

# TUSCULUM COLLEGE

## **Drug-Free Schools and Campuses Regulations Biennial Review: Academic Years 2012-2013 & 2013-2014**

Submitted  
April 24, 2015

In compliance with the EDGAR Part 86 – Drug and Alcohol Abuse Prevention (Education Department General Administrative Regulations as codified in the Electronic Code of Federal Regulations (current through March 27, 2015)

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## Introduction/Overview

In response to the requirements established by the Drug Free Schools and Communities Act of 1989 (DFSCA), Tusculum College has developed appropriate policies and implemented a diverse cross-section of programs focusing on drug and alcohol abuse prevention for students and employees. These Drug and Alcohol Abuse Prevention Programs (DAAPP) include passive, active, and responsive educational interventions with a scope from broad segments of the community to the individual. Further, the College provides for treatment and support as appropriate and where separation from the institution is not indicated for educational purposes or the maintenance of community values or safety.

A review of these policies and initiatives is conducted every other year by a broad group of College community members with responsibilities for implementing aspects of the DFSCA compliance. Each member of the group is responsible for:

- assisting in the examination of the effectiveness of DAAPP policies;
- evaluating related programs' strengths and limitations to ascertain further implementation and improvement objectives;
- promoting the development of both low-risk assessment and treatment interventions through on-site resources and referrals where high-risk indicators are present;
- facilitating communications between stakeholders who can advance the development of programming providing education and alternative engagement opportunities;
- assessing the accomplishment of the goals and objectives established through the previous biennial review; and
- exploring possible future endeavors for incorporation into the current biennial review goals and objectives.

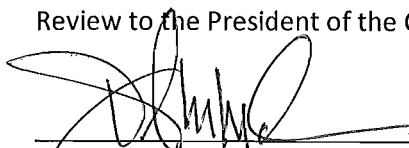
The Tusculum College Drug and Alcohol Abuse Prevention Program supports the core values of the College as reflected in its Mission to provide "a liberal arts education in a Judeo-Christian and civic arts environment, with pathways for career preparation, personal development and civic engagement." All students and employees benefit from an environment which promotes healthy lifestyle choices and which is conducive to academic and professional growth.

## Certification Signed by Chief Executive Officer

The Drug-Free Schools and Campuses Committee (DFSCC) met in March 2015 to assess the strengths and weaknesses of the programs and policies in place at Tusculum College to ensure compliance with the Drug-Free Schools and Communities Act (DFSCA). Understanding that 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" both on the institution's premises and as part of any of its activities, in order to comply with the DFSCA as per EDGAR Part 86, the Committee was able to verify that the Drug and Alcohol Prevention Programs (DAAPP) at Tusculum College satisfies all of the compliance expectations to that end, including that it:

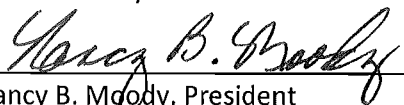
- Has provisions in the aforementioned policy addressing its mandatory distribution to all students and employees within two weeks of the start of each new semester (including summer terms) as well as its distribution to all new students and employees;
- Provides information regarding sanctions for violation of relevant federal, state, and local laws, as well as campus policy;
- Provides a description of the health risks associated with AOD (Alcohol and Other Drug) use;
- Provides information regarding available treatment and support programs for those seeking help with drug or alcohol problems;
- Conducts a review of College Drug and Alcohol Abuse Prevention Programs (DAAPP) and policy at the conclusion of each biennial period. (This report covers July 2012 through June 2014). The review is designed to ensure effectiveness of the policy and the programs which are in place as well as to recommend improvement measures and goals which may be pursued;
- Enforces DAAPP policies consistently and applies sanctions to improve compliance and impact growth. While there were insufficient cases of employee behavior to evaluate a pattern of action or impact, the response to student behaviors in the area of drug and alcohol abuse were consistent with the clearly communicated standards in the code of conduct while being tailored to the individual educational needs of the student given the context;
- Shows a correlation between the number of incidents indicating drug- and alcohol-related offenses occurring on campus by various areas and employees or students provided appropriate sanctions (corresponding to code guidelines) (note-statistics provided herein for evaluation purposes are provided without personally identifying information in recognition of FERPA and general confidentiality expectations, but are available for DOE inspection upon request); and
- Assesses the achievement of goals and objectives over the past biennium and establishes appropriate objectives for an institution of the College's nature.

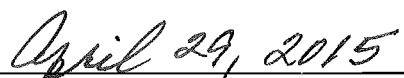
To guide the efforts of the DFSCC, the Committee utilized the compliance checklist provided by the U.S. Department of Education, Office of Safe and Drug-Free Schools, Higher Education Center for Alcohol and Other Drug Abuse and Violence Prevention, *Complying With the Drug-Free Schools and Campuses Regulations [EDGAR Part 86]: A Guide for University and College Administrators (see Appendix 1)* and made notation as to the College's satisfaction of each of the objectives therein provided. Through this examination and the preparation of this Biennial Review, the Committee has been able to determine that Tusculum College's DAAPP satisfies the expectations of the DFSCA and recommends this Biennial Review to the President of the College.

  
 David M. McMahan, Dean of Students  
 Chair of the Drug-Free Schools and Campuses Committee

4/29/15  
 Date

The President's Cabinet supports the drug and alcohol policies endorsed by the Tusculum College Board of Trustees and encourages any student or employee who may experience challenges in these areas to seek assistance through the identified channels so they may reach their full potential. The Tusculum College President's Cabinet reviewed the April 1, 2015 submission of this "Tusculum College Drug-Free Schools and Campuses Regulations Biennial Review: Academic Years 2012-2013 & 2013-2014" for evaluation as the official document to satisfy compliance expectations related to federal standards outlined in the Code of Federal Regulations implementing the Drug-Free Schools and Communities Act of 1989. Finding it to reflect an accurate review of the policies and programs in effect for the 2012-2014 period, this submission was accepted as the College's documentation as to satisfaction of compliance expectations related to federal standards outlined in the Code of Federal Regulations implementing the Drug-Free Schools and Communities Act of 1989 and the establishment of the goals and objectives for the next two years.

  
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 Nancy B. Moody, President  
 Tusculum College

  
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 Date

Signed copies distributed to:   \_\_\_ Dean of Students

                                         \_\_\_ Vice President for Enrollment Management & Marketing

                                         \_\_\_ Director of Financial Aid

                                         \_\_\_ Vice President/Chief Financial Officer

                                         \_\_\_ Assistant to the President for Planning and Institutional Effectiveness

                                         \_\_\_ Director of Corporate and Foundation Relations

                                         \_\_\_ Vice President for Institution Advancement

## Biennial Review Process

This Biennial Review examines Tusculum College's Drug and Alcohol Abuse Prevention (DAAPP) program for two academic years, from July 1, 2012 to June 30, 2014. In March 2015, David McMahan, Dean of Students, convened the following group of College representatives to form the Drug-Free Schools and Campuses Committee (DFSCC) and conduct the College's biennial review process:

- Jonita Ashley, Associate Dean of Students;
- Deborah Davis, Associate Director of Athletics;
- Tiffany Dearstone, Director of Behavior Education;
- Jonathon Gresham, Director of Campus Safety;
- Diane Hensley, Campus Health Educator;
- Jill Jones, Director of Academic Advising; and
- Mary Sonner, Director of Personnel Services.

Acknowledging that the Drug-Free Schools and Campuses Regulations (EDGAR Part 86) implementing the Drug-Free Schools and Communities Act (DFSCA) require an Institution of Higher Education (IHE) receiving any form of federal funding to adopt and implement a program "to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees", the DFSCC was charged to:

- review the following documents:
  - the Edgar Part 86 Regulations guidance (as provided for in the document produced by the U.S. Department of Education, Office of Safe and Drug-Free Schools, Higher Education Center for Alcohol and Other Drug Abuse and Violence Prevention, *Complying With the Drug-Free Schools and Campuses Regulations [EDGAR Part 86]: A Guide for University and College Administrators*);
  - the previous biennial report indicating objectives for the then forthcoming biennium, and
  - feedback from a recent evaluation of the College's efforts in this area.
- ensure the following compliance expectations are satisfied:
  - determine the effectiveness of the related policies and implement changes to the College's Drug and Alcohol Abuse Prevention Policy (DAAPP) as needed;
  - ensure that the sanctions related to the College's DAAPP are enforced consistently; and
  - provide annual written notification to both all students and all employees regarding:
    - standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol;
    - description of the legal sanctions and penalties under local, state, or federal law for the unlawful possession, use or distribution of illicit drugs and alcohol;
    - statements of the health risks associated with alcohol and other drug (AOD) abuse;
    - Information about drug or alcohol counseling, treatment, or rehabilitation or reentry programs available to students and/or employees; and
    - a clear statement that the institution will impose sanctions (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.

Additionally, the group evaluated recent program initiatives and policy and practice changes to achieve the following objectives/charges:

- the evaluation of all applicable policies and programs for compliance and effectiveness;
- the documentation of all recent, current and forthcoming prevention efforts to allow for assessment of practice efforts;

- the identification of areas of weakness and opportunities for growth in a comprehensive prevention strategy; and
- the evaluation of recent feedback to ensure compliance and the creation of aspirational objectives towards achieving a best practices program for an institution of the College's nature.

Tusculum College "Drug-Free Schools and Campuses Regulations Biennial Review" reports are maintained by the College through the Dean of Students Office and are kept for seven years from the date of issuance.

Copies of this "Drug-Free Schools and Campuses Regulations Biennial Review" report are available at the Dean of Students Office or through the College's Consumer Information disclosures webpage (<http://web.tusculum.edu/about/consumer-information/>). Individuals interested in receiving a copy may visit the above site, stop in the Dean of Students Office during regular business office and make a request or contact the Dean of Students at [studentaffairs@tusculum.edu](mailto:studentaffairs@tusculum.edu) .



## Annual Policy Notification Process

In order to comply with the Drug-Free Schools and Campuses Regulations, EDGAR Part 86, the procedures for the distribution of information regarding the College's Drug and Alcohol Abuse Prevention Policies utilizes a number of distribution formats to ensure awareness. The College looks first to the use of electronic delivery through the College's PIN-code protected email system which goes to the individual and is a primary mode of communication in use by the institution. This has been selected as the primary means of distribution as it is the most reliable method available to ensure that students who are taking classes off-campus, abroad, and on-line receive the policy information, as well as employees who work off-campus (teaching on-line classes, etc.) in order to ensure universal coverage. This distribution is facilitated through the inclusion of the DAAPP in the College's Annual Security Report and notification to the community with specific reference to its presence there. This delivery occurs on an annual basis within two weeks of the start of the fall semester. This system is utilized to delivery communications to all students enrolled for one class or more (transient, traditional, graduate and professional studies, residential, commuter, abroad, distance, hybrid and dual enrollment) and all employees (part-time, full-time and remote). The secondary approach employed is the distribution via the College's electronic notification system which is used as a redundant delivery system (*see Appendix 1 for a copy of the notification distributed to the community and see Appendix 2 for evidence of confirmed electronic receipt via the Pioneer Alert system to 3,396 unique e-mail addresses*). Those employees who do not have access to e-mail are provided access to the availability of this information through their weekly briefing meetings, but often have personal access via this system.

Additional distribution methods include:

For Students and Employees:

- the posting of the independent report on the College's Consumer Information disclosures webpage (<http://web.tusculum.edu/about/consumer-information/>);
- posting of the report as part of the Annual Security Report on the College's Campus Safety website (with specific notation as to its inclusion within the description for the link); and
- availability of electronic or printed copy of policy through the Dean of Students (Niswonger Commons Room225) either in person or via e-mail ([studentaffairs@tusculum.edu](mailto:studentaffairs@tusculum.edu)).

For Students:

- provision of information about the ASR and its contents (including the Biennial Report) and the specific link to access same on a printed handout at check-in (see Appendix 3);
- presentations about AOD high-risk behavior and vulnerability during the first weeks of school provided during traditional student orientation (see Appendix 4 referencing Sex Signals program where policy is addressed); and
- presentations about the student code of conduct and AOD policies and sanctions provided to traditional First Year students and Transfer students through orientation classes (see Appendix 5).

For Employees:

- provision of information about the ASR and its contents (including the Biennial Report) and the specific link to access same on a printed handout at annual faculty and staff fall training session; and
- presentations about the College's AOD policies and sanctions provided to new employees through orientation sessions.

## Policy Content and Compliance

The College's Drug and Alcohol Abuse Prevention Policy is provided herein with notation as to where it directly satisfies the following compliance expectations:

- **X1**- 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 ;
- **X2**-A description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol;
- **X3**-A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
- **X4**-A description of any drug or alcohol counseling, treatment or rehabilitation or re-entry programs that are available to employees or students; and
- **X5**-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.

