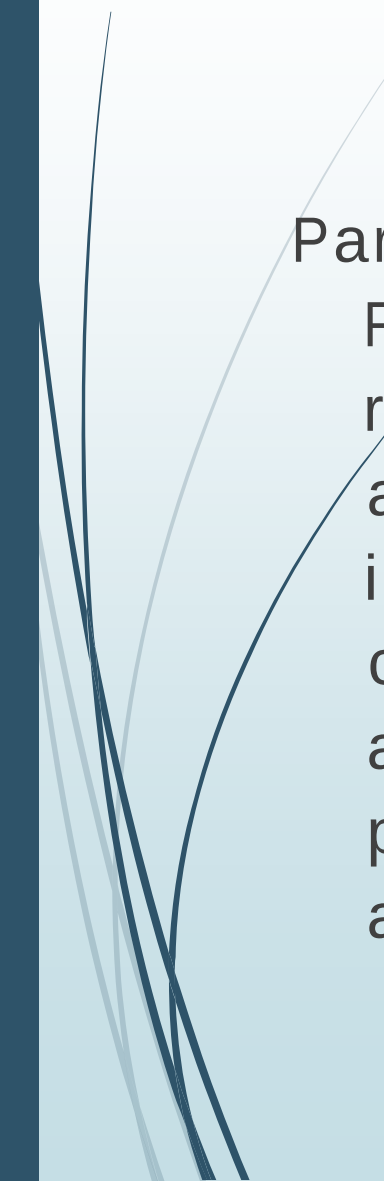
- Corrective Actions Required
- May trigger other audits
- Fines/Sanctions
- Institutional name given to Congress
- Possible suspension/limitation of Title IV funding
- Negative media attention
- Used in court to demonstrate indifference to campus security and AOD issues

Main Elements of DFSCA





Certification Requirements



Part 86, the Drug-Free Schools and Campuses Regulations, requires that, as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education (IHE) must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.



What Does Certification Mean?

- For certain forms of federal funding and assistance, IHE's must certify compliance.
- Title IV/Financial Aid Agreements with Dept. of Education
- In most cases, certification is included within the "Representations and Certifications" portion of funding applications and proposals

NAME OF UNIVERSITY/COLLEGE
Drug-Free Schools and Campuses Regulations [EDGAR Part 86]
Alcohol and Other Drug Prevention Certification

The undersigned certifies that it has adopted and implemented an alcohol and other drug prevention program for its students and employees that, at a minimum, includes –

1. The annual distribution to each employee, and to each student who is taking one or more classes of any kind of academic credit except for continuing education units, regardless of the length of the student's program of study, of:

- Standards of conduct that clearly prohibit, at a minimum, 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 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
- A clear statement that the institution will impose disciplinary sanctions on students and employees (consistent with State and Federal law), 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. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

2. A biennial review by the institution of its alcohol and other drug prevention comprehensive program to:

- Determine its effectiveness and implement changes to its comprehensive alcohol and other drug prevention program and policies, if they are needed
- Ensure that its disciplinary sanctions are consistently enforced.

Your University Name
Your University Address
City, State, Zip

Typed Name of Chief Executive Officer

IRS Employer Identification Number

Signature of the Chief Executive Officer

Telephone Number

Date

e-mail address



Presidential/Senior Administrator Certification

- IHE's must also have the senior leading administrator (President) certify
 - minimally every five years
 - Upon the arrival of a new senior leading administrator

This is unwritten anywhere – but was voiced by a formal Dept of Ed Official during the last Dept of Ed National Higher Ed AOD Meeting, October 2010.



Edgar 86 Minimum Requirements

- Annual notification/distribution of a Drug and Alcohol Prevention Program Notice, which includes substance abuse policy and information to all students, staff and faculty.
- Development and implementation of a Drug and Alcohol Prevention Program to prevent the unlawful possession, use or distribution of illicit drugs or alcohol by students and employees.
- Prepare a biennial report on the effectiveness of its alcohol and other drug (AOD) programs and the consistency of policy enforcement



Confusion – Program vs. Notice?

- How do you define program?
- How do you define notice?
- DAAPP
 - Drug And Alcohol Prevention Program
 - Drug and Alcohol Prevention Program Notice



Additional Requirements



- If requested, IHE's are required to submit written certification and/or copies of policy/information distributed annually, as well as copies of the biennial review to the Secretary of Education – Federal Student Aid designees.
 - Auditors inspecting Financial Aid records
 - Auditors inspecting Clery Security Compliance
 - Auditors inspecting federally funded research grants



Additional Requirements

Letter vs. Spirit

- The Drug-Free Schools and Campuses Regulations establish an expectation that colleges address substance abuse issues based on current research, evaluation, best practices, etc.
- Focus is on Prevention
- In finding documents & fine letters - Drug and Alcohol Abuse Prevention Program (DAAPP)



Record Keeping Requirements

Sec.86.103 requires that IHEs retain the following records for 3 years after the fiscal year in which the record was created:

- The annually distributed notification document
 - Prevention program certification
 - Results of the biennial review
 - Any other records reasonably related to the IHE's compliance with certification
-
- If selected for review, the IHE shall provide access to personnel, records, documents and any other necessary information requested by the Secretary to review the IHE's adoption and implementation of its drug prevention program



What Do I Do With the Biennial Report & DAAPP Notice

- Unless requested, we currently do not send to Dept of Ed.
- Send copy to President/Senior Level Administrator for signature/certification
- Send signed copy to Financial Aid
- Send copy to grant's office
- Copies to places where someone would think that an alcohol report would be obtained
- Place on-line for public access (many schools are doing, but at this time, it is not required)



BREAK UNTIL 10:05



Ensuring Compliance



Annual Notification



DFSCA vs Clery

- Not the same
- DFSCA Much more detailed/specific
- When looking at the requirements, if you have less than 2 page DAAPP Notice – you're probably not doing it correctly.



Compliance – Annual Notification

- ➡ Different than sending the notice annually
- ➡ Notification must occur annually (within a 12 month period) to each employee and student

The distribution plan must make provisions for providing the DAAPP disclosure annually to students who enroll at a date after the initial distribution and for employees who are hired at different points throughout the year.