### ***Tusculum College Drug and Alcohol Abuse Prevention Policy***

To maintain a safe and healthful environment for its students and employees, and in support of the Drug-Free Workplace Act of 1988 (41 U.S.C. Sec. 701 et seq.) and the Drug-Free Schools and Communities Act of 1989 (as amended) and its enabling legislation, the Drug-Free Schools and Campuses Regulations, EDGAR Part 86, Tusculum College policy prohibits the unlawful use, manufacture, possession, distribution, or dispensing of drugs ("controlled substances" as defined in the Controlled Substances Act, 21 U.S.C. 812) and alcohol on college property or during college activities (this applies to all on-campus activities and to all school-sponsored off-campus activities). **X1** The College may make their own investigation of any student or employee behavior which is reported and shall take appropriate action regardless of any external actions. The College will impose disciplinary sanctions on students and employees consistent with local, State, and federal laws for violation of this policy and related standards of conduct and all persons should be aware that violations could result in expulsion from the college, termination of employment, or referral for prosecution. **X5**

Beyond institutional accountability, individuals who violate this policy are also subject to criminal prosecution and there are substantial legal sanctions pursuant to local, state or federal law which may be levied against an individual for the unlawful use, possession, distribution or manufacturing of alcohol (including minor in possession or provision to minors) or an illicit drug or controlled substance. The State of Tennessee sets 21 as the minimum age to purchase or possess any alcoholic beverage. Legal sanctions for these offenses may include, but are not limited to, fines, incarceration, imprisonment, and/or community service requirements. Convictions become a part of an individual's criminal record and may prohibit certain career and professional opportunities. (21 U.S.C. 841 et seq.; T.C.A. 39-17-401 et seq.) (See the Appendices [Appendices 6 & 7] to this policy in the Annual Security Report for a current set of example sanctions for possession and trafficking illegal substances under Tennessee and Federal laws). **X2**

Aside from any college policy considerations, the use of illicit drugs and/or the abuse of alcohol may be harmful to your health. Use and abuse of alcohol and other drugs can lead to accident, injury, and other medical emergencies. Alcohol, especially in high doses, or when combined with medications or illegal drugs claims lives. Driving after drinking even relatively small quantities of alcohol can substantially increase one's risk of crash involvement. Even after just one drink, one may experience some loss of ability to think about complex problems or accomplish complex tasks. Drinkers also may lose some control over impulse behavior. To become dependent upon chemicals such as alcohol and/or illicit drugs is to put your health and life at risk. Chemical dependency is a condition in which the use of mood altering substances affect any area of life on a continuing basis. Medical research has established very strong evidence that alcohol abuse contributes significantly to cancer and heart disease. Evidence also links the use of illicit drugs to serious short- and long-term health problems. There is clear evidence of serious negative effects on babies due to the use of alcohol and illicit drugs by the mother. (See the Appendices [Appendix 8] to this policy in the Annual Security Report for additional health risk information regarding specific substances).**X3**

The College provides health and wellness services to inform students and employees about the dangers of drug and alcohol abuse. There are also short-term counseling and referral services available for students and employee assistance programs available for staff and faculty through the benefits plan. Voluntary participation in or referral to these services is strictly confidential. In addition to College resources, non-campus resources in the broader community are also available through hotlines and other medical facilities. (See the Appendices [Appendix 9] to this policy in the Annual Security Report for an updated list of resources/contacts).**X4**

The policy also provides for a biennial review process and designates the Vice President for Enrollment Management and Marketing as the institutional contact officer for this policy. (See Appendix 10).

### ***Code of Student Conduct Policies Further Addressing Alcohol and Drug Use***

Further expectations are established for students in the Code of Student Conduct under the "Illustrative Regulations", "Alcohol & Controlled Substance Policy", "Confiscation Policy", "Hazing Policy", "Posting Policy", "Sexual Harassment (Including Assault) Policy Statement and Reporting Procedures" and the "Smoking Policy" (see Tusculum College 2014-2015 Student Handbook, <http://web.tusculum.edu/life/pdf/StudentHandbook.pdf> and Appendix 11) and for employees in the "Drug and Alcohol Free Workplace", Ref. 8.03, p. 55, and "Smoking", Ref. 8.04, p. 57, policies (see Tusculum College Employee Handbook (Approved May 19, 2012), <http://www3.tusculum.edu/hr/wp-content/uploads/2014/12/Employee-Handbook-2015.pdf> and Appendix 12)).

### ***Varsity Athletics Drug Testing and Education Program***

Students who are varsity athletes fall under that area's "Drug Education and Screening Program". Under this program's structure, a representative from the Athletic Training Office meets with each sports team during the month of August (and on an individual basis as new team members are added to the squad) to distribute information about this policy. Each student-athlete receives a hard copy of the Drug Education and Screening Program (see Appendix 13) to review and is provided the opportunity to ask questions prior to signing the

consent form. The policy is also made available to each student-athlete via his/her individual *Sportsware* online account that is accessible throughout the year.

Under this policy, once an individual is sanctioned for a positive test (after appeals process if applicable), the head coach of that particular sport is to report the name of the student-athlete to the college's compliance office. The head coach and the compliance officer will review the athletic schedule to determine the number of suspended contests to be penalized (a minimum of 10%). In the event the percentage of suspended contests cannot be fulfilled before the academic year's end, the penalty will carry over to the next academic year.

## ***AOD Policy Compliance***

While allegations of staff and faculty policy infractions follow the progressive discipline standards outlined in the Employee Handbook, the student conduct process provides for process focused on education and restorative justice. Both informal and formal resolution processes can be employed to resolve allegations. In most cases, students chose to take ownership of their behavior and participate in fashioning an outcome which provides for the amelioration of the impact they have had on the community. When this is not possible or the student chooses otherwise, a hearing board constituted of community members reviews the allegations and information available and determines responsibility. If appropriate, the hearing board will fashion a sanction to mitigate the impact on the impact and educate the student as possible.

## **Disciplinary Sanctions and Rationale Options**

Available disciplinary sanctions range from a warning to permanent expulsion from the College. Sanctions are determined on the circumstances of the case, as well as the perceived learning needs of the student. The disciplinary sanctions for student violations of the standards of conduct are included in the Student Code of Conduct which are based on the following considerations:

- The nature of the violation
- Prior violations/conduct history of the student
- Relevant sanctions for similar cases
- Factors which will assist the student to learn from the experience and make different choices
- Impact to the campus community
- Student's learning style

## **Educational Sanctions**

In addition to warnings, probation, suspension and/or expulsion, often educational sanctions will be imposed such as:

- Community service hours
- Assessment of alcohol and drug use
- Counseling intervention
- Completion of individual educational programming or group therapy session
- Writing an essay, reflection paper, or community education tool

## **AOD Prevalence Rate, Incidence Rate, Needs Assessment and Trend Data**

The DFSCC looked at the effectiveness of the college's DAAPP and associated policies by measuring the prevalence of associated incidents and by looking at the data obtained from the administration of the CORE Survey Long Form.

### ***Alcohol and Other Drug Incidents Involving Students and/or Employees***

The college's AOD policy notes that violations of such are considered a serious offense that can result in a requirement for satisfactory participation in a drug or alcohol rehabilitation program, disciplinary action up to and including termination from employment and suspension or expulsion from the College, and referral for criminal prosecution. College policies also note that criminal conviction is not required for sanctions to be imposed upon a student for violations of college policy. For the period involved in this biennial review, the DFSCC looked at the number of employee and student incidents and found that there were no identified employee incidents and the student incidents were as follows (see Appendix 14 for sanction breakout information):

- In 2012-2013, there were 60 total alcohol-related incidents involving students that were addressed by the college and 47 in 2013-2014. Of these, 9 cases were cleared in 2012-2013 and 12 in 2013-2014, while the remainder resulted in accountability being established and various sanctioning measures being applied.
- In 2012-2013, there were 31 total drug-related incidents involving students that were addressed by the college and 12 in 2013-2014. Of these, no cases were cleared in 2012-2013 though 4 were in 2013-2014, with the remainder resulting in accountability being established and various sanctioning measures being applied.
- In examining recidivism issues, there were three students involved in repetitive alcohol incidents in the same year and three involved in drug incidents in the same year and one which was involved in both alcohol and then a drug incident. Between years, there was a student involved in repetitive alcohol incidents and two involved in repetitive drug incidents with another involved in an alcohol and then a drug incident.

### ***CORE Survey Long Form***

Tusculum College administers both locally and nationally developed surveys to measure student learning in the areas of alcohol and drug use and perceptions. Tusculum College uses the nationally vetted CORE Survey biennially. The CORE Survey is a product of the Southern Illinois University and, to date, has the largest database on alcohol and drug use at post-secondary institutions (CORE Institute, 2015). The CORE Survey was administered online at Tusculum College in the spring semesters of both 2011 and 2013 through a grant provided by the Tennessee Coalition for Healthy and Safe Campus Communities (CHASCO). The focus of the CORE survey is to "support sound quantitative assessments that inform and direct student life programming efforts for the benefits of students' health and welfare across the nation" (CORE Institute, 2015).

IRB approval was received prior to survey administration. Data were then collected from students over a two-week period with incentives for participation offered (*see Appendix 15 for a copy of the text solicitations for participation in the CORE and evidence of receipt*). The survey is a Likert-type scale measuring student attitudes, perceptions, and opinions about drugs and alcohol.

The data collected from Tusculum College students were used to inform program development regarding drugs & alcohol. Residence Life programs were designed to address areas that needed further attention (see Appendix 16).

The CORE Survey consists of over 90 questions measuring student learning. Responses that were incorporated into the Office of Student Affairs' assessment criteria for the 2012-13 calendar year included the following queries:

- During FY 2012-13, at least 50% of student respondents to the CORE survey will indicate agreement or strong agreement with the statement, "I abide by the university policy and regulations that concern alcohol and other drug use". (Counseling 1.1)
- During FY2011-12, 40% or less of student respondents to the CORE survey will indicate that the social atmosphere on the Tusculum College campus promotes alcohol use. (Counseling 2.1)

In addition to the CORE Survey, Tusculum College uses locally developed surveys consisting of 1-5 open-ended questions following programs related to alcohol or drug education. These are primarily collected through residence hall programming. Results are compiled to measure student knowledge of alcohol and drug use and student learning after attending the program. The results are compiled by the Office of Student Affairs and used to inform future programming. While each small survey created was specific to the content of the program presented, the data collected were evaluated under the following Student Affairs' assessment criteria:

- For FY2012-13 at least 75% of students who attend an alcohol/drug education program in the residence halls will indicate they "agree" or "strongly agree" that they have learned something they did not previously know about drinking responsibly. (Counseling 1.2)
- During FY 2012-13, all residence halls will host at least one program per semester regarding drug use and at least 75% of attendees will evidence learning after attending. (Counseling 3.1)
- During FY 2012-13 each residence hall will offer at least 3 programs on drugs and at least 75% of freshmen students will show improved learning regarding the negative consequences of drug usage. (Student Life 1.1)
- During FY 2013-14 Student Affairs will conduct a series of focus groups to explore factors associated with student perceptions of drug use on campus. As a result, publicity campaigns will take place to educate students so that 60% of a random sample evidences learning from a pre- and post-test. (Student Life 1.2)

Some key findings from the CORE Survey included:

Regarding the use of alcohol:

- 69.2% of the students consumed alcohol in the past year ("annual prevalence").
- 46.2% of the students consumed alcohol in the past 30 days ("30-day prevalence").
- 39.4% of underage students (younger than 21) consumed alcohol in the previous 30 days.
- 35.0% of students reported binge drinking in the previous two weeks. A binge is defined as consuming 5 or more drinks in one sitting.

Regarding the use of illegal drugs:

- 24.6% of the students have used marijuana in the past year ("annual prevalence").
- 14.4% of the students are current marijuana users ("30-day prevalence").
- 11.9% of the students have used an illegal drug other than marijuana in the past year ("annual prevalence").
- 4.2% of the students are current users of illegal drugs other than marijuana ("30-day prevalence").

## AOD Comprehensive Program /Intervention Inventory & Related Process and Outcomes/Data

### *Individual Based Programs/Interventions Offered on Campus*

- Individual Assessment programs
  - Individual personal counseling assessment on voluntary and sanction mandated basis (numbers unavailable due to privacy issues for voluntary engagement, but sanction profile available in separate section)
- Individual counseling and intervention programs
  - Individual personal counseling and referral for treatment (numbers unavailable due to privacy issues for voluntary engagement, but sanction profile available in separate section)
- Employee Assistance Program - referrals (numbers unavailable due to privacy issues)
- Referral programs to off-campus treatment providers for students (numbers unavailable due to privacy issues)

\*Note – upon extensive dialogue with counseling personnel, mandated counseling perceived to have limited efficacy due to straining relationship of referred party and counselor, so while counseling referrals are encouraged, mandating such is not first line of intervention employed unless health and welfare perceived at issue and student does not self-actualize need

### *Group Based Programs/Interventions Offered on Campus*

- Alcohol and other Drug Programs delivered during Orientation programming
  - Sex Signals – August 2012 & 2013 – guest presenters speak on sexual communications and address the impact of alcohol and drugs on consent and impairment (400+ in attendance at top-rated program)
  - Tusculum Experience – ever incoming student is exposed to an community standards and values which includes discussion of the illegal possession and use of alcohol and other drugs and the ramifications therefore (see Appendix 5 for excerpts from the Powerpoint presentation)
- Assessment Programming
  - National CORE Institute survey for college student drinking and drug use
- Group based programs delivered through housing (see Appendix 16 for 2013-2014 specific program description information)
- Workshops, seminars, etc. delivered
  - Drop Your Pride, Too Many Have Died - September 2013 - guest speaker Aaron Cocksey shared experience of drinking and driving resulting in loss of live (413+ attended [those were the number counted for credit for participation in Arts & Lecture program])
  - Just Yell Fire – February 2014 – program addressing dating violence covers significant information about alcohol and drugs and the impacts on consent and communications (37+ in attendance)

### *Universal or Entire Population Based Programs/Interventions Offered on Campus*

- Social Norms Marketing Campaigns
  - Participation in social norm marketing campaign in conjunction with Coalition for Safe and Healthy Campus Communities (CHASCo), a Tennessee higher education consortium – entire campus community exposed
- Awareness campaigns
  - National Alcohol Screening Day
  - Awareness Tables, Passive Program Brochures , Fliers and Posters
- Alcohol-Free Social Options

## **AOD Comprehensive Program Goals and Objectives for Biennium Period Being Reviewed**

The College's biennial review issued in November 2012, which covered the period from July 1, 2010 through June 30, 2012, established the following objectives:

### *Goal 1*

Based on the assessment of a rich diversity of programming and engagement and seemingly strong pattern of response, the College will look to continue its intervention approach at this point. The availability of grant funding cannot be depended upon, but the importance of the issue will continue to take prominence given the mission of the institution and the potential impact to this end. Tusculum College will continue to look at internal synergies to make the greatest impact on the community and will continue to pursue a strong relationship with CHASCo and other community support entities that support its outreach and intervention efforts.

### *Goal 2*

The CORE survey indicates our students are selecting a designated driver, eat before drinking, and demonstrating other measures which indicate they understand and are engaging in "responsible drinking". However, over 27% of our students indicated that they have engaged in drinking behavior which had a negative social or academic impact which indicates we have a need for stronger prevention measures.

### *Goal 3*

The CORE survey indicates that students still have a misperception about fellow students' alcohol use and that is the primary continued focus of Tusculum College's continued education efforts. Although national statistics show that less than 2% of college students drink every day, TC students perceived that 37% of their peers were doing so and we will continue to work to dispel such misperceptions.

## **AOD Goal Achievement and Objective Achievement**

### *Goal 1 Assessment*

AOD programming diminished somewhat over the last biennium as the relationship with CHASCo evolved with the change in personnel in the Health and Wellness area. Efforts from Athletics and other areas helped to buoy institutional commitment, but goal of continued high outreach and intervention maintenance not seen as fully actualized.

### *Goal 2 Assessment*

Tusculum students are reporting "problematic experiences" via the CORE Survey far below their reference group peers:



<u>This Institution</u>	<u>Reference Group</u>	<u>Experience</u>
0.0	1.3	Been arrested for DWI/DUI
6.1	11.5	Been in trouble with police, residence hall, or other college authorities
0.0	5.2	Damaged property, pulled fire alarms, etc.
10.5	21.8	Driven a car while under the influence
12.5	29.1	Got into an argument or fight

However, the goal established was that the College would reduce from 27% the number of students reporting negative social or academic impacts due to the use of **alcohol** and the CORE Survey indicates that this numbers have not changed significantly when inquiring into the impact of alcohol **and drug** use:

16.5 % reported some form of public misconduct (such as trouble with police, fighting/argument, DWI/DUI, vandalism) at least once during the past year as a result of drinking or drug use.

9.6 % reported experiencing some kind of serious personal problems (such as suicidality, being hurt or injured, trying unsuccessfully to stop using, sexual assault) at least once during the past year as a result of drinking or drug use.

Therefore, this goal appears not to have seen substantial progress achieved.

*Goal 3 Assessment*

While the average consumption of alcohol is less for students at Tusculum than the peers (2 drinks per week versus a national average of 4.6), the rate of binge drinking is still high at 35% (national average 43.9%). Therefore, while average individual consumption may look positive, high risk behavior is still unacceptable. Whether this is due to social norm perceptions of peer daily consumption was not ascertained, but this goal is not perceived as satisfied.

Summery Assessment: Overall, it is perceived that coordination of the institution’s DAAPP as defined in the previous DFSCA Biennial Report Goals and Objectives was not less not fully effective. However, the College applied itself to a strong AOD effort reflecting its recognition of the intuition’s DFSCA obligations by defining goals and learning objectives under-girding a strong DAAPP through the college’s strategic planning effort (see Appendix 17). While a lack of coordination is evidenced in the failure of the objectives to synchronize, the strong showing of the institution’s efforts to meet the expectations of the DFSCA can be seen in the outcomes of the CORE Survey as well.

**AOD SWOT/C Analysis**

The DFSCC found the following strengths and weaknesses in the college’s alcohol and other drug program.

**Strengths**

- The College has comprehensive policies related to alcohol and other drugs.
- AOD policies are regularly distributed via the Annual Security Report and available in various other means.

- Students, faculty, and staff have access to campus-based and community resources related to alcohol and other drugs.
- The College embraces an alcohol and drug-free policy and programs to provide healthful and engaging alternatives to counter the prevailing social standards/expectations.
- All student events and programs are alcohol and drug-free.
- Tusculum College has a counselor available to students who can provide access to alcohol and drug assessments and educational support.
- The College administers the CORE survey.
- The depth and number of programs/interventions for students provides substantial educational opportunities.
- Health insurance is available to all regular employees.
- There is an Employee Assistance Program (EAP) for all regular employees.

#### **Weaknesses**

- The college's alcohol and other drug program has no employee related goals.
- There is very limited programming for employees related to alcohol and other drugs.

### **Recommendations for next Biennium**

Based on its review of the college's alcohol and other drug program, the DFSCC makes the following recommendations:

- Increase alcohol and other drug programming for employees.
- Include employees in alcohol and other drug program goals.
- Review and revise the college's smoking and tobacco use policy.
- Continue the administration of the CORE survey.
- Look for grant funding for alcohol and other drug programming

### **Goals and Objectives for next Biennium**

- Promote Smoking Policy revision in light of new delivery systems (e.g. vapor) to revise as appropriate to preserve intention of maintaining healthful environment and promote wellness.
- Develop new sanctions programming for first time marijuana offenses
- Explore new awareness speakers/events for National Collegiate Alcohol Awareness Week
- Explore community partnership opportunities
- Develop peer education group and modules/programs
- Develop programs to engage distance education and adult orientation communities
- Develop staff and faculty intervention/outreach efforts

**Appendices**

## Appendix 1 - Annual Policy Notification E-Mail

The **Annual Tusculum College Security and Disclosure Report** contains a variety of helpful and informative material and is currently available upon request from the Campus Safety Office or the Office of Student Affairs (Niswonger Commons 222 & 223) or online at the following address:

[<http://www.tusculum.edu/life/safety/CampusSecurityandDisclosuresReport.pdf>](http://www.tusculum.edu/life/safety/CampusSecurityandDisclosuresReport.pdf)

This report addresses topics such as:

**-Campus Crime and Safety**--Reporting of Criminal Offenses, Voluntary Confidential Reporting, Confidentiality of Pastors & Counselors, Reporting of Incidents & Criminal Reporting to Law Enforcement, Campus Safety Personnel, Campus Safety Authority & Law Enforcement, Campus Facilities Access & Security, Response to Criminal and Other Behavior Off-Campus, Annual Crime Statistics Reporting, Weapons on Campus, Criminal History Investigations, Timely Reports & Campus Alert Bulletins, Safety Programming, and the Daily Crime Log;

**-Disability, Discrimination, and Equal Opportunity**--Nondiscrimination Statement, Handicap, and Sex Discrimination Grievance Policy/Procedures;

**-Drug Free Schools Act & Workplace**--the policy statement, health risks associated with the use of alcohol and controlled substances, criminal, and institutional sanction possibilities, and resources available for treatment;

**-Harassment Policies & Procedures**--Sexual Harassment (including Assault), Peer Harassment, Harassing Phone Calls, and Employee Harassment;

**-Campus Sex Crimes Prevention Act**-- Sex Offender Registration information;


**-Missing Persons**--Higher Education Act of 2008 for provision of emergency, confidential contacts; and

**-Fire Safety**--Higher Education Act of 2008 regarding fire policy statement, information, and annual campus fire reports.


If you have questions about this report, or problems accessing it either via the attached copy or the link, please contact Dr. Jonita Ashley-Pauley, Associate Dean of Students at (423) 798-7820 or [jpauley@tusculum.edu](mailto:jpauley@tusculum.edu)

Appendix 2 – Tracking of Notice Distribution Receipt Results

TUSCULUM COLLEGE



PIONEER ALERT

POWERED BY: 

Users

Groups

Alerts

Account

Admin Reports

ClientCast Messages (2)

Dashboard

Help

Log Out

Past Alerts

Alert Type:

All

Sent By:

All













Start:

09/29/2013 12:00 AM

End:

10/01/2013 12:00 AM

Go!

Edit	Alert Name (Subject)	Alert Type	Sent By	Sent	Message	View Results	Use as Draft
	Tusculum College Annual Security & Disclosure Report	Email	Jonita Ashley-Pauley	9/30/2013 4:19 PM		 (3396)	
	Zumba	Text Message	Sierra Sims	9/30/2013 1:43 PM		 (732)	
	Homecoming Photos	Text Message	Tiffany Dearstone	9/30/2013 1:42 PM		 (17)	

## Appendix 3 – Annual Policy Notification Handout

### Tusculum College Annual Policy Notification

The Annual Tusculum College Security and Disclosure Report contains a variety of helpful and informative material and is currently available upon request from the Campus Safety Office (Niswonger Commons Room 222) or on-line at the following internet address:

<http://www.tusculum.edu/life/safety/CampusSecurityandDisclosuresReport.pdf>

This report addresses such topics as:

- ***Campus Crime and Safety***—Reporting of Criminal Offenses, Voluntary Confidential Reporting, Confidentiality of Pastors & Counselors, Reporting of Incidents & Criminal Reporting to Law Enforcement, Campus Safety Personnel, Campus Safety Authority & Law Enforcement, Campus Facilities Access & Security, Response to Criminal and Other Behavior Off-Campus, Annual Crime Statistics Reporting, Weapons on Campus, Criminal History Investigations, Timely Reports & Campus Alert Bulletins, Safety Programming, and the Daily Crime Log;
- ***Disability, Discrimination and Equal Opportunity***—Nondiscrimination Statement, Handicap and Sex Discrimination Grievance Policy/Procedure;
- ***Drug Free Schools Act & Workplace***—the policy statement, health risks associated with the use of alcohol and controlled substances, criminal and institutional sanction possibilities, and resources available for treatment;
- ***Harassment Policies and Programming***—Sexual Harassment (Including Assault), Peer Harassment, Harassing Phone Calls, and Employee Harassment;
- ***Campus Sex Crimes Prevention Act***—Sex Offender Registration information;
- ***Student Records Policy***—Family Education Rights and Privacy Act/FERPA or Buckley Amendment rights to: inspect and review the student's education records, request the amendment of the student's education records, consent to disclosures of personally identifiable information, restrict the release of certain types of personally identifiable information, file a complaint with the U.S. Department of Education;
- ***Missing Persons***—Higher Education Act of 2008 provision for emergency, confidential contacts
- ***Immunization***—State requirements and policy statement; and the
- ***Fire Safety***—Higher Education Act of 2008 regarding fire policy statement, information and annual campus fire report.



Appendix 4 – Sex Signals Announcement

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**Monday 8/18-Games Across Campus**  
**SCAVENGER HUNT CONTINUES! GRAND PRIZE: PIGEON FORGE**  
Billiards Tournament Katherine Game Room @ 1pm,  
Pioneer Gym Four Square Tourny @ 3pm,  
Cornhole Tournament @ 5pm  
Game Room, Gym, & Giant Games available 10am-5pm

**Monday 8/18- Casino Night**  
8pm - Pioneer Gym

**Tuesday 8/19-Games Across Campus**  
**SCAVENGER HUNT-FINAL DAY! GRAND PRIZE: PIGEON FORGE**  
Spades Tournament Katherine Game Room @ 1pm,  
Pioneer Gym Dodgeball @ 3pm,  
Volleyball Tournament @ 5pm  
Game Room, Gym, & Giant Games available 10am-5pm

**Tuesday 8/19- Taste of Tusculum**    **Tuesday 8/19- Football Scrimmage &**  
6pm - Niswonger Arches                      **Scavenger Hunt End**  
8pm - Upper Practice Fields

**Wednesday 8/20 Glow Light Dance Party**  
8pm - Apartments

**Thursday 8/21-Poster Sale**  
All Day - Niswonger Arches

**Thursday 8/21-Coffeehouse Series**                      **Thursday 8/21-Sex Signals**  
6pm - Pioneer Perk                                      8pm - Annie Hogan Byrd  
Attendance Required

**Friday 8/22- Movie on the Lawn**  
9pm - Library Bowl

Appendix 5 – Tusculum Experience Presentation Excerpts

KNOW THE  
CODE

INTEGRITY • RESPECT • RESPONSIBILITY

Behavior Education

Tiffany N. Hutton

Coordinator for Behavior Education

Jon Gresham

Director of Campus Safety

Drinking on College Premises

- Tusculum College is a dry campus – meaning we do not allow the possession and/or consumption of alcohol or alcohol paraphernalia in or on any of the college facilities.
- Students who are underage, drunk, and/or a disturbance to the community while under the influence of any alcohol substance will face accountability.





## Controlled Substances

- Some states have legalized Marijuana – Tennessee has NOT. Therefore, the possession and/or use of any substance that alters one's mental state or substance paraphernalia is prohibited in and on any college property. If you have a prescription from another state, it will not work in Tennessee.



## What Happens...

- What happens if you are suspended from college?
  - First, all information must be disclosed to any future college that student applies to;
  - Any Financial Aid monies borrowed will have to be paid in full to the federal government in order to return to any college.



## How can your actions affect your future?

- Your behavior in college could affect your career!
  - Numerous times a year private investigators come to see if a previous student had any behavior issues while in college as these alumnae are applying for jobs within the military, federal or state government, or other similarly sensitive positions.
    - Can we release information to the investigators? Yes, once we have a signed document from you releasing your information.
  - Several times a student's past judicial history has prevented them from either moving up in their job or getting a job.



Appendix 6 – State of Tennessee Penalties for Drug Crimes

State of Tennessee Drug Penalties				
Simple Possession of these Drug Types				
Schedule	Drug Type	Simple Possession	Sentencing Guidelines	Fine
I	Any Schedule I Drug*see Tennessee Drug Schedule	Class B Felony	8 to 30 years imprisonment	\$100,000
II	Methamphetamine or Cocaine	Class A Misdemeanor	11 months 29 days	\$2,500
	Methamphetamine or Cocaine	Class A Misdemeanor	11 months 29 days	\$2,500
	Any other SCH II Drug	Class A Misdemeanor	11 months 29 days	\$2,500
III	Any Stimulant Drug *see Tennessee Drug Schedule	Class A Misdemeanor	11 months 29 days	\$2,500
IV	Flunitrazepam	Class A Misdemeanor	11 months 29 days	\$2,500
	Any other Narcotic Based Drug*see Tennessee Drug Schedule	Class A Misdemeanor	11 months 29 days	\$2,500
V	Narcotic based drug which contain a nonnarcotic active ingrediant	Class A Misdemeanor	11 months 29 days	\$2,500
VI	Marijuana; Hashish; THC oil	Class A Misdemeanor	11 months 29 days	\$2,500
	Marijuana; Hashish; THC oil	Class A Misdemeanor	11 months 29 days	\$2,500
	Marijuana; Hashish; THC oil	Class A Misdemeanor	11 months 29 days	\$2,500
VII	Butyl nitrite and any isomer of Butyl nitrite	Class A Misdemeanor	11 months 29 days	\$2,500
Manufacture; Delivery; Sell; or Possession with intent to Manufacture, Deliver or Sell				
Schedule	Drug Type	Manufacture; Deliver; Sell; or Possess with intent	Sentencing Guidelines	Fine
I	Any Schedule I Drug*see Tennessee Drug Schedule	Class B Felony	8 to 30 years imprisonment	\$100,000
II	Methamphetamine or Cocaine	0.5+ grams - Class B Felony		\$100,000
	Methamphetamine or Cocaine	0 to 0.4 grams - Class C Felony	3 to 15 years imprisonment	\$100,000
	Any other SCH II Drug	Class C Felony	3 to 15 years imprisonment	\$100,000
III	Any Stimulant Drug *see Tennessee Drug Schedule	Class D Felony	2 to 12 years imprisonment	\$50,000
IV	Flunitrazepam	Class C Felony	3 to 15 years imprisonment	\$100,000
	Any other Narcotic Based Drug*see Tennessee Drug Schedule	Class D Felony	2 to 12 years imprisonment	\$50,000
V	Narcotic based drug which contain a nonnarcotic active ingrediant	Class E Felony	1 to 6 years imprisonment	\$5,000
VI	Marijuana; Hashish; THC oil	0.5 ounces (14.175 grams) to 10 lbs (4535 grams); or non-leafy resinous material up to 2 lbs. (905 grams) - Class E Felony	1 to 6 years imprisonment	\$5,000
	Marijuana; Hashish; THC oil	10 lbs. (4535 grams) to 70 lbs. (31,696 grams) or non-leafy resinous material 2 lbs. to 4 lbs.; or 10 to 19 plants (reg. of weight) - Class D Felony	2 to 12 years imprisonment	\$50,000
	Marijuana; Hashish; THC oil	4 lbs. 1 oz to 8 lbs. of non-leafy resinous material; or 20 to 99 plants (reg. of weight) - Class C Felony	3 to 15 years imprisonment	\$100,000
VII	Butyl nitrite and any isomer of Butyl nitrite	Class E Felony	1 to 6 years imprisonment	\$1,000