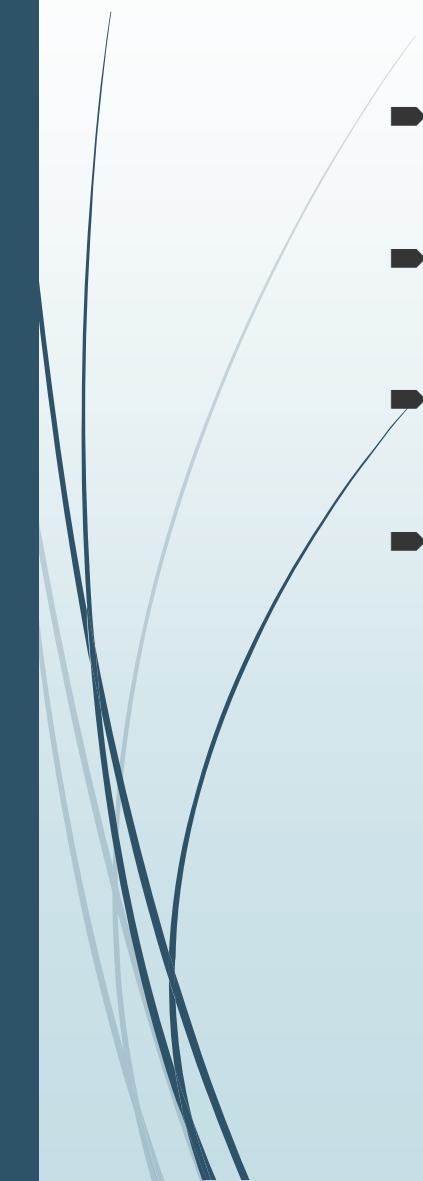
Compliance – Annual Notification

► Notification should include:

- Standards of conduct
- Applicable federal, state, local and institutional sanctions
- Description of short and long term health risks
- List of AOD prevention and treatment programs available to students, staff and faculty
- Clear statement that IHE will impose disciplinary statements



Standards of Conduct

- Covers all students who are registered for one course for any type of unit except continuing education
 - Students who work for the institution may be covered by employee policies
 - Applies to all on-campus activities and to off-campus activities officially sponsored by IHE's
 - Have been interpreted to apply to student-sponsored social activities and professional meetings attended by employees
- 



Legal Sanctions



- A description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol
- An alcohol and drug policy should stipulate that anyone who violates the policy is subject both to the institution's sanctions and to criminal sanctions.



Health Risks

- A description of the health risks associated with the use of illicit drugs and the abuse of alcohol that occurs on your campus.
- Statements of health risks associated with the use of alcohol and other drugs represent the minimum level of information that schools must distribute.

Health Risks Descriptions should include

- Risk of dependence
- Possible short-term effects
- Possible long-term effect
- Effects of overdose



Health Risks Description Considerations

- Many people use a shotgun approach and just list common categories
- Most schools do not alter listing once its created.
- Drugs highlighted implies that these drugs are ones used by your students.
- Drugs highlighted implies that you have collected data to determine what drugs exist on your campus



Drug & Alcohol Programs

- A description of any drug or alcohol programs that are available to employees and students . These include:
 - Prevention programs
 - Assessment/Identification
 - Intervention
 - Treatment
 - Rehabilitation
 - Re-Entry



Disciplinary Sanctions

- A clear statement that the institution will impose sanctions on students and employees (consistent with local, State, and Federal law)
- 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



Disciplinary Sanction Enforcement

- Responsibility for the enforcement of standards of conduct is not specifically mentioned in 34 C.F.R. Part 86
- Responsibility for enforcing standards of conduct is usually shared among
 - campus police or security personnel
 - Residence hall staff
 - Judicial affairs/Dean of Students
 - health providers, faculty,
 - students, among others.



Distribution of Annual Notification

- The Department of Education requires that each IHE distribute its AOD document to each student, staff and faculty annually in writing.
- Delivery may be electronic if the IHE has established that electronic delivery *goes to the individual* and that electronic communication is one of the IHE's primary modes of communication.
- Delivery must ensure receipt
- Must demonstrate appropriate method of distributing to those whose mailings are returned or bounced back



Recent Changes in E-Delivery

- Until Recently – if you were to send by e-mail
 - Entire DAAPP Notice, including tables, charts had to be in the body of the e-mail.
- E-mail with direct link to on-line DAAPP now acceptable

information is not adequate to meet the active distribution standard set out in Federal law and the Department's regulations. An institution may distribute the annual disclosure by electronic mail if it wishes to do so. The method for such a distribution would require the institution to post program materials on its website and then send an e-mail message to each mandatory recipient that includes a direct link to the document. Sending a general email message to students and employees encouraging them to read all of the College's policies does not meet the standard for direct notice.



Distribution of Annual Notification

- Merely making the materials available to those who wish to take them does not satisfy the requirements of the Regulations.
- Distribution must be intentional, passive methods do not meet requirements or expectations



Past Promoted Methods of Annual Distribution

To Students:

- The U.S. mail system is probably the best way to ensure distribution to all students.
- Electronic distribution is another option when all students or employees have access.
- Dissemination through advising when advising is mandatory
- Enclose in invoices for financial obligations

To Faculty & Staff, include:

- with employees' paychecks
- with the W-2 form
- In the faculty/staff handbook
- Giving the written policy to employees only at the beginning of their employment does not meet the requirement that the policy be distributed annually.

A COMBINATION OF METHODS WORKS BEST



What is meant by
“Program?”



What is meant by a program?