Appendix 7 – Federal Penalties for Drug Crimes

Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)				
Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	<b>First Offense:</b> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.  <b>Second Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	Cocaine 5 kilograms or more mixture	<b>First Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.  <b>Second Offense:</b> Not less than 20 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.  <b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl  40-399 grams mixture		Fentanyl  400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	
Substance/Quantity		Penalty		
Any Amount Of Other Schedule I & II Substances		<b>First Offense:</b> Not more that 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.  <b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Any Drug Product Containing Gamma Hydroxybutyric Acid				
Flunitrazepam (Schedule IV)				
Any Amount Of Other Schedule III Drugs		<b>First Offense:</b> Not more than 10 yrs. If death or serious bodily injury, not more that 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.  <b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)		<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.  <b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
Any Amount Of All Schedule V Drugs		<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. <b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances	
Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants	<b>First Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual. <b>Second Offense:</b> Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants	<b>First Offense:</b> Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual. <b>Second Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50million if other than an individual.
Marijuana 50 to 99 kilograms marijuana mixture,  50 to 99 marijuana plants	<b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual. <b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Hashish  More than 10 kilograms	
Hashish Oil  More than 1 kilogram	
Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants	<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.  <b>Second Offense:</b> Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.
Hashish  10 kilograms or less	
Hashish Oil  1 kilogram or less	

## Appendix 8 – Health Risks Associated with AOD Usage

Alcohol and drug use is prohibited not simply because it is against the law, but because of the demonstrated health risks associated with use. While the following list is not exhaustive, it serves to demonstrate the range of potential hazards associated with illicit drug and alcohol use.

Information about the health risks of drug use and abuse can be accessed through the following web site: <http://www.nida.nih.gov>

- ALCOHOL - Loss of concentration and judgment, slowed reflexes; disorientation leading to higher risk of accidents and problem behavior; risk of liver and heart damage, malnutrition, cancer and other illnesses; can be highly addictive to some persons.
- AMPHETAMINES - Can cause rushed, careless behavior - pushing beyond your physical capacity, leading to exhaustion; tolerance increases rapidly; causes physical and psychological dependence; withdrawal can result in depression and suicide; continued high doses can cause heart problems, infections, malnutrition, and death.
- CANNABIS - Causes permanent damage to lungs, reproductive organs and brain function; slows reflexes; increases forgetfulness; alters judgment of space and distance.
- COCAINE - Causes damage to respiratory and immune systems; induces malnutrition, seizures and loss of brain function. Some forms (such as "crack") are highly addictive.
- HALLUCINOGENS (PCP, LSD, Ecstasy) - Causes extreme distortions of what's seen and heard; induces sudden changes in behavior, loss of concentration and memory; increases risk of birth defects in user's children; overdose can cause psychosis, convulsions, coma, and death. Frequent use can cause permanent loss of mental function.
- NARCOTICS - (Heroin, morphine, opium, codeine) Tolerance increases rapidly; causes physical and psychological dependence; overdose can cause coma, convulsions, respiratory arrest, and death; leads to malnutrition, infection and hepatitis; sharing needles is a leading cause of the spread of HIV and Hepatitis; highly addictive.
- SEDATIVES - Tolerance increases rapidly; produces physical and psychological dependence; causes reduced reaction time, and confusion; overdoses can cause coma, respiratory arrest, convulsions, and death; withdrawal can be dangerous; in combination with other controlled substances can quickly cause coma and death.

Health risks generally associated with alcohol and drug abuse can result in but are not limited to a lowered immune system, damage to critical nerve cells, physical dependency, lung damage, heart problems, liver disease, physical and mental depression, increased infection, irreversible memory loss, personality changes, and thought disorders.

Despite the fact that it is illegal for most college students to purchase alcoholic beverages, experience with and consumption of alcohol is widespread among this audience. According to the 2009 Monitoring the Future Study, in their lifetime, 83% of college students have tried alcohol at least once and 69% report they have been drunk. More important, perhaps, is the occurrence of binge drinking – 36% of college students report having consumed five or more drinks in a row at least once in the two-weeks prior to completing the survey. Trends in alcohol consumption among college students continue to slowly decline across all prevalence rates measured – from 1991 to 2009 annual consumption declined 10%, monthly alcohol

consumption has declined 12% and binge drinking among college students has declined even more over this same period of time – down 14% from 43% to 37% in 2009. By comparison, 44% of college students reported in the 2009 National Survey on Drug Use and Health that they had engaged in binge drinking, and 16% reported episodes of heavy drinking, that is, binge drinking on five or more occasions in the past month. The Monitoring the Future Study (2005-2009) revealed 14% of college students reported they have consumed 10 or more drinks in a row at least once in the past two weeks and 5% reported consuming 15 or more drinks in a row. (Source: NIDA, Monitoring the Future, 1975-2009: Volume II, College Students and Adults Ages 19-50, 2010)

The safety risks due to the abuse of alcohol and other drugs are significant, especially for college age students. The leading cause of death for college age students is alcohol-related car crashes. The number one reason for hospital admissions for college-age students is alcohol-related injury and overdose. In addition, the general statistics relating to adult drowning, death by fire, and violent crime including sexual violence, are strongly related to the abuse of alcohol and other drugs.

Some of the physical effects of alcohol/other drug abuse can include: damage to the liver, heart and pancreas; digestive irritations; malnutrition; sexual problems; high blood pressure; brain damage and mental impairments (including negative effects on perception, information processing, learning, judgment, reaction time, sound processing and peripheral vision); increased risk of cancer, heart attack and stroke; and infections in general. Pregnant women who drink may produce a fetus with fetal alcohol syndrome who is small, mentally retarded or has defects of the heart or other organs.

A major consequence of alcohol or other drug abuse may cause the development of an addiction. While almost anyone may develop an addiction, some students are more vulnerable than others due to inherited biological factors. In particular, students whose parents or grandparents had an alcohol or other drug problem, may develop an addiction more quickly and easily than other students.

Alcohol or drug addicted students suffer from arrested development with the onset being at the age they began using. Alcohol or drug addicted students may cease growing intellectually and emotionally and may never learn to cope with problems constructively, but attempt instead to avoid and compound problems by getting “high”. Combinations of various drugs cause side effects which can be fatal.

Tusculum College is committed to increasing awareness about alcohol/drug issues, to prevention strategies that discourage irresponsible and illegal use, and to providing ongoing support for those individuals who have decided not to use alcohol and illegal drugs.

**Appendix 9 – Support Resources & Contact Information**

- Alcoholics Anonymous (423) 638-5578
- Council on Alcoholism and Drug Dependence (423) 638-5578
- CONTACT Ministries (no charge) (423)-926-0144
- Frontier Health (423) 639-7772
- Horizon Recovery Center (423) 636-2446
- Narcotics Anonymous (423) 337-3800
- Woodridge Hospital (423)-928-7111
- Nolichucky Holston Area Mental Health (423) 639-1104
  
- Alcoholics Anonymous <http://www.aa.org>
- Al-Anon <http://www.nycalanon.org>
- Focus on Recovery Helpline (alcohol/drugs) 1-800-374-2800 or 1-800-234-1253
  
- 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



Appendix 10 –Tusculum College Drug and Alcohol Abuse Prevention Policy

TUSCULUM COLLEGE		POLICIES & PROCEDURES	
Drug and Alcohol Abuse Prevention Policy			
Reference Number	Cabinet Officer Board Approval	Effective Date	Page
5-115-100			1 of 3
Contact Officer -Vice President for Enrollment Management and Marketing			

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- 41
1.

Overview

The purpose of this policy is to provide and maintain a safe, healthy and productive environment for all students, employees, and guests.
2.

Application

This policy applies to all members of the Tusculum College community - students, staff, faculty, and guests.
3.

Definitions

3.1

Property - in any public or private space in or on real property in which Tusculum College has an ownership interest or which is otherwise operated by the institution (including, but not limited to, the academic, residential, athletic, social, and auxiliary spaces either directly contiguous to or detached from the main or satellite campus facilities).

3.2

Event - any activity sponsored or co-sponsored by Tusculum College or one of its affiliated entities or organizations (including but not limited to recruitment, athletic, or community activities).
4.

Policy

4.1

To maintain a safe and healthful environment for its students and employees, and in support of the Drug-Free Workplace Act of 1988 (41 U.S.C. Sec. 701 et seq.) and the Drug-Free Schools and Communities Act of 1989 (as amended) and its enabling legislation, the Drug-Free Schools and Campuses Regulations, EDGAR Part 86, Tusculum College policy prohibits the unlawful use, manufacture, possession, distribution, or dispensing of drugs ("controlled substances" as defined in the Controlled Substances Act, 21 U.S.C. 812) and alcohol on college property or during college activities (this applies to all on-campus activities and to all school-sponsored off-campus activities). The College may make their own investigation of any student or employee behavior which is reported and shall take appropriate action regardless of any external actions.

4.2

The College will impose disciplinary sanctions on students and employees consistent with local, State, and federal laws for violation of this policy and related standards of conduct and all persons should be aware that violations could result in expulsion from the college, termination of employment, or referral for prosecution.



## TUSCULUM COLLEGE

## POLICIES &amp; PROCEDURES

Drug and Alcohol Abuse Prevention Policy			
Reference Number	Cabinet Officer Board Approval	Effective Date	Page
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- 42 4.3 Beyond institutional accountability, individuals who violate this policy are  
 43 also subject to criminal prosecution and there are substantial legal sanctions  
 44 pursuant to local, state or federal law which may be levied against an  
 45 individual for the unlawful use, possession, distribution or manufacturing of  
 46 alcohol (including minor in possession or provision to minors) or an illicit  
 47 drug or controlled substance. The State of Tennessee sets 21 as the minimum  
 48 age to purchase or possess any alcoholic beverage. Legal sanctions for these  
 49 offenses may include, but are not limited to, fines, incarceration,  
 50 imprisonment, and/or community service requirements. Convictions become a  
 51 part of an individual's criminal record and may prohibit certain career and  
 52 professional opportunities. (21 U.S.C. 841 et seq.; T.C.A. 39-17-401 et seq.)  
 53 (See the Appendices to this policy in the Annual Security Report for a current  
 54 set of example sanctions for possession and trafficking illegal substances  
 55 under Tennessee and Federal laws).
- 56
- 57 4.4 Aside from any college policy considerations, the use of illicit drugs and/or  
 58 the abuse of alcohol may be harmful to your health. Use and abuse of alcohol  
 59 and other drugs can lead to accident, injury, and other medical emergencies.  
 60 Alcohol, especially in high doses, or when combined with medications or  
 61 illegal drugs claims lives. Driving after drinking even relatively small  
 62 quantities of alcohol can substantially increase one's risk of crash  
 63 involvement. Even after just one drink, one may experience some loss of  
 64 ability to think about complex problems or accomplish complex tasks.  
 65 Drinkers also may lose some control over impulse behavior. To become  
 66 dependent upon chemicals such as alcohol and/or illicit drugs is to put your  
 67 health and life at risk. Chemical dependency is a condition in which the use of  
 68 mood altering substances affect any area of life on a continuing basis. Medical  
 69 research has established very strong evidence that alcohol abuse contributes  
 70 significantly to cancer and heart disease. Evidence also links the use of illicit  
 71 drugs to serious short- and long-term health problems. There is clear evidence  
 72 of serious negative effects on babies due to the use of alcohol and illicit drugs  
 73 by the mother. (See the Appendices to this policy in the Annual Security  
 74 Report for additional health risk information regarding specific substances).
- 75
- 76 4.5 The College provides health and wellness services to inform students and  
 77 employees about the dangers of drug and alcohol abuse. There are also short-  
 78 term counseling and referral services available for students and employee  
 79 assistance programs available for staff and faculty through the benefits plan.  
 80 Voluntary participation in or referral to these services is strictly confidential.  
 81 In addition to College resources, non-campus resources in the broader  
 82 community are also available through hotlines and other medical facilities.  
 83 (See the Appendices to this policy in the Annual Security Report for an  
 84 updated list of resources/contacts).

## TUSCULUM COLLEGE

## POLICIES & PROCEDURES

## Drug and Alcohol Abuse Prevention Policy

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## 85      5.      Procedures

86 Reserved.

## 88      6.      Forms

90 Reserved.

## 92 7. Frequency of Review and Update

93 This policy shall be reviewed biennially in conjunction with the DFSCA  
94 Biennial Review process unless changes in laws or college business needs  
95  require a different review/revision schedule.

Review Timeline & Modification History		Next Review Date -
Modification Details	Date	Cabinet Officer/Board Approval

Appendix 11 –Relevant Code of Student Conduct Policies

Illustrative Regulations

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3. Alcohol and Controlled Substances

Note - Being under the influence of alcohol or other drugs does not diminish individual or corporate responsibility for a violation of the Code of Student Conduct; and offenses under this section should reflect the sanction guidelines established in the Alcohol and Controlled Substance Policy Enforcement Procedures.