- Clear guidance is not really given
- DAAPP Notice constitute program?
- Some institutions believe that notification and biennial review constitute compliance and are the “program”
- Current best practices and science of prevention are strongly suggested. Spirit of the Law vs. Letter of the Law



Dept of Education Principles of Program Effectiveness

- base alcohol, drug, and violence prevention programs on needs assessment data
- develop measurable program goals and objectives
- implement programs with research evidence of effectiveness,
- periodically evaluate programs relative to their goals and objectives



Comprehensive Program - Scope of Care – DAAPP Notice

- Prevention programs
- Assessment/Identification
- Intervention
- Treatment
- Rehabilitation
- Re-Entry



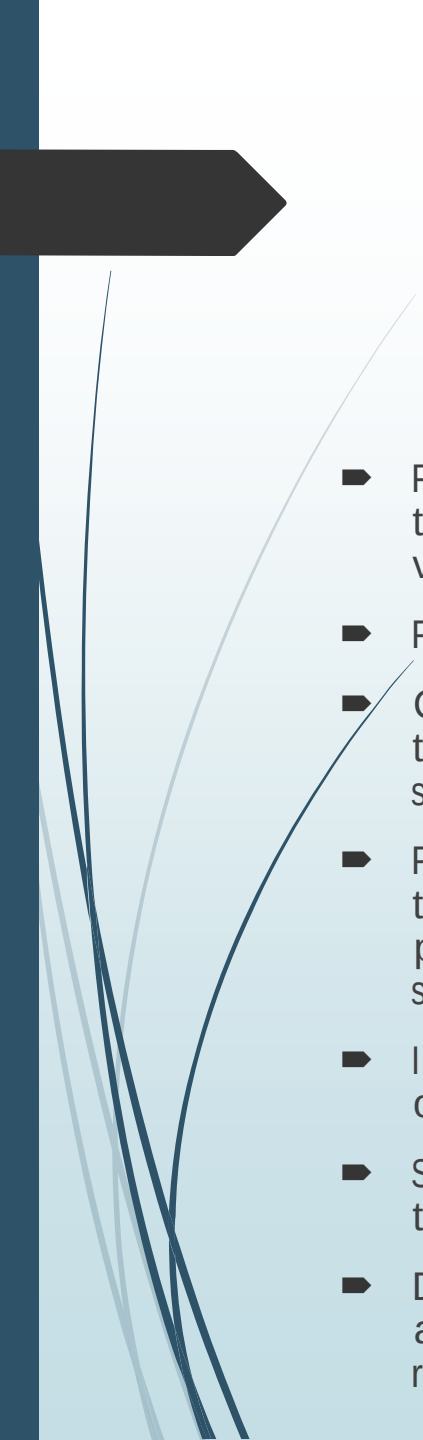
The Network of Colleges and Universities Committed to the Elimination of Drug and Alcohol Abuse Standards

- The Network was a voluntary membership organization whose member institutions agree to work toward a set of standards aimed at reducing alcohol and other drug problems at colleges and universities
- <https://files.eric.ed.gov/fulltext/ED297661.pdf>



The Network Standards (2010)- Policy

- Annually promulgate policy, consistent with applicable federal, state and local laws, using such means as student and faculty handbooks, orientation programs, letters to students and parents, residence hall meetings, and faculty and staff meetings.
- Develop policy that addresses both individual behavior and group activities.
- Define policy carefully to guarantee the inclusion of all campus property. Define campus-based standards to include on and off-campus events involving students.
- Stipulate guidelines for marketing and hosting on and off-campus sponsored events involving students, faculty, staff and alumni at which alcoholic beverages are served.
- State institutional commitment to the education and development of students, faculty and staff regarding AODV issues.



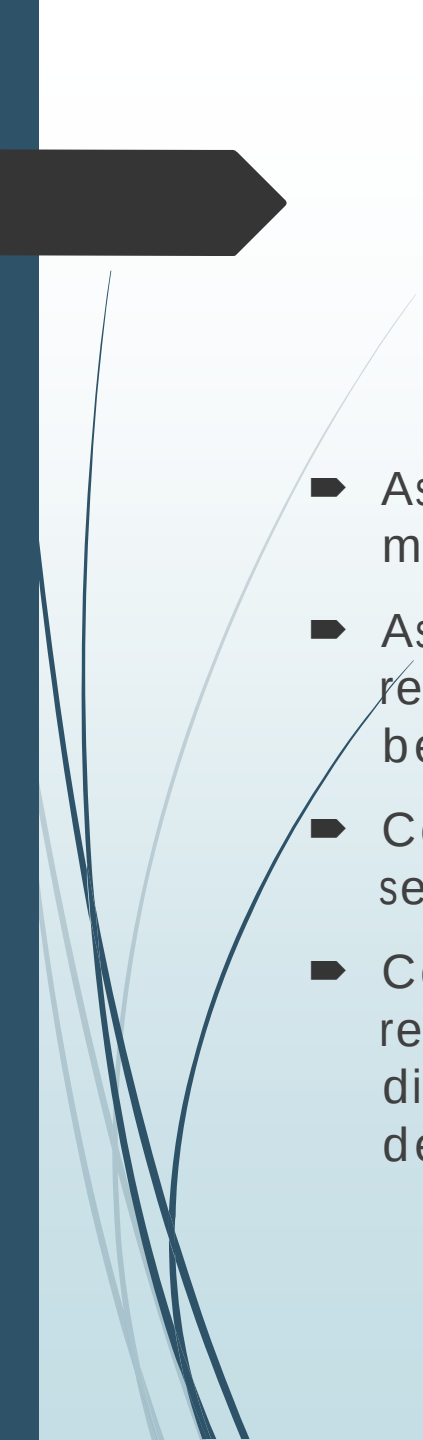
The Network Standards (2010) – Education and Student Assistance

- Provide a system for the exchange of accurate, current information on the adverse consequences related to alcohol and other drug use and violent behavior for students, faculty and staff.
- Promote and support alcohol-free programming options.
- Coordinate a collaborative network of services, both on-campus and in the community to facilitate treatment and/or referral services for students, faculty and staff.
- Provide training programs for students, faculty and staff to enable them to detect problems related to alcohol and other drug use, including prescription and over-the-counter substances. Referral of persons with such problems must be made for appropriate assistance.
- Include AODV information for students and their family members in orientation programs.
- Support and encourage faculty in incorporating AODV education into the curriculum, where appropriate.
- Develop a coordinated effort across campus to offer a student assistance program encompassing AODV education, assessment and referral for treatment.