- a. Unauthorized possession (including constructive possession), distribution or consumption of alcoholic beverages or paraphernalia as established through the Tusculum College Alcohol Policy;
- b. Public intoxication, presenting a threat to oneself or others, or engaging in disruptive behavior due to being under the influence of alcoholic beverages;
- c. Possession (including constructive possession), use, or trafficking in controlled substances or other violations of the Tusculum College Controlled Substance Policy;
- d. Use of cigars, incense, flavored or scented cigarettes, candles, smudge sticks of other substances which cause a scent perceivable as marijuana or masking the use of same will provide sufficient indicia to justify a search of any items on College property and can result in the student being found responsible for a violation of the Controlled Substances Policy as olfactory (smell) evidence is sufficient evidence to support a finding of responsibility;
- e. Smoking of any substance outside of a designated smoking area (there is no smoking permitted in any building on a Tusculum campus or in vehicles of the College); and
- f. In addition to the foregoing regulations in this section, inhaling or ingesting any substance(s) that can or does have the effect of altering one's mental state (unless in compliance with a legal prescription).

Alcohol & Controlled Substance Policy

1. Alcohol

Tusculum College recognizes that the use of alcohol tends to have a deleterious effect on educational attainment and that students may deal with issues involving chemical dependency. Therefore, the College strives to provides education and assistance to students. Chemical dependency is a serious illness which can be treated successfully if identified early, if appropriate referral to community agencies is made, and if adequate support is afforded to those in the recovery process.

Possession or manufacture, sale, use, consumption, or delivery of alcoholic beverages or paraphernalia associated with the use of alcohol on College property



or at College sponsored events is prohibited unless specifically provided for by the President of the College. Paraphernalia includes, but is not limited to: the public display of signs, posters or other objects with references to alcohol, accumulations of containers (i.e., bottles, cans, kegs, and boxes), bongs for drinking: “bar-like” structures, taps, kegs, or waste containers in excess of 5 gallons. The entire campus community is expected to promote and enforce a sense of personal responsibility and exhibit responsible behavior toward the consumption of alcohol. In addition to seeking to support student treatment and education, the College reserves the right to initiate disciplinary procedures to maintain a healthy educational environment.

## 2. Controlled Substances

As an institution within the State of Tennessee, Tusculum College is committed to encouraging compliance with all state and local laws. Tusculum College is unalterably opposed to the illegal possession and/or improper use of hallucinogens, drugs, and narcotics by all members of the College community. In keeping with Tennessee and federal laws which prohibit the use, possession, sale or offering for sale of narcotics and hallucinogens - including marijuana - Tennessee laws prohibiting improper possession, use and sale of drugs - amphetamines and barbiturates - Tusculum College will encourage and cooperate in the enforcement of these laws including possible prosecution of its students or employees by local law enforcement agencies.

The College reserves the right to inspect any and all parcels brought onto campus, to confiscate alcoholic beverages or other controlled substances and to initiate disciplinary procedures. Tusculum respects each student’s right to privacy, but reserves the right to inspect students’ rooms and packages as outlined in the housing agreement.

The following constitute violation of College policy:

- a. Use of non-prescribed hallucinogens, drugs, or narcotics - including those prescribed to others (note- olfactory evidence is permissible evidence in a drug hearing and is sufficient to establish a violation);
- b. Possession of any materials as outlined above as well as possession of drug-related paraphernalia - including constructive possession of the aforementioned (constructive possession provides that being in close proximity to prohibited items is enough to justify accountability as a hearing could conclude that the prohibited items could have belonged to them. Accountability based on constructive possession often results when prohibited items are found in a residence or in a room within a residence, and more than one person is present who could arguably be the owner of the prohibited items. This approach prevents students in violation from merely removing prohibited items from their personal possession upon imminent confrontation by College officials. Practically speaking, as it relates to College students, constructive possession means that students should be aware of their surroundings and avoid situations where prohibited items may be present, even if the student does not actually intend to use or handle the prohibited items personally. Assuming or trusting

that a friend or acquaintance will take the responsibility for any prohibited items found has proven to be a critical mistake for many students);

- c. Improper use of prescription medications.
- d. Trafficking in these items, described in paragraphs 1, 2, and 3 above, whether procuring, giving, selling, or causing to be procured, shared, given or sold.

### 3. Enforcement

It is the responsibility of each member of the Tusculum College community to uphold the standards and regulations of the College. Each individual is responsible for creating and keeping an academic and social environment which provides a comfortable atmosphere and which encourages good will and trust among all members of the campus community. To prevent the abuse of the standing alcohol and drug policy, the following enforcement procedures are maintained. Violations of the College alcohol policy may result in the following minimum sanctions:

#### a. Individual Non-Disruptive Alcohol Violations

##### i. First Offense

For students under the age of 21, a parental contact letter detailing incident written by student for file and future delivery upon subsequent offense;

A monetary fine of \$100; and

- alcohol education module completion and 5 hours community service project to be determined and monitored by the Office of Student Affairs; or
- 2 page typed reflection paper and 10 hours community service project to be determined and monitored by the Office of Student Affairs.

If the violation took place at social event, see organization and event violations policy later in this subsection.

##### ii. Second Offense

Monetary fine of \$200, six month probation, parental contact letter for student under the age of 21 detailing incident written by student for file and future delivery upon subsequent offense, and Alcohol Education/ Counseling Assessment (\$10 administrative fee).

#### b. Individual Disruptive or Repetitive (3rd or Greater) Alcohol Violation

Monetary fine of \$300, participation in substance abuse counseling class and/or assessment (includes a \$50 administrative fee), 25 community service hours, parental contact letter sent for students under the age of 21, and minimum of 6 month suspension (may be deferred upon consideration of potential for remediation). If the violation took place at social event, see organization and event violations policy later in this subsection.

#### c. Controlled Substance Policy Violation

All violations of the Controlled Substance Policy will result in referral to the appropriate judicial board for adjudication and recommendation of sanction, but standard benchmark should include monetary fine of \$500, participation in substance abuse counseling assessment (includes a \$50 administrative fee), follow-up substance abuse treatment plan inclusive of individual and group therapy (NA) methodologies as determined appropriate; 50 community service hours, parental contact letter sent for student under the age of 21, and minimum of 6 month suspension (may be recommended for deferral upon consideration of potential for remediation).

d. Organization and Event Violations

If an individual is in violation of the alcohol or controlled substance policies at a social event, that individual will face sanctions in accordance with the guidelines above as well as being prohibited from attending another social event for a minimum of 90 academic school year days.

Sanctions for a recognized student organization or group that is found to be responsible for hosting an event that violates the alcohol or controlled substance policy will be assessed a minimum of a \$300.00 fine and a period of social probation during which the organization or group may not host a social event for a minimum of 90 academic school year days.

Sanctions for an unregistered event or for subsequent registered event offenses during a calendar year or while on probation, may result in suspension or revocation of the group's charter, a \$500 fine and they may be prevented from hosting an event on campus for a minimum of six months to be served immediately during the current or subsequent academic year, as appropriate. Sanctions are to be served during months which are in the academic year and may be carried over to the following academic year. (For example, a sanction of three months set in April will apply for 90 school days in April, May, August and September.)

4. Alcohol & Drug Risk Information

The general health risks related to alcohol and other drug abuse may be immediate or build for some time. Some of the physical effects of alcohol/other drug abuse can include: damage to the liver, heart and pancreas; digestive irritations; malnutrition; sexual problems; high blood pressure; brain damage and mental impairments (including negative effects on perception, information processing, learning, judgment, reaction time, sound processing and peripheral vision); increased risk of cancer, heart attack and stroke; and infections in general. Alcohol is the drug of choice for many of those students who abuse drugs. Alcohol is a central nervous system depressant which slows down respiration. Alcohol abuse/dependence can ultimately rob a person of self-control which eventually can lead to broken relationships, loss of jobs, self-esteem, self-respect and even suicide. Alcohol problems can also lead to legal problems such as domestic violence and even criminal offenses and incarceration. Pregnant women who drink may produce a fetus with fetal alcohol syndrome who is small, mentally retarded or has defects of the heart or other organs.

College students who engage in alcohol/other drug abuse also report experiencing a continuum of other unpleasant consequences and behaviors including hangovers, vomiting, accidents and injuries, blackouts, fights, missing classes, lower grades, damaging property, pulling fire alarms and other disciplinary problems which can result in suspension from school. Thus, alcohol/other drug abuse can contribute to academic failure and misconduct.

**A major consequence of alcohol or other drug abuse may cause the development of an addiction. While almost anyone may develop an addiction, some students are more vulnerable than others due to inherited biological factors. In particular, students whose parents or grandparents had an alcohol or other drug problem, may develop an addiction more quickly and easily than other students. Alcohol or drug addicted students may cease growing intellectually and emotionally and may never learn to cope with problems constructively, but attempt instead to avoid and compound problems by getting “high”. Combinations of various drugs cause make the effects of each stronger (potentiation) and can be fatal.**

**Tusculum College is committed to increasing awareness about alcohol/drug issues, to prevention strategies that discourage irresponsible and illegal use, and to providing ongoing support for those individuals who have decided not to use alcohol and illegal drugs.**

### **Medical Amnesty**

Tusculum College is dedicated to creating a community of educated individuals focused on personal responsibility and sound decision-making. As a part of this process, the College community is committed to providing guidance so that students can learn to develop a responsible approach to social challenges. The College recognizes that there may be times when students face medical emergencies involving excessive drinking and/or drug use. In such cases, if an individual seeks assistance due to a medical emergency, Tusculum College will not pursue disciplinary sanctions against the student for consumption or possession of alcohol or drugs.

Medical Amnesty applies only to the possession or consumption of alcohol and drugs. It does not preclude disciplinary sanctions due to any other violation of the Code of Student Conduct. Other such violations include, but are not limited to, assault, property damage or distribution of illicit substances (including possession of an amount appropriate for distribution). Additionally, the Policy does not prevent action by police, other law enforcement personnel, or other third parties.

Tusculum College Medical Amnesty Policy is applicable to:

- A student requesting medical assistance for oneself; or
- A student(s) seeking medical assistance for another person

If a student/group calls on behalf of another student, that student/group is required to remain with the student experiencing the emergency until medical attention arrives.

Please note that Medical Amnesty **will not be granted to students who do not seek medical assistance**, and that students who are confronted by College staff or another third party will be referred to the Office of Student Affairs for disciplinary



action. The student needing medical assistance will be required to meet with student conduct personnel and in lieu of disciplinary sanctions, may be expected to complete the following:

- A mandatory meeting with the Director of Health Education or other educational referrals
- Responsibility for costs associated with hospital transportation, treatment, assessment, or damage
- Parental notification

Please note that the referring student may also be required to meet with the Office of Student Affairs.

As long as the student seeking Medical Amnesty complies with all directives from the Dean of Students or his/her designee, there will be no disciplinary action taken related to a violation of possession or consumption of alcohol or drugs. Medical Amnesty is not intended to shield students or organizations in cases of extreme, flagrant, and repeated incidents. In cases where extreme, flagrant or repeated violations of the Code of Student Conduct occur, the College reserves the right to take disciplinary action on a case-by-case basis regardless of the manner in which the incident was reported. In each case, the Dean of Students or his/her designee will make the final determination as to the applicability of this provision. In the case of any emergency involving alcohol or other drugs, call Campus Safety at 423.470.2710 immediately for emergency medical assistance.

### **Confiscation Policy**

Certain items are prohibited on College property, in College facilities, or at College events, because of health, fire or safety reasons; local, state or federal law; or College policy (e.g. drugs, weapons, and appliances and pets in the residence halls).

When these items are encountered or discovered by College officials, they are subject to confiscation, and the College, its employees, agents, and officers will not be responsible for any incidental loss or harm. Residential students may request permission to retrieve pets which have not been turned over to animal control and which are still in the custody of Campus Safety upon their agreement to immediately remove the animal from College property and not return it to campus. Similarly, appliances may be retrieved by the residential student owner with the same caveat that it be immediately removed and not returned to the premises.

Unless there is a perceived need by the College authority to retain beverage alcohol for evidence in an incident, it will be disposed of upon confiscation (preferably by the student owning or exercising control over the container(s)). Weapons, controlled substances, and drug paraphernalia will be secured by Campus Safety or appropriate law enforcement personnel and will not be returned. Any releasable items which are not claimed by their rightful owner within six months become the property of Tusculum College and will be disposed of without recourse by the previous owner.