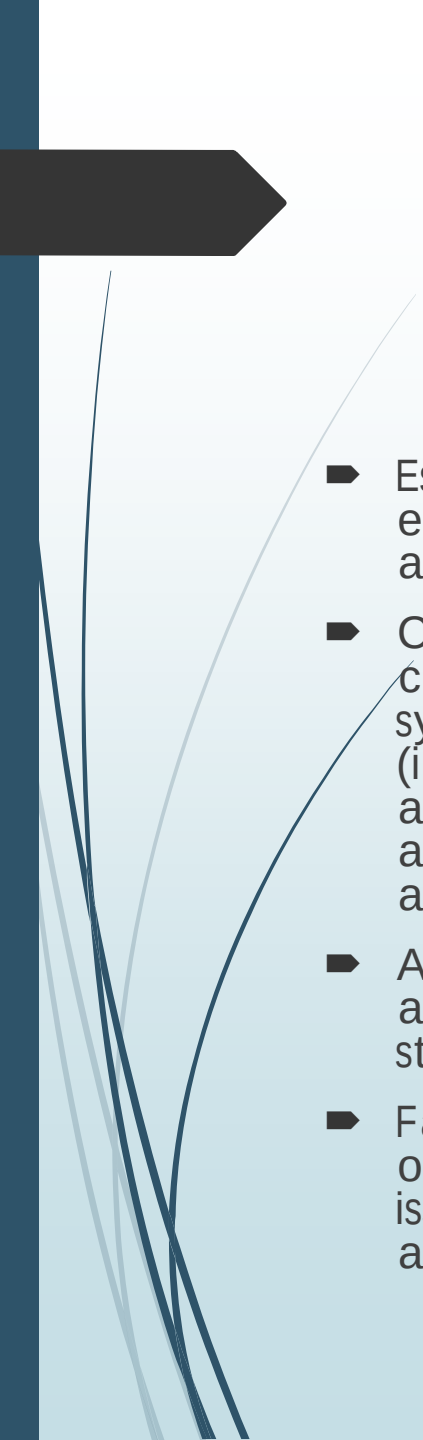
The Network Standards (2010) - Enforcement

- Publicize all AODV policies.
- Consistently enforce AODV policies.
- Exercise appropriate sanctions for violent acts such as verbal, physical, and sexual abuse, harassment and other disruptive and destructive behavior.
- Exercise appropriate sanctions for the illegal sale, manufacture, use or distribution of alcohol and other drugs including prescription and over the counter substances.



The Network Standards (2010) - Assessment

- Assess the institutional environment as it contributes to or mitigates AODV related problems.
- Assess campus awareness, attitudes and behaviors regarding AODV related behavior and other disruptive behavior and apply results to program development.
- Collect and use related AODV information from police or security reports to guide program development.
- Collect summary data regarding alcohol and other drug related disciplinary actions, including violent and other disruptive behavior and use it to guide program development.



The Network Standards (2010)– Community Collaboration

- Establish and maintain effective working relationships with external agencies, groups and individuals whose operations are relevant to the mission and goals of The Network.
- Consider the inclusion of the following agencies and groups in campus-community coalitions: law enforcement, judicial system, state liquor control license agency, hospitality industry (including retailers), local government, neighborhood associations, faith community, family/parents, school systems, area health care and treatment providers and others as appropriate.
- Address campus/community issues of alcohol and other drug access, availability and enforcement at local, regional, state/territory and national levels.
- Facilitate the development, implementation and evaluation of a strategic plan that addresses illegal and high risk AODV issues and underage alcohol consumption in the community and state/territory.



ACHA Standards of Practice for Health Promotion within Higher Education

- Alignment with the Missions of Higher Education
- Socioecological-Based Practice
- Collaborative Practice
- Cultural Competency
- Theory-Based Practice
- Evidence-Informed Practice
- Continuing Professional Development and Service



Council for the Advancement of Standards

- <http://www.cas.edu/index.php/cas-general-standards/>
- Mission
- Programming/Learning Outcomes
- Organization & Leadership
- Human Resources
- Ethics
- Law, Policy and Governance
- Diversity, Equity, and Access
- Institutional & External Relations
- Financial Resources
- Technology
- Facilities and Equipment
- Evaluation and Assessment



Experiences in Effective Prevention

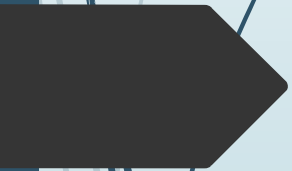
- U.S. Department of Education: 22 campus-based model programs (1999-2004)
- Core elements of effectiveness:
 - Exercise leadership
 - Build coalitions
 - Choose evidence-based programs
 - Implement strategic planning
 - Conduct a program evaluation
 - Work toward sustainability
 - Take the long view



Field Experiences in Effective Prevention

- U.S. Department of Education: 12 campus-based model programs (2005-2007)
- Insights on prevention programs, projects, campaigns:
 - Link prevention to the institution's mission, values, and priorities
 - Strategic planning is an ongoing, dynamic process
 - Engage the campus community in data collection and evaluation
 - Promote student involvement
 - Pay attention to strategic timing
 - Hone communication skills

Evidence Based Programming/ Strategies





College “Alcohol Intervention Matrix”

- The goal of the CollegeAIM project was to “increase the likelihood that *research* will inform interventions to address excessive and underage drinking on US campuses by providing a framework for colleges and universities to compare and select evidence-based intervention strategies.”
- Developed by a group including
 - college alcohol intervention researchers
 - college AOD and student life professionals
 - NIAAA staff
- Released fall 2015

Adapted from the NIAAA,
2015



CollegeAIM Website

- Overview
 - Including how to use CollegeAIM
- Individual-Level Strategies
- Environmental-Level Strategies
- PDF Strategic Planning Worksheet
- FAQs
- Supporting Resources

CollegeAIM Website

The screenshot shows a web browser window with the URL <http://www.collegedrinkingprevention.gov/CollegeAIM/Default.aspx>. The browser's address bar and menu bar are visible. The website itself has a dark red header with the text "Go to collegedrinkingprevention.gov" and social media icons. Below the header is a navigation bar with the "COLLEGEAIM ALCOHOL INTERVENTION MATRIX" logo and links to "Overview", "Individual Strategies", "Environmental Strategies", "Worksheet", "FAQs", and "Additional Information". The main content area features a large image of a student on the left and a central graphic titled "Planning Alcohol Interventions Using NIAAA's COLLEGEAIM ALCOHOL INTERVENTION MATRIX". To the right of this graphic is a section titled "What Is CollegeAIM and Why Is It Needed?" which explains the tool's purpose and provides a "Learn More" button. Below the main content, there are two columns: "How can schools use CollegeAIM?" with a list of bullet points and a "Download as a PDF" / "Order a print copy" button, and "How is CollegeAIM different?" with a paragraph. On the far right, a quote from Jonathan Gibraltar, Ph.D., President of Wells College, is displayed. The Windows taskbar at the bottom shows the time as 3:32 PM on 10/20/2015.

http://www.collegedrinkingprevention.gov/CollegeAIM/Default.aspx

Go to collegedrinkingprevention.gov

COLLEGEAIM
ALCOHOL INTERVENTION MATRIX

Overview Individual Strategies Environmental Strategies Worksheet FAQs Additional Information

Planning Alcohol Interventions Using NIAAA's **COLLEGEAIM** ALCOHOL INTERVENTION MATRIX

Download as a PDF Order a print copy

What Is CollegeAIM and Why Is It Needed?