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### **Hazing Policy**

Tusculum College is opposed to any and all forms of hazing under whatever name or form it may occur. Decisive action will be taken to prevent it in keeping with the following declared policy:

**Any organization chartered or sanctioned by Tusculum College may have its right to function revoked if it is found responsible for hazing. Similarly, an individual found responsible of hazing may be separated from the College.**

1. **Definition** - An **act of hazing** will include all conditions described by Tennessee statutes or any knowing, intentional or reckless act or behavior for the purpose of pledging, being initiated into, affiliating with, holding office in or maintaining membership in any group or organization, whether such behavior is on campus or off campus, or by one person or in concert with others, which, regardless of intent or consent of the participants: 1) produces or is reasonably likely to produce, bodily harm or danger, mental or physical discomfort, embarrassment, harassment, fright, stress, humiliation, ridicule, fear of ostracism, or otherwise compromises the dignity of an individual; 2) compels an individual to participate in any activity which is unlawful and/or contrary to the rules, policies and regulations of the College; or 3) will, unreasonably or unusually, impair an individual's academic efforts.
2. **Behavioral Concerns** (As an aid to the organizations and groups on our campus, the following illustrative, but not exhaustive list of "traditional" pledging activities are deemed to be inappropriate by Tusculum College [and may well be illegal]. ***If you are uncertain, you should not engage in the activity without consulting in advance with the Office of Student Affairs***):
  - a. Paddling in any form, shoving or otherwise striking individuals, or corporal punishment of any kind, or creating a fear of similar behavior;
  - b. Compelling physically demanding activity of any kind including, but not limited to, calisthenics, running, or other types of required strenuous activity;
  - c. Compelling an individual to be shaved, branded, tattooed, pierced, etc.;
  - d. Compelling physical acts, such as walking backwards or confinement in a small space, which create the potential for physical or mental injury;
  - e. Compelling individuals to engage in sexual behaviors, sexual or racial harassment or slurs, or exhibitionism;
  - f. "Line-ups" in which pledges are verbally harassed, intimidated, or abused;
  - g. Compelling an individual to engage in acts of personal servitude;
  - h. Compelling an individual to forego opportunity for sufficient sleep, consumption of decent edible meals or access to or use of personal hygiene;
  - i. Excluding an individual from social contact for prolonged periods of time;

- j. Compelling individuals to consume alcohol or drugs or any other substances (e.g. undue amounts or odd preparations of food or drink);
  - k. Having substances thrown at, poured on or otherwise applied to the bodies of individuals;
  - l. Compelling individuals to wear or carry unusual, uncomfortable, degrading/ provocative or physically burdensome articles or apparel; or causing an individual to be indecently exposed or exposed to the elements (Note - The wearing of small pledge pins or small ribbons is allowed, however, any non-apparel items worn with the intent or effect of degradation, humiliation, or bringing undue attention to a pledge is not permitted);
  - m. Compelling individuals to participate in pranks or scavenger hunts (Note - Scavenger Hunts may only be permitted upon prior written approval of the Dean of Students or his/her designee. Scavenger hunt items must be approved at least two weeks in advance and any lewd or inappropriate items will not be permitted. *Furthermore, scavenger hunts will not be permissible at any time in the Residence Halls or Academic buildings or during academic hours [outside of College orientation programs]]*);
  - n. Engaging in activities which impair an individual's academic efforts by causing exhaustion, loss of sleep or reasonable study time, or by preventing an individual from attending class (e.g., late night or early morning house duties);
  - o. Transporting individuals against their will, abandoning individuals at distant locations, or conducting any "kidnap," "ditch" or "road trip" that may in any way endanger or compromise the health, safety or comfort of any individual;
3. **Consent Is No Defense** - Any of the activities described or reasonably related to above, upon which the initiation or admission into, or affiliation with, or continued membership in an organization, is directly conditioned, will be presumed to be "compelled activities," the willingness of an individual to participate notwithstanding.
  4. **Applicability of Community Standards** - The terms and concepts cited in this policy will be interpreted by College boards or officials in relation to acceptable and applicable community standards.
  5. **Accountability Expectation** - All membership-related activities must be approved by the president, chair or leader of the group and the adviser to the group prior to the activity. The activity must not interfere with the rights and activities of others and will reflect the best interests of the members of the organization it represents as well as the College community as a whole.
  6. **Enforcement** - The president, chair or leader of each group or student organization is responsible for informing the members (pledges, associate members, initiated

members, affiliates, etc.) of the organization of the policy regarding hazing. It is suggested that the policy be read and distributed to each member of the organization during the first meeting of each semester.

The president, chair or leader of each group or student organization is responsible for informing guests and alumni members of this policy and is additionally responsible for controlling the actions of guests and alumni members relative to this policy. Officers of organizations violating hazing policies may be held individually, jointly, and severally responsible for the group's actions, in addition to whatever organization accountability may be established.

It is the responsibility of any and all individuals who have firsthand knowledge of the planning or actual occurrence of a hazing activity to promptly report said knowledge to the Dean of Students or his/her designee.

## **Posting & Distribution Policy**

Student clubs and organizations are encouraged to take advantage of all available opportunities to advertise their meetings and activities. Utilization of the campus radio and television stations, and the newspaper are highly effective, as are designing and posting information across campus. Organizations may also send news release material to the campus Communications Office.

### **1. Scope and Purpose**

These regulations are designed to permit the orderly use of College property and resources by Tusculum College students, faculty, staff, and alumni, as individuals and corporate bodies with regard to posting and distribution on, in, or about College property or events.

### **2. General Policies**

Generally, all materials being considered for posting or distribution must be sponsored or co-sponsored by a registered student organization or a College department. All materials must include the full name of the sponsoring department or student organization, and all content must be printed or translated in English.

The Office of Student Affairs will approve all postings submitted at least three days in advance of posting as follows:

- one copy of posters or handbills (banner facsimile drawn by organization on letter paper) will be stamped, dated and kept by the Office of Student Affairs;
- in the case of handbills, one copy will be stamped, dated and must be in the possession of each person distributing the handbill; and
- in the case of posters and banners all copies for posting must be stamped by Office of Student Affairs.

Materials may not be posted on any undesignated areas, including wood or painted surfaces, doors, glass, walls (tile or cement walls may be permissive, but must be checked with facility manager), car windshields, or over previously posted materials.

Failure to comply with regulations in this policy or any relevant campus policies is grounds for suspension of posting privileges for one semester (15 school weeks). Continuing to post while privileges are revoked is grounds for suspension of the student organization and charter/recognition review.

### **3. Content Regulations**

The College will give careful consideration to the circumstances surrounding the expression in determining whether any restriction is appropriate in accord with the values of the College. However, no materials adjudged obscene or discriminatory, promoting the possession or consumption of alcoholic beverages, promoting gambling, or designed for the purpose of personal or commercial gain (save used book sales or the like) will be approved.

Materials that are misspelled or grammatically incorrect will not be approved for posting and is grounds for removal and disposal due to the poor image this presents of the College as an institution of higher education. Costs of reproduction of corrected materials will be borne solely by the entity responsible for its production. For these reasons, advanced review is strongly recommended for this reason.

### **4. Special Requirements for Posters, Flyers**

A "poster" as used here is any posting 14 inches by 17 inches or smaller;

Posting is permitted on general College bulletin boards or posting strips. Use of departmental or special area boards requires that permission be obtained from the related office;

Only one posting per event, idea or product is allowed per bulletin board;

The College may remove and discard any posters displayed on campus property which are in violation of these policies;

With prior approval from the Office of Student Affairs signs may be posted at designated areas in College residence hall locations. Poster size in the residence halls may not exceed 8-1/2 inches by 14 inches;

Posters may only be displayed up to a maximum of four weeks prior to an event and organizations are responsible for removing posters within seventy-two (72) hours from the day following the event. Failure to remove poster as indicated may result in revocation of poster posting privileges for a semester (15 school weeks);

In case of shortage of bulletin board space, the Office of Student Affairs will assign priority and determine removal date; and

The Dean of Students or his/her designee may, in certain instances, authorize extended posting periods for certain items of an academic or administrative nature. Items approved for extended posting must be stamped by the Office of Student Affairs. These are the only postings that will not automatically be removed on the first and third Friday of each month.

## **5. Special Requirements for Banners**

A "banner" as used here is printed or pictorial material displayed equal to or exceeding 24 inches by 36 inches in size;

Banners are only permitted through special permission of the Dean of Students or her/his designee for general areas – Niswonger Commons, etc.; Student Life Coordinators for individual residential areas; or the facility coordinator for other campus facilities;

Banners may only be displayed up to a maximum of two weeks prior to an event and organizations are responsible for removing banners by noon on the day following the event. Failure to remove banner as indicated may result in revocation of banner posting privileges for a semester (15 school weeks);

In case of shortage of space, the Office of Student Affairs will assign priority and determine removal date;

The College does not assume responsibility for loss or destruction of banners; and

The College may remove and discard any unapproved or past due banners.

## **6. Special Requirements for Handbills**

A "handbill" as used here is defined as any printed or pictorial matter distributed by hand on College property.

Handbills may be distributed outside College buildings only. Handbills must not be forced on individuals.

Distribution of materials at an event is limited to the organization which has reserved the area for that event.

The responsible organization's members are required to assist in the clean up after the distribution. Failure to do so may result in the assessment of a clean up fee consisting of the labor costs and reasonable overhead as determined by the College. Organizations which cause a litter or nuisance problem may be denied handbill distribution privileges.

## **7. Special Requirements for Mass Mailing/Mailbox Stuffing**

In light of the potential for the campus mail services to be overwhelmed and for students to become inured to important information due to a bulk of unsolicited advertising, registered student organizations may be restricted with regard all-campus mailing each semester. For this reason, students are encouraged to consult with Student Affairs personnel before printing information and assuring that they meet the following criteria as well as any other campus advertising restrictions:

- a. the event being sponsored must be open to the entire College community;
- b. two sample copies must be provided to the Office of Student Affairs (one will be retained by the Office of Student Affairs if approved and one will be authorized and transmitted with other copies to the Campus Mail Center);

- c. the organization must provide a minimum of a sixteen hour Mail Room work day time period for the distribution to take place, therefore, mailings for dated events will need to be submitted sufficiently far in advance for this publicity method to work;
- d. identical communications being distributed to the entire student population should not be provided with name labels, but rather set-up as a general mass mailing;
- e. full sheets of paper must be either folded in half or thirds;
- f. mail smaller than an index card (3" x 5") will not be distributed through the campus mail center (campus mail envelopes can be utilized for small notes or similar correspondence);
- g. the number needed for mass distribution varies each semester (you may obtain the current number of mailboxes being maintained by contacting the Campus Mail Center).

**8. Information Channel Announcements** - these may be placed on the campus information channel by contacting the Media Services program.

**9. Campus Global E-Mail**

Registered student organizations sponsoring events adjudged by the designated Office of Student Affairs representative to be of potential interest to the entire student population may have their event information placed within the daily campus activities update distributed to all students. In light of the potential for the campus community to become inured to repetitive information and ignore new communications, information being communicated for the first time will be highlighted at the top of the message, followed by information about events occurring prior to the next e-mail's delivery timeline, and then information about events which has already been disseminated to students via this process.

To request permission to send a global e-mail message, an organization must write out the message as they wish it to appear and the delivering representative must print and sign the message before providing it to Student Affairs (or the representative may e-mail the message from their Tusculum.edu account to Student Affairs). Student Affairs personnel will review messages between 3:00 p.m. and 4:00 p.m. and attach the message to the daily e-mail as written or with minor modifications if such will cause the message to be approved and sent. Otherwise the organizational representative will be contacted and informed of the concerns. External requests to utilize the global e-mail messaging system need to be sponsored by a departmental unit or registered student organization to be considered for global/ mass e-mail distribution to the "all students" listserv. Global/mass e-mail is not to be utilized to send:

- messages whose content is not relevant to the College's mission of teaching, research, and public service,
- messages which do not comport with legal standards or College policy (e.g. harassment, etc.),
- commercial mailings (mailings promoting the products or services of a person or entity other than the College or its approved contractors and affiliates),
- direct solicitations (while direct solicitations are not permitted, the announcement of fundraising events disseminated via the "composite" e-mail process), or personal messages.

## Sexual Harassment (Including Assault) Policy Statement and Reporting Procedures

### 1. Introduction

Sexual Harassment is considered an unethical and unprofessional activity at Tusculum College as it typically involves persons of unequal power, authority or influence. All members of the College community - students, faculty, staff, administration, vendors and guests are accountable under this policy for any covered inappropriate behavior. Additionally, recognizing that both men and women are victims of sexual harassment and assault and may commit such offenses, this policy is gender neutral and applies equally to men and women of all sexual orientations. Furthermore, sexual harassment is illegal under Title VII of the 1964 Civil Rights Act and Title IX of the 1972 Educational Amendments.

### 2. Definitions

*The Tennessee Code is the criminal law code for the state of Tennessee. Below are the criminal statutes for sex offenses, domestic offenses, harassment, and stalking.*

#### **§39-13-111. Domestic assault.**

- (a) As used in this section, "domestic abuse victim" means any person who falls within the following categories:
  - (1) Adults or minors who are current or former spouses;
  - (2) Adults or minors who live together or who have lived together;
  - (3) Adults or minors who are dating or who have dated or who have or had a sexual relationship, but does not include fraternization between two (2) individuals in a business or social context;
  - (4) Adults or minors related by blood or adoption;
  - (5) Adults or minors who are related or were formerly related by marriage; or
  - (6) Adult or minor children of a person in a relationship that is described in subdivisions (a)(1)-(5).
- (b) A person commits domestic assault who commits an assault as defined in § 39-13-101 against a domestic abuse victim.

#### **§39-13-501. Definitions.**

As used in §§ 39-13-501-39-13-511, except as specifically provided in § 39-13-505, unless the context otherwise requires:

- (1) "Coercion" means threat of kidnapping, extortion, force or violence to be performed immediately or in the future or the use of parental, custodial, or official authority over a child less than fifteen (15) years of age;
- (2) "Intimate parts" includes the primary genital area, groin, inner thigh, buttock or breast of a human being;
- (3) "Mentally defective" means that a person suffers from a mental disease or defect which renders that person temporarily or permanently incapable of appraising the nature of the person's conduct;
- (4) "Mentally incapacitated" means that a person is rendered temporarily incapable of appraising or controlling the person's conduct due to the



influence of a narcotic, anesthetic or other substance administered to that person without the person's consent, or due to any other act committed upon that person without the person's consent;

- (5) "Physically helpless" means that a person is unconscious, asleep or for any other reason physically or verbally unable to communicate unwillingness to do an act;
- (6) "Sexual contact" includes the intentional touching of the victim's, the defendant's, or any other person's intimate parts, or the intentional touching of the clothing covering the immediate area of the victim's, the defendant's, or any other person's intimate parts, if that intentional touching can be reasonably construed as being for the purpose of sexual arousal or gratification;
- (7) "Sexual penetration" means sexual intercourse, cunnilingus, fellatio, anal intercourse, or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal openings of the victim's, the defendant's, or any other person's body, but emission of semen is not required; and
- (8) "Victim" means the person alleged to have been subjected to criminal sexual conduct and includes the spouse of the defendant

**§39-13-502. Aggravated rape.**

- (a) Aggravated rape is unlawful sexual penetration of a victim by the defendant or the defendant by a victim accompanied by any of the following circumstances:
  - (1) Force or coercion is used to accomplish the act and the defendant is armed with a weapon or any article used or fashioned in a manner to lead the victim reasonably to believe it to be a weapon
  - (2) The defendant causes bodily injury to the victim
  - (3) The defendant is aided or abetted by one (1) or more other persons; and
    - (A) Force or coercion is used to accomplish the act; or
    - (B) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless.
- (b) Aggravated rape is a Class A felony.