CollegeAIM—the College Alcohol Intervention Matrix—is a new resource to help schools address harmful and underage student drinking. Developed with leading college alcohol researchers and staff, it is an **easy-to-use** and **comprehensive** tool to identify effective alcohol interventions.

While there are numerous options for addressing alcohol issues, they are not all equally effective.

CollegeAIM can help schools **choose interventions wisely**—boosting their chances for success and helping them improve the health and safety of their students.

Learn More

How can schools use CollegeAIM?

With the help of *CollegeAIM*, school officials can:

- Review the **individual-** and **environmental-level** strategies to learn how their current strategies compare to other alternatives.
- Discover new evidence-based options.
- Use the **interactive strategy planning worksheet** to help select a combination of approaches that meets the needs of their campus and their budget.

How is CollegeAIM different?

CollegeAIM is distinctive because of the breadth of its research and analysis, the expertise of its contributors, and its user-friendly format.

"This instrument is one of the most thoroughly vetted and user-friendly summaries of intervention strategies I have seen in decades."
—Jonathan Gibraltar, Ph.D.
President, Wells College



Strategies

- Rated on cost, effectiveness, barriers to implementation, and whether or not there is research available
- Each strategy includes the ratings, staffing needs, target population, research references, and possible resources

Strategies

http://www.collegedrinkingprevention.gov/CollegeAIM/EnvironmentalStrategies/default Environmental Strategies | ...

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Environmental-Level Strategies

Higher effectiveness

Moderate effectiveness

Lower effectiveness

Too few robust studies to rate effectiveness—or mixed results

Environmental-Level Strategies

Environmental-level strategies aim to reduce underage and excessive drinking at the population level by changing the context (i.e., places, settings, occasions, and circumstances) in which alcohol use occurs, thereby reducing consequences.

All environmental strategies

☒ Check all strategies you would like to print 0 Print Preview Strategies

Lower costs \$	Mid-range costs \$\$	Higher costs \$\$\$
Higher effectiveness ☐ Restrict happy hours/price promotions ☐ Retain ban on Sunday sales (where applicable) ☐ Retain age-21 drinking age Moderate effectiveness ☐ Retain or enact restrictions on hours of alcohol sales ☐ Enact social host provision laws Too few robust studies to rate effectiveness—or mixed results ☐ Prohibit alcohol use/service at campus social events ☐ Establish amnesty policies ☐ Require Friday morning classes ☐ Establish standards for alcohol service at campus social events ☐ Establish substance-free residence halls ☐ Prohibit beer kegs ☐ Establish minimum age requirements to serve/sell	Higher effectiveness ☐ Enforce age-21 drinking age (e.g., compliance checks) ☐ Increase alcohol tax Moderate effectiveness ☐ Prohibit alcohol use/sales at campus sporting events ☐ Enact dram shop liability laws: Sales to intoxicated ☐ Enact dram shop liability laws: Sales to underage ☐ Limit number/density of alcohol establishments ☐ Retain state-run alcohol retail stores (where applicable) Lower effectiveness ☐ Establish an alcohol-free campus ☐ Conduct campus-wide social norms campaign Too few robust studies to rate effectiveness—or mixed results ☐ Implement bystander interventions	Moderate effectiveness ☐ Enact responsible beverage service training laws Lower effectiveness ☐ Restrict alcohol sponsorship and advertising ☐ Implement beverage service training programs: Sales to intoxicated ☐ Implement beverage service training programs: Sales to underage ☐ Enact keg registration laws Too few robust studies to rate effectiveness—or mixed results ☐ Require alcohol-free programming ☐ Implement safe-rides program ☐ Conduct shoulder tap campaigns ☐ Enact social host property laws ☐ Require unique design for state ID cards for age < 21

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Strategies

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ALCOHOL INTERVENTION MATRIX

Environmental-Level Strategies

Higher effectiveness

Environmental-Level Strategies

Environmental-level strategies aim to reduce underage and excessive drinking at the population level by changing the context (i.e., places, settings, occasions, and circumstances) in which alcohol use occurs, thereby reducing

Close X

Campus or community-based

Restrict happy hours/price promotions

Under this strategy, a campus or local or state government prohibits or restricts drink specials, such as the sale of two alcoholic beverages for the price of one, that encourage customers to drink more than they might otherwise.

Effectiveness: ★★ = Higher
Cost: \$ = Lower
Barriers: ### = Higher
Research Amount: *** = 5 or more cross-sectional studies or 1 to 4 longitudinal studies

Public Health Reach: Broad
Staffing Expertise Needed: Policy advocate
Target Population: All students
Research Population: College, general

Summary Notes References Potential Resources

Prohibit alcohol service at campus social events ☐ Establish amnesty policies ☐ Require Friday morning classes ☐ Establish standards for alcohol service at campus social events ☐ Establish substance-free residence halls ☐ Prohibit beer kegs	Prohibit state and alcohol from stores (where applicable) Lower effectiveness ☐ Establish an alcohol-free campus ☐ Conduct campus-wide social norms campaign Too few robust studies to rate effectiveness—or mixed results ☐ Implement bystander interventions	Effectiveness—or mixed results ☐ Require alcohol-free programming ☐ Implement safe-rides program ☐ Conduct shoulder tap campaigns ☐ Enact social host property laws ☐ Require unique design for state ID cards for age < 21
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How to Use College AIM

- Needs Assessment
 - What does your campus and your student population need to meet your goals and objectives around alcohol?
- Review the strategies and determine what may work for your population
 - Ask yourself – can your peer education group/your department plan, implement, evaluate, and sustain this strategy

The Worksheet Tool

http://www.collegedrinkingprevention.gov/CollegeAIM/Resources/Worksheet_for_Cho... Environmental Strategies | Coll... collegedrinkingprevention....

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Fill & Sign Comment

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You can print the completed form and save it to your device or Acrobat.com.

Highlight Existing Fields

STRATEGY PLANNING WORKSHEET

Use this worksheet or download a copy to capture your thoughts about your current strategies and new ones you'd like to explore. Keep in mind:

Priorities: Which alcohol-related issues are of most concern to your campus? Make sure your school's needs and goals are well defined, and keep them front and center as you fill in the worksheet.

Effectiveness: Does research show that your current strategies are effective in addressing your priority issues? Might others be more effective?

Balance: Realistically assess what you can do with your available resources. Strike a balance, if possible, between individual- and environmental-level strategies, and between strategies that will face few barriers and can be put in place quickly and others that may take longer to implement. Consider the financial cost relative to the program's expected effectiveness and the approximate percentage of the student body that the strategy will reach.

CURRENT STRATEGIES

Strategy Name (and the IND or ENV identifier from CollegeAIM, if applicable)	Individual or Environmental?		CollegeAIM Ratings				Notes and Next Steps: Keep as is? Modify to boost effectiveness? Add complementary strategies? Shift to more effective options?
	✓ IND	✓ ENV	Effectiveness	Cost	Barriers	Reach: Broad or Focused (% of students)	

POSSIBLE NEW STRATEGIES

Strategy Name (and the IND or ENV identifier from CollegeAIM)	Individual or Environmental?		CollegeAIM Ratings				Notes and Next Steps: Staff training or hiring needed? Other resources? Does the strategy require a plan for conducting an outcome evaluation?
	✓ IND	✓ ENV	Effectiveness	Cost	Barriers	Reach: Broad or Focused (% of students)	

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The Biennial Review



The Biennial Review

- The Drug-Free Schools and Campuses Regulations require IHEs to review their AOD programs and policies every two years.
- The Department of Education recommends that IHEs conduct the biennial review in even-numbered years and focus their report on the two preceding academic years.
- No specific date in which report is to be filed



The Biennial Review

- Since regulations began in 1990, common for reviews to be conducted during even years
- Review report should be completed and filed by December 31
- Review report should cover the 2 previous academic years



Complying with the DFSC Regulations (2006), p.13

The regulations do not specify a date by which the biennial review must be completed and on file—they simply require that a campus complete a review every two years. Since the regulations went into effect in an even-numbered year (1990), long practice has held that campuses conduct a biennial review by the end of each even-numbered calendar year. Following this tradition and to ensure the production of a useful biennial review in compliance with the DFSCA, good sense suggests that an IHE's biennial review be completed and on file by December 31 of each even-numbered year, and the report should cover the previous two academic years. For example, for the 2006 biennial review, the dates of coverage should include Sept. 1, 2004–Aug. 31, 2005, and Sept. 1, 2005–Aug. 31, 2006.



The Biennial Review

- The law further requires an institution of higher education to conduct a biennial review of its comprehensive program to:
 - determine its effectiveness and implement changes if they are needed
 - ensure that the sanctions developed are consistently enforced



Biennial Review Best Practices

- Comprehensive program focused on evidence-based strategies of practice and policies.
- Data collection of students' behaviors and perceptions
- Program focused on meeting needs of students at various levels (drinkers, non-drinkers, problem drinkers)
- Creation of a strategic plan of action
- Creation of a task-force or campus-based coalition



Thorough Biennial Reviews Include

1. A description of AOD comprehensive program/intervention elements and policies
2. A statement of AOD program/intervention and policy goals and a discussion of goal achievement
3. Summaries of AOD program/intervention and policy strengths
4. Summaries of AOD program/intervention and policy weaknesses and problems
5. Procedures for distributing AOD document to students and employees
6. Copies of the documents distributed to students and employees
7. Recommendations for revising AOD programs
8. Supporting documentation and evidence

HEC Analysis – Model Biennial Reviews

1. Each included materials to compliment the report
2. Each included information on assessment and evaluation of program effectiveness
3. Each detailed goals and goal achievements
4. Each included recommendations for revising programs and policies
5. Each used a task force to complete the review



Reviewing Your Current Campus AOD Data

- Collect and review data that describes alcohol and other drug problems and culture
 - CORE Survey
 - National College Health Assessment
 - Policy Violations
 - Transports
 - Diagnoses



Data indicated within EDGAR Part 86 Contents and Subparts A—General, B, and D

- Tracking the number of drug- and alcohol-related disciplinary sanctions imposed;
- Tracking the number of drug- and alcohol-related referrals for counseling or treatment;
- Tracking the number of drug- and alcohol-related incidents recorded in the logs of campus police or other law enforcement officials;
- Tracking the number of drug- and alcohol-related incidents of vandalism;
- Tracking the number of students or employees attending self-help or other counseling groups related to alcohol or drug abuse; and
- Tracking student, faculty and employee attitudes and perceptions about the drug and alcohol problem on campus.



Reviewing Your Current Campus AOD Comprehensive Prevention Program

- Program Inventory
- Interventions Inventory
- Policy Inventory



Typology Matrix Socioecological Model by Network Standards

	Individual	Group	Institution	Community	Policy
Policy					
Education					
Enforcement					
Assessment					
Community Mobilization					

Typology Matrix

Socioecological Model by SAMHSA Prevention Strategies

	Individual	Group	Institution	Community	Policy
Info. Dissemination					
Education					
Alternatives					
Problem Identification/Referral					
Community-Based Processes					
Environmental /Policy					



Reviewing Your Current Campus AOD Prevention Program

- Consider including process summary or performance metrics for each program/intervention:
 - # of times program/intervention delivered
 - # of students/staff/faculty participating
 - Satisfaction survey results

Reviewing Your Current Campus AOD Prevention Program

- Assessment data on student learning outcomes, attitudinal changes, behavior changes gained through programs
- Evaluation and Research data collected through programs

•Conduct a biennial review to measure the effectiveness of its drug and alcohol abuse education and prevention programs. The University of South Alabama was required to describe the research methods and data analysis tools that will be used to determine the effectiveness of the program as well as the responsible official or office that will conduct the review. Finally, the biennial review report was to be approved by the University's chief executive and/or its board. The biennial review was to be completed by June 1, 2015 and was to be submitted to the Department by June 15, 2015; and,