**§39-13-503. Rape.**

- (a) Rape is unlawful sexual penetration of a victim by the defendant or of the defendant by a victim accompanied by any of the following circumstances:
  - (1) Force or coercion is used to accomplish the act;
  - (2) The sexual penetration is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the penetration that the victim did not consent;
  - (3) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or
  - (4) The sexual penetration is accomplished by fraud.
- (b) Rape is a Class B felony.

**§39-13-504. Aggravated sexual battery.**

- (a) Aggravated sexual battery is unlawful sexual contact with a victim by the defendant or the defendant by a victim accompanied by any of the

following circumstances:

- (1) Force or coercion is used to accomplish the act and the defendant is armed with a weapon or any article used or fashioned in a manner to lead the victim reasonably to believe it to be a weapon;
  - (2) The defendant causes bodily injury to the victim;
  - (3) The defendant is aided or abetted by one (1) or more other persons; and
    - (A) Force or coercion is used to accomplish the act; or
    - (B) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or
  - (4) The victim is less than thirteen (13) years of age.
- (b) Aggravated sexual battery is a Class B felony.

**§39-13-505. Sexual battery.**

- (a) Sexual battery is unlawful sexual contact with a victim by the defendant or the defendant by a victim accompanied by any of the following circumstances:
  - (1) Force or coercion is used to accomplish the act;
  - (2) The sexual contact is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the contact that the victim did not consent;
  - (3) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or
  - (4) The sexual contact is accomplished by fraud.
- (b) As used in this section, "coercion" means the threat of kidnapping, extortion, force or violence to be performed immediately or in the future.
- (c) Sexual battery is a Class E felony.

**§39-17-308. Harassment.**

- (a) A person commits an offense who intentionally:
  - (1) Threatens, by telephone, in writing or by electronic communication, including, but not limited to, text messaging, facsimile transmissions, electronic mail or Internet services, to take action known to be unlawful against any person and by this action knowingly annoys or alarms the recipient;
  - (2) Places one (1) or more telephone calls anonymously, or at an hour or hours known to be inconvenient to the victim, or in an offensively repetitious manner, or without a legitimate purpose of communication, and by this action knowingly annoys or alarms the recipient;
  - (3) Communicates by telephone to another that a relative or other person has been injured, killed or is ill when the communication is known to be false; or
  - (4) Communicates with another person or transmits or displays an image without legitimate purpose with the intent that the image is viewed by the victim by any method described in subdivision (a)(1) and the person:
    - (A) Maliciously intends the communication to be a threat of harm to the victim; and
    - (B) A reasonable person would perceive the communication to be a threat of harm.
- (b) (1) A person convicted of a criminal offense commits an offense if, while incarcerated, on pre-trial diversion, probation, community correction or

parole, the person intentionally communicates in person with the victim of the person's crime if the communication is:

(A) Anonymous or threatening or made in an offensively repetitious manner or at hours known to be inconvenient to the victim;

(B) Made for no legitimate purpose; and

(C) Made knowing that it will alarm or annoy the victim.

(2) If the victim of the person's offense died as the result of the offense, the provisions of this subsection (b) shall apply to the deceased victim's next-of-kin.

(c) A violation of subsection (a) is a Class A misdemeanor.

**§39-17-315. Stalking, aggravated stalking, and especially aggravated stalking.**

(a) As used in this section, unless the context otherwise requires:

(1) "Course of conduct" means a pattern of conduct composed of a series of two (2) or more separate noncontinuous acts evidencing a continuity of purpose;

(2) "Emotional distress" means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling;

(3) "Harassment" means conduct directed toward a victim that includes, but is not limited to, repeated or continuing unconsented contact that would cause a reasonable person to suffer emotional distress, and that actually causes the victim to suffer emotional distress. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose;

(4) "Stalking" means a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested, and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested;

(5) "Unconsented contact" means any contact with another person that is initiated or continued without that person's consent, or in disregard of that person's expressed desire that the contact be avoided or discontinued. Unconsented contact includes, but is not limited to, any of the following:

(A) Following or appearing within the sight of that person;

(B) Approaching or confronting that person in a public place or on private property;

(C) Appearing at that person's workplace or residence;

(D) Entering onto or remaining on property owned, leased, or occupied by that person;

(E) Contacting that person by telephone;

(F) Sending mail or electronic communications to that person; or

(G) Placing an object on, or delivering an object to, property owned, leased, or occupied by that person; and

(6) "Victim" means an individual who is the target of a willful course of conduct involving repeated or continuing harassment.

(b) (1) A person commits an offense who intentionally engages in stalking.

(2) Stalking is a Class A misdemeanor.

- (3)** Stalking is a Class E felony if the defendant, at the time of the offense, was required to or was registered with the Tennessee bureau of investigation as a sexual offender, violent sexual offender or violent juvenile sexual offender, as defined in § 40-39-202.
- (c) (1)** A person commits aggravated stalking who commits the offense of stalking as prohibited by subsection (b), and:
  - (A)** In the course and furtherance of stalking, displays a deadly weapon;
  - (B)** The victim of the offense was less than eighteen (18) years of age at any time during the person's course of conduct, and the person is five (5) or more years older than the victim;
  - (C)** Has previously been convicted of stalking within seven (7) years of the instant offense;
  - (D)** Makes a credible threat to the victim, the victim's child, sibling, spouse, parent or dependents with the intent to place any such person in reasonable fear of death or bodily injury; or
  - (E)** At the time of the offense, was prohibited from making contact with the victim under a restraining order or injunction for protection, an order of protection, or any other court-imposed prohibition of conduct toward the victim or the victim's property, and the person knowingly violates the injunction, order or court-imposed prohibition.
- (2)** Aggravated stalking is a Class E felony.
- (d) (1)** A person commits especially aggravated stalking who:
  - (A)** Commits the offense of stalking or aggravated stalking, and has previously been convicted of stalking or aggravated stalking involving the same victim of the instant offense; or
  - (B)** Commits the offense of aggravated stalking, and intentionally or recklessly causes serious bodily injury to the victim of the offense or to the victim's child, sibling, spouse, parent or dependent.
- (2)** Especially aggravated stalking is a Class C felony.

Tusculum College defines sexual misconduct as any unwelcome sexual advance, request for sexual favor or other physical or expressive behavior of a sexual nature where: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; (2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting the individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating hostile, offensive or demeaning employment or educational environment through egregious, persistent, or repetitive conduct directed at a specific individual or group of individuals that a reasonable person would interpret, in the full context in which the conduct occurs, as harassment of a sexual nature.

Thus defined, sexual misconduct may range in severity from sexist remarks to violent sexual assault. The following illustrative, but not exhaustive list indicates five forms of sexual misconduct, arranged from the least severe to the most severe:

- a. Sexist remarks and sexist behavior (e.g. unwelcome sexually explicit statements, stories, or inquiries into an individual's sexual preference or behavior that are

not related to employment duties, course content, research, or other College programs or activities);

- b. Verbal or physical insults--including lewd, obscene or sexually suggestive remarks directed at a person or group of persons (e.g. repeatedly using sexually degrading words, gestures or sounds to describe a person);
- c. Advances without sanctions--including offensive advances (e.g. sexual propositions, or repeated phone calls or e-mail messages from someone clear indication has been made of no reciprocal interest) or inappropriate behavior (e.g. touching, patting, caressing, or kissing which does not amount to an assault as defined below) without threat of punishment for non-compliance and without promise of reward for compliance;
- d. Advances with sanctions--including the previously mentioned types of advances and behavior whenever they are accompanied by implicit or explicit promised rewards or threatened punishment (e.g. impacts on: employment; reputation; advancement; receipt of service; or participation or status in a course, program or activity)
- e. Assault--including psychological creation of fear to physical acts of sexual intimacy (from touching intimate parts of the body or the clothing covering those body parts, or touching with intimate parts of the body to penetration) committed by a stranger or acquaintance through force (including, but not limited to use of a weapon, physical battering or overpowering/restraint, or physical manipulation of someone who is mentally or physically incapacitated) or coercion (threat of force or psychological pressuring or threats with or without sanctions).

Assaultive behavior includes, but is not limited to: Stalking  
Dating Violence, Domestic Violence, Sexual Coercion, and Sexual Assault.  
Individuals found responsible, after a final determination has been rendered, for engaging in assaultive behaviors under this policy are subject to sanctions up to and including suspension and expulsion from the College.

While Tennessee law does not directly define consent, it does address "coercion", "mental defect", "mental incapacity", "physical helplessness" under the sexual assault sections §39-13-501 and "unconsented contact" under the stalking statute §39-17-315. The College notes that consent is considered an informed decision, freely given, made through mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon sexual activity. Consent cannot be given by an individual who is asleep; unconscious; or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason; or, is under duress, threat, coercion, or force. Past consent does not imply future consent, nor does silence or an absence of resistance imply consent. Further, consent can be withdrawn at any time.

### 3. Statement of Policy

The educational mission of Tusculum College is to foster an open working and learning environment. Our ethical and legal obligation to faculty, non-academic employees and students is to insure that they are free from sexual harassment by subordinates, peers, supervisors, teachers and administrators. Tusculum College, therefore, expressly forbids sexual harassment. Allegations of sexual misconduct will be addressed through a prompt, fair, and impartial investigation and resolution. Any student, faculty, staff, or administrator who, after this process of fundamental fairness, is found to have practiced sexual harassment will be subject to prompt disciplinary action.

Confidentiality will be maintained to the extent permitted by law and to the point that information needs to be disclosed to effectively investigate or act to keep the community safe. In instances of sexual assault only, the College is obligated by federal law (Student Right to Know or Clery Act) to report the number of incidents that occur on campus. No names are used, only a statistic. If a "Timely Warning" is determined to be appropriate under the Clery Act, the names of victims will be confidential and they shall also be withheld from any campus crime log. Individuals acting in the roles identified, are exempt from reporting under the Clery Act: Campus Counselor, Campus Nurse, Campus Minister, and any additional counselors, physicians or nurses contracted to work in the Wellness Center. Additionally, any members of the Sexual Assault Response Team are herein designated under the authority of the Campus SaVE Act regulations of the Violence Against Women Act to be able to maintain confidentiality in working with women and men who consult with them regarding issues of sexual misconduct (for 2014-2015, the SART membership includes: Ms. Sarah Gardner, Student Support Services Counselor; Mr. Ken Brewer, Assoc. Professor of Psychology; Ms. Bobbie Greenway, Academic Support Coordinator; Ms. Billie Ann Pace, Academic Counselor; and Mr. Michael Robinson, Head Volleyball Coach.

This policy also prohibits retaliation against persons who report instances of sexual harassment/assault or retaliation against any person who is involved in an investigation related to this policy. The College will investigate and address, as appropriate, any alleged retaliatory acts such as loss of employment, grade changes or misrepresentation of academic performance, and any other acts of retaliation by the accused or anyone directly or indirectly involved or acting on behalf of anyone involved with the incident.

As with the resolution of all allegations brought forth under the Non-Academic Code of Student Conduct, allegations brought forth under this policy will be determined through the application of the "preponderance of evidence" the standard of review/evidence.

#### **4. Support and Reporting**

The College recognizes the importance of support and encouragement in instances of sexual misconduct, including matters of sexual harassment and sexual assault. It is appropriate to seek help in addressing issues, connecting with resources, interpreting policies and procedures, and sorting through one's options and choices. Victims are strongly encouraged to seek out personnel in one the following areas for help in these tasks: Office of Student Affairs, the Religious Life Center, the Health &

Wellness Center, or Campus Site Managers. These individuals have experience with student concerns and complaints, can identify options, and help with decisions about appropriate resources and responses (especially Dean David M. McMahan, J.D., Tusculum College Title IX Coordinator, x 5493, [emergency cell phone number - 423/470-2919]).

The College notes that prompt reports of incidents of apparent sexual misconduct are critical to effective enforcement of our Policy. Various reporting points are established so that this can be accomplished even when the administrator with primary responsibility over the aggrieved individual may be unavailable or when the aggrieved simply is not comfortable reporting the incident to their own immediate supervisor or advisor who will relay the matter to appropriate administrative personnel.

**5. Resolution Considerations for Parties to Sexual Misconduct Allegations (See Also Section CC – Code of Student Conduct Resolution Procedures)**

**Note** - students have the option to notify campus authorities, law enforcement authorities, both or neither. Students will receive assistance in reporting the incident to local law enforcement authorities from the Dean of Students or his/her designee, or the Director of Campus Safety, if the student requests such assistance.

Students will receive a written copy of their rights and the resources (including counseling, health, mental health, victim advocacy, legal assistance, and other services on and off campus) and support/ accommodations available (changing academic, living, transportation, and working situations if they are requested and reasonably available) to them upon contacting a member of the SART team, Student Affairs or the Campus Safety Office to meet with a designated investigating official such as the Associate Dean of Students, Director of Personnel Services or Director of Campus Safety.

**a. If you are Sexually Assaulted**

**GET TO A SAFE PLACE AS SOON AS POSSIBLE.**

**TRY TO PRESERVE ALL PHYSICAL EVIDENCE.** Do not shower, comb your hair or change your clothing if possible as this will allow for the preservation of evidence should you choose to take any action in the future which would require evidence such as prosecution. A forensic examination will preserve collected evidence. Evidence can deteriorate over time. It is best to get to the hospital as soon as possible, but five days of the assault is considered key. If an individual feels he or she was drugged, the hospital can collect a urine sample for forensic testing. Even if the victim is uncertain whether to make a police report, evidence can be collected now for use at a later date. It is harder to go back and collect evidence at a later date.

**SEEK MEDICAL ATTENTION** as soon as possible through the Wellness Center x5499 or Campus Safety if the center is closed x5318. It is important to seek immediate and follow-up medical attention for several reasons: (a) to assess and treat any physical injuries you may have sustained; (b) to determine the risk

of sexually transmitted diseases, HIV, Hepatitis B or pregnancy and to take appropriate medical measures; and (c) to gather evidence which would aid criminal prosecution. Physical evidence should be collected immediately, ideally within the first 24 hours. It may be collected later than this, but the quality and quantity of evidence may be diminished.

SEEK COUNSELING by calling the Wellness Center x5368. Counselors will maintain confidentiality, help explain your options, give information, and provide emotional support.

CONTACT THE OFFICE OF STUDENT AFFAIRS at x5315 or HUMAN RESOURCES at x5345 to explore resolution options.