Reviewing Your Current Campus AOD Policies

- Identify and compile all alcohol and other drug related policies for students, staff and faculty
- Look for redundancy, consistency, inconsistency in language



Reviewing Your Current Campus AOD Policies

- Assess how consistently enforced are the policies
- Assess if everyone, regardless of affiliation, is held to the same policy standards and offered the same interventions
- Assess how effective are policies at moving the IHE toward its AOD goals and outcomes



Policy Inventory



- Measuring Enforcement Consistency
 - DOE/HEC recommends submitting a chart that ID's each case and presents particulars of each offense
 - Documenting level of effort expended to detect violations
 - Document level of expertise of those responsible for detecting/adjudicating AOD offenses

Minor In Possession Violation

Case	Athlete	Fine	Paper	Educational Class	BASICS
1	N	X		X	
2	N	X		X	
3	Y		X		
4	N	X		X	
5	N	X			X
6	N	X			
7	Y		X		
8	N	X	X		
9	Y		X		
10	N	X			X
11	N	X		X	



Determining SWOT

- Strengths
 - Weaknesses
 - Opportunities
 - Threats
- 



Review Conclusions

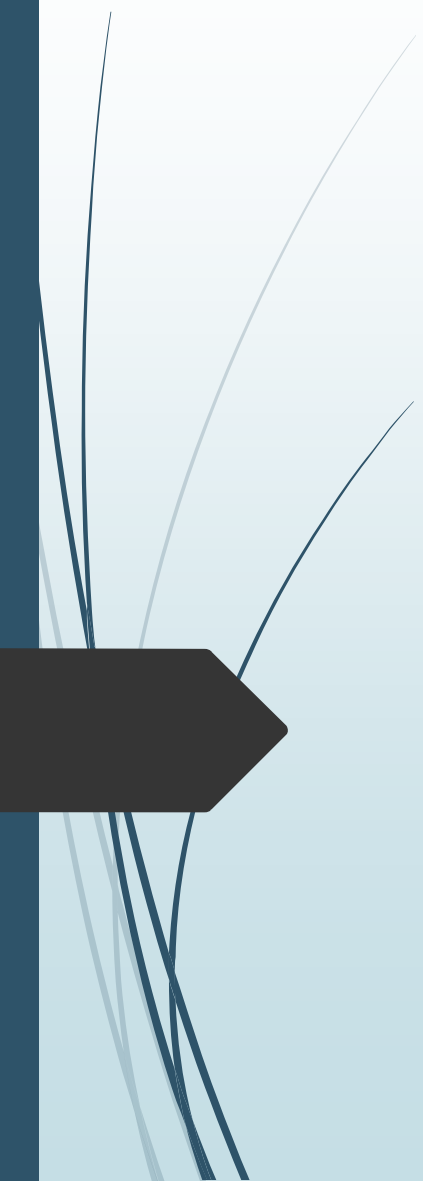


- Outcomes, goals, and objectives for the coming Biennial Period
- Recommended changes in programming, policy, and enforcement.



IHEC Suggested Review Report Contents

- Introduction/Overview
- Biennial Review Process
- AOD Comprehensive Program Goals and Objectives for Biennium being reviewed
- Annual Policy Notification Process
- AOD Prevalence and Incidence Rate Data
- AOD Needs Assessment and Trend Data
- AOD Policy, Enforcement & Compliance Inventory & Related Outcomes/Data
- AOD Intervention Inventory & Related Outcomes/Data
- AOD Goal Achievement and Objective Achievement
- AOD Strengths and Weaknesses
- Recommendations for next Biennium
- Goals and objectives for next Biennium



AUDIT CONVERSATIONS



Conversations with those who had been audited

- Auditors are not health promotion, counseling, or student affairs folks, most are those with law degrees
- Many are looking at a lot of different areas – really have a surface knowledge of the mandates
- Now and Later Review –
 - surface collection and interview
 - deep analysis – thank you, we'll let you know how you did, go and review materials more intently
- Varying notification times
 - Short length of time between warning and visit
 - Others may know they are coming, but don't inform others on campus



Conversations with those who had been audited

- Data, data, data
 - How do you know what substances are an issue on your campus?
 - How do you know your programs and interventions are working?
 - How do you know policies are working
- Evidence, evidence, evidence
 - If you send DAAPP electronically – best to have hard copies for every year – watch out for overwriting.
 - Evaluation reports for prevention programming



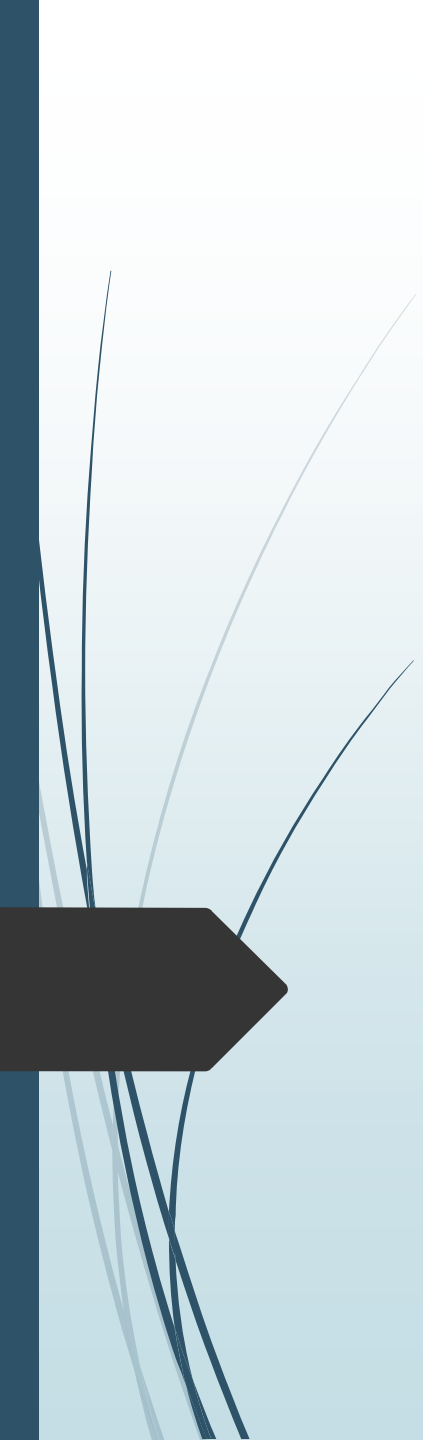
Conversations with those who had been audited

- Consistent sanctioning across different demographics – they want to see it, and they will call out specific groups
- Where is info for Faculty and staff? How are distributing to Faculty and Staff? Fac/Staff Prevention?



Conversations with those who had been audited

- How and who are involved in your Biennial Review?
- How are faculty involved in your prevention programming?
- How have faculty been involved in your Biennial Review Process?
- Who is ultimately responsible for ensuring that your institution is compliant with DFSCA?



Medicinal, Legalized, and/or Decriminalized Marijuana



Will IHE's Lose Funding for DFSCA Violations and Marijuana Policy Changes?¹⁰

- “Changing drug and alcohol policies on campus has never affected federal funding to institutions of higher education”
- Students for Sensible Drug Policy

May 2012



Students for Sensible Drug Policy Argument

- Documentation provided to SSDP from the US Dept of Education indicated that no college had ever lost Title IV eligibility as a result of non-compliance with DFSCA
- Federal funding has not been denied to any of the 100+ universities who have adopted medical amnesty policies
- Federal funding has not been denied to any university in a state with medical marijuana laws



SSDP Argument -

- Over 7100 IHE's are Title IV Eligible
- Approximately 120 institutions lose Title IV eligibility/year = ~1.7% of all institutions annually
- Of these, approximately 32 Public and Private Non-Profit Institutions Lose Title IV Eligibility/year; approximately 22/32 are private institutions
- Domestic proprietary institutions make up 64% of institutions who have lost Title IV eligibility between 2007-2016

https://www.everycrsreport.com/reports/R43159.html#_To_c485805527



What Does this Mean for a State in Which Marijuana has been Legalized/Decriminalized?

- Disparity between Federal Law and State/Local Law
- Federal Law supersedes State/Local Law
- If you are receiving Title IV Funding (Financial Aid) or any other form of Federal Funding – you have certified that you are and will follow the law and spirit of several mandates including DFSCA
- prevent the unlawful possession, use or distribution of illicit drugs or alcohol by students and employees
- Not only DFSCA we must consider when compliance of other acts



Not Only DFSCA

- Controlled Substance Act of 1970
 - Drug-Free Workplace Act of 1988
 - American Disabilities Act of 1990
- 



Controlled Substance Act of 1970

- Marijuana is classified as a Schedule I Drug
 - Has a high potential for abuse
 - No currently accepted medical use in treatment in US
 - Lack of accepted safety for use of the drug under medical supervision



Drug-Free Workplace Act of 1988

- a drug-free workplace policy is required for: Any organization that receives a federal contract of \$100,000 or more Any organizations receiving a federal grant of any size
- Prepare and distribute a formal drug-free workplace policy statement.
- Establish a drug-free awareness program.
- Ensure that all employees working on the federal contract understand their personal reporting obligations. Under the terms of the Drug-Free Workplace Act, an employee must notify the employer within five calendar days if he or she is convicted of a criminal drug violation.
- Notify the federal contracting agency of any covered violation. Under the terms of the Drug-free Workplace Act, the employer has 10 days to report that a covered employee has been convicted of criminal drug violation.
- Take direct action against an employee convicted of a workplace drug violation.
- Maintain an ongoing good faith effort to meet all the requirements of the Drug-free Workplace Act throughout the life of the contract.



What the Americans with Disabilities Act of 1990 Says About Illegal Drug Use

- “Qualified individuals with a disability shall not include any employee or applicant who is currently engaging in the illegal use of drugs, when the covered entity acts on the basis of such use.”
- A covered entity may prohibit the illegal use of drugs and the use of alcohol at the workplace by all employees
- May require conformance with the requirements under the Drug-Free Workplace Act of 1988
- Compliance with standards set by the Dept. of Defense, Nuclear Regulatory Commission, and the Dept. of Transportation.



Summing it Up

- Marijuana use is against Federal Law
- Controlled Substances Act, DFWP, DFSCA, & ADA all apply to IHE's particularly those who receive fed. funds.
- Applies to all instances of on-campus property and official off-campus events.



Nothing has really changed

- Nixon not following Shafer Commission (1971)
- NORML Petition (1972)
- DEA Public Hearings (1986)
- US Court of Appeals Upholds 1972 Decision (1994)
- Ending Federal Marijuana Prohibition Act, Rep. Polis (Colorado)
- Respect State Marijuana Laws Act, Rep. Rohrabacher (CA), No Welfare for Weed Act,
- Regulate Marijuana Like Alcohol Act of 2015, Rep. Polis
- Marijuana Tax Revenue Act of 2015, Rep Blumenauer (Oregon)



Legal Proceedings

- US v. Oakland Cannabis Buyers Coop (2001)
 - No medical necessity exemption to Controlled Sub Act prohibitions on manufacturing and distributing
- Nicholson v University of Colorado (2008)
 - Nicholson suspended – criminal charges for marijuana; he had been designated as a medical caregiver
 - CU dropped charges; waived on-campus residence requirement for students with medical marijuana prescriptions
- James v City of Costa Mesa (2012)
 - ADA could not be used as a means of overcoming discrimination unless marijuana would be rescheduled
- Coats v Dish Network (2015)
 - Dish network could terminate employee due to off-work, yet legal by state statues marijuana use



Implications

- Medicinal Marijuana - Prescriptions
- On-campus residency requirements
- Consistent policy monitoring and enforcement (e.g. off-campus alcohol vs. off-campus marijuana)
- Alcohol penalties vs. Marijuana penalties
- Students, Staff, and Faculty on-campus inebriation as a result of off-campus use
- Notification of policy to staff, faculty, students, and public
- Advertising in school papers, athletic events
- Courses/Assignments focusing on Marijuana Industry
- Internships and Practica for Marijuana Related Businesses
- Donations/Funding/Development from Marijuana Industries



Policy Update



- When updating policy it is important to:
 - Indicate adherence to Federal Laws and Regulations
 - Inform of enforcement, monitoring, and sanctioning processes for on and off-campus policy violations
 - Clarify IHE's intent to regarding local and state policies
 - Educate students, staff, faculty, and families regarding this issue.



Questions?





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