CONTACT SOMEONE YOU TRUST to be with you for support.

#### CAMPUS ACADEMIC AND RESIDENTIAL ACCOMMODATIONS

Due to the trauma associated with sexual assault the student victims may need to cease or alter campus employment, withdraw from courses, change their on-campus living arrangements, and/or leave the College altogether. Such changes may require exceptions to College academic and financial policies. Staff and faculty who are victims may have the same need for a leave of absence or changes in their work environment. To enhance the feeling of safety for victims, the College will try to accommodate all reasonable requests. Requests of this nature should be directed to the Human Resources Office x5345 which will assist the victims insuring approval from the appropriate College official. Student victims may also contact the Office of Student Affairs at x5315.

#### OBTAINING A NO CONTACT ORDER AND/OR ORDER OF PROTECTION

A student may obtain a No Contact Order from the College prohibiting contact between parties including verbal, written or through other means. This prohibition includes telephonic and digital communication in all forms as well as messages conveyed through third parties or processes, inclusive of undue visual contact or gestures, and all other means. The student may also receive support in obtaining an Order of Protection through the Greene County Clerk and Master's Office at the Greene County Courthouse. The Office of Student Affairs and/or the Campus Safety Office will assist students in pursuing this protective order of the Court at the student's request.

#### b. If You are Accused of Sexual Assault Consider the Following Options

CONTACT AN ATTORNEY. Accusations of sexual assault can invoke criminal and administrative processes which can lead to criminal confinement, fine and administrative sanctions including expulsion from the College. Thus, a person accused of sexual assault should contact their attorney.

CONSIDER YOUR CHOICE TO SPEAK WITH OTHERS ABOUT THE FACTS SURROUNDING THE ALLEGATIONS UNTIL you have fully considered the fact that



those staff persons can be required to testify as to what you said should there be a criminal prosecution.

LEARN ABOUT THE COLLEGE PROCEDURES for handing allegations of sexual assault on campus through campus disciplinary procedures. This information can be acquired from several offices, in particular, the Office of Student Affairs x5315 and the Human Resources Office at x5345.

#### **6. Prevention, Educational and Awareness Programs**

Risk reduction programming focused on assisting students in the recognition of warning signs involved in abusive behavior and how to avoid potential attacks are provided at the outset of each academic year and continuing through the year. Bystander education programming is also provided to enable students to recognize and safely intervene directly or indirectly in behaviors connected with sexual misconduct (including domestic violence, dating violence, sexual assault and stalking).

#### **Smoking Policy**

Consistent with the intent of Tennessee law to provide smoke-free enclosed public places and promote public health, and to maintain clear access and a welcoming appearance of our campus, any building owned by Tusculum College is designated as a nonsmoking area, including the areas around the entrances and steps to the buildings. This policy applies to employees, students and visitors.

Appendix 12 – Relevant Employee Handbook Policies

TUSCULUM COLLEGE		HUMAN RESOURCE POLICY	
Drug and Alcohol Free Workplace			
Reference Number	Board Approval	Effective Date	Page
8.03	5/2012	7/1/2012	1 of 2

Tusculum College is committed to a safe working environment, to making adequate provisions for the safety and health of its employees at their place of employment, and to the safety and health of its students and the general public. It is also dedicated to operating in a responsible and efficient manner for the benefit of its students. It is the intent of the College to create a drug-free workplace in keeping with the spirit and intent of the Drug-Free Workplace Act of 1988. The use of illegal drugs and alcohol is inconsistent with the behavior expected of College employees, subjects all employees, students, visitors and College property to unacceptable safety risks, and undermines the College’s ability to operate effectively and efficiently through decreased productivity, high absenteeism, tardiness, excessive sick leave, accidents on the job, and lower employee morale.

Workers’ Compensation benefits may be denied in the event an employee is found to be under the influence of drugs or alcohol at the time of the work related accident or injury.

Drugs

The College prohibits the unlawful manufacture, distribution, use, sale, dispensation or possession of a controlled substance, or abuse of prescription medication, on College premises, while engaged in College business on or off College premises, while operating College equipment or driving while on College business, or at any other time to the extent it affects the employee’s job performance or integrity as a College representative.

An employee who must use drugs prescribed by a physician which may lead to a violation of this policy, or which has the potential to affect the employee’s ability to perform assigned duties in a safe and efficient manner, must inform the Director of Personnel Services before performing job functions.

Violation of this policy will lead to disciplinary action up to and including termination, even for a first offense. Federal, State and local laws provide additional penalties for such unlawful activities, including fines and imprisonment. The College is bound to take all appropriate actions against violations, which may include referral for legal prosecution or requiring the individual to participate satisfactorily in an approved alcohol, tobacco or drug abuse assistance or rehabilitation program.

Alcohol

Being under the influence of alcohol, or the use of alcohol, is strictly prohibited on College premises, while the employee is engaged in College business on or off College premises, while operating College equipment or driving while on College business, or during non-working time off College premises to the extent that it impairs the employee’s ability to perform on the job or threatens the reputation or integrity of the College.

Violation of this policy must be immediately reported to the Director of Personnel Services.

Violation of this policy will lead to disciplinary action up to and including termination, even for a first offense. Federal, State and local laws provide additional penalties for such unlawful activities, including

fines and imprisonment. The College is bound to take all appropriate actions against violations, which may include referral for legal prosecution or requiring the individual to participate satisfactorily in an approved alcohol, tobacco or drug abuse assistance or rehabilitation program.

The President of the College may grant exemptions from this policy with regard to alcohol for specific social functions or other special circumstances. In addition, alcohol is permitted in College owned buildings on or off campus used solely as private residences for employees.

### **Criminal Charges and Convictions**

Any employee who has been charged or convicted of violating any criminal drug or alcohol law must report the charge or conviction to the Director of Personnel Services within five (5) days after such charge or convictions. Failure to report the charge or conviction within the time prescribed will lead to disciplinary action up to and including termination. If the employee is paid from a federal grant or contract, the College is obligated to inform the granting or contracting agency of such violation within 10 days of the College's receipt of notification.

### **Substance Abuse Treatment and Counseling**

Tusculum College strongly encourages employees misusing alcohol or drugs to voluntarily refer themselves to a counseling or rehabilitation program. No disciplinary action will be taken based on the employee's decision to seek treatment. All information regarding an employee's decision to seek treatment for substance abuse will be treated in the same confidential manner as all other employee medical records.

To the extent any absence due to enrollment in a drug or alcohol counseling or rehabilitation program qualifies for leave under the FMLA, the employee will be placed on such leave. Pursuant to that policy, the employee's PTO will be applied to the FMLA leave until depleted. If no PTO is available, the leave will be unpaid. Medical insurance may cover some costs of such treatment, subject to eligibility requirements, limitations and conditions of the existing plan. All such issues should be discussed with the Director of Personnel Services.

Employees returning to work following counseling or rehabilitation for alcohol or drug abuse will be subject to a return-to-work agreement specifying the circumstances and conditions of the employee's return to duty. If the employee violates the terms of the agreement by failing to comply with and complete the recommended treatment program, or any other violation of the agreement, he or she will be subject to termination. If an employee has previously sought assistance for addiction to drugs or alcohol and avoided discipline based upon this policy, the employee cannot subsequently avoid discipline by seeking professional assistance for a second or subsequent time.

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## TUSCULUM COLLEGE

## HUMAN RESOURCE POLICY

<b>Smoking</b>			
Reference Number	Board Approval	Effective Date	Page
8.04	5/2012	7/1/2012	1 of 1

Consistent with the intent of the Tennessee Clean Air Act to provide smoke-free enclosed public places and promote public health, and to maintain clear access and a welcoming appearance of our campus, any building owned by Tusculum College is designated as a nonsmoking area, including the areas around the entrances and steps to the buildings. This policy applies to employees, students and visitors.

Employees who violate this policy will be subject to disciplinary action up to and including termination.

Areas that are exempt from this policy include off-campus buildings, owned or leased by the College, that are used solely as private residences.

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## **Appendix 13 – Tusculum College Drug Education and Screening Program (Varsity Athletics)**

Tusculum College strives to emphasize the importance of wellness in each of its student-athletes. Further, the College seeks to ensure that each student-athlete remain physically, psychologically, mentally, and socially at his/her optimum level of performance in order to compete successfully at the NCAA Division II level. An integral part of this effort is the Drug Education and Screening Program.

The Athletic Department at Tusculum believes that drugs and athletics are incompatible and that it is not possible for the student-athlete to perform at the high level required to meet college academic, athletic, or social standards, even if minimal abuse is allowed. Additionally, the use of some legal nutritional supplements can have a negative effect on a student-athlete's health and athletic eligibility. Providing guidance to students as a means to avoid improper involvement with potentially harmful substances is in line with the department's mission, as is testing to deter and/or detect substance use and abuse.

Full cooperation of the athletic trainer, coach, administration, and student-athlete is needed to ensure the success of this program.

### **Purpose**

The purpose of the Drug Education and Screening Program at Tusculum College is not intended to be solely punitive, but to educate athletes on the use and /or abuse of drugs and to deter that use among Tusculum College athletes. The student-athlete should be provided positive information, counseling, and strategies to counteract peer pressure. Specifically, the program should:

1. educate student-athletes to the harmful effects of substance abuse concerning their physical, psychological, and social well-being;
2. help to serve as a deterrent to the use of drugs;
3. identify student-athletes who have problems and provide assistance through treatment and rehabilitation;
4. assure athletes and their parents, the alumni, and our community of the department's concern for the health and well-being of the student, and;
5. remove the stigma of drug abuse on both the institutional and department level.

### **Education**

Working in cooperation with the College counseling service, local health officials, and outside agencies, the athletic department will provide speakers, as well as current substance abuse research for each of the athletic teams or individual athletes. Educational literature will be made available through the coaches, the athletic trainer, and the Director of Counseling, as deemed necessary by College officials and/or the Team Physician.

Yearly, as list of NCAA banned drug classes will be disseminated to all Tusculum College student athletes.

At each initial team meeting, this policy will be reviewed and student-athletes will be urged to utilize the College's counseling service and/or the athletic training staff with concerns about potential substance abuse. If a student-athlete has a question about specific nutritional supplement, he or she should direct their question(s) to an Athletic Training staff member or to the Center for Drug Free Sport's Resource Exchange Center. Information about use of the Resource Exchange Center will be disseminated to each student-athlete annually.

### **Waiver**

All student-athletes will be asked to sign a waiver, wherein the student-athlete agrees to submit to the drug screening requested by the college and in accordance with the published guidelines. Any student who does not sign this waiver will not be given the privilege of participating in intercollegiate athletics at Tusculum College.

### **How You Will Be Tested**

The Tusculum College Drug Testing Program follows guidelines initiated by the NCAA. The basis for the screening process is informed consent, chain-of-custody handling of specimens, and state-of-the-art laboratory testing, as mentioned by the NCAA.

All athletes may be subject to an unannounced screening procedure over the school year. These drug tests will be planned in cooperation the Head Athletic Trainer. The process with then be initiated, and the athletes notified of the test.

### **Chain of Custody**

All athletes will be notified by their head coach and/or athletic trainer no more than 24 hours prior to when they are to be tested, and of the designated time and place to report. The athlete may report directly to Greeneville Urgent Care/IndustriCare (1021 Coolidge St, Greeneville, TN) at his or her specified time; however, if adequate personal transportation cannot be assured, arrangements should be made at the time of notification with an athletic department member for transportation.

Before entering the testing area, the athlete will answer a series of basic questions such as name and/or identification and any medication, which the athlete has recently taken. The responses will be recorded on the appropriate forms prepared by the testing laboratory. The athlete will then receive a urine collection vial and proceed into the testing area with a supervisor of the same sex. Athletes will be asked to leave all necessary clothing outside the testing area. The athlete will provide a urine sample under direct observation of the supervisor. After determining the sample is of adequate temperature, the athlete has the option to observe a Greeneville Urgent Care/IndustriCare agent pour the specimen into an A vial and a B vial and seal each in accordance with laboratory protocol. The athlete will watch as the supervisor completes the forms and packages the sample vials. All samples will be stored in a secured area until handed over to the laboratory.

### **Test Results**

**A laboratory contracted by Greeneville Urgent Care/IndustriCare will test each specimen. Drug testing involves the analyzing of a urine sample using immunoassay.** All negative specimens will be discarded and negative reports returned to the athletic trainer **via Greeneville Urgent Care's Medical Review Officer.** If a specimen is found positive, it will undergo a second confirmation test using gas



chromatography/mass spectrometry (GS/MS). The second test must provide GS/MS confirmation, resulting in a positive test before there is any action taken. All non-negative specimens will be stored, unadulterated, for one year.

**If there is confirmation of a positive result, the result will be reported to the Greeneville Urgent Care's Medical Review Officer, who will make the finding known to the student-athlete. If a non-negative test result is confirmed, the Head Athletic Trainer will be notified. The Head Athletic Trainer will share the result with the Director of Athletics, and the appropriate Head Coach.** Please note: If an athlete tests positive for a prescription medication (i.e. codeine) and cannot show proof of a prescription from a licensed physician, they will follow the same consequences as any other positive.

Additionally, any deliberate attempt to manipulate or falsify a test will be treated as a positive result and consequences will be assigned in accordance with the "First Offense", "Second Offense", and "Third Offense" sections below.

### **Appeals Process**

Upon notification of a positive test, the athlete will have 48 hours to notify the Director of Athletics of his/her intention to appeal the test to rule out laboratory error. Any re-testing will be done at the expense of the student-athlete. During the appeals process, the student-athlete will continue to be subject to appropriate consequences as described below.

### **First Offense**

Upon the confirmation of a positive urine test, the individual will meet with his/her Head Coach. At that meeting, the Head Coach will explain his/her team policy regarding drug use and the individual must call his/her parents to explain not only why he/she is calling, but what he/she must do as the consequences and what will happen if he/she continues to be involved in substance abuse. That team policy will at least include the suspension from no fewer than 10% of the next regularly scheduled contests and post-season contests plus any other penalty deemed necessary by the coach to be appropriate. Suspensions will be rounded to the nearest whole number of contests and may carry over to the following year.

Following the suspension, the athlete will be subject to repeat drug screens at any time.

### **Second Offense**

Upon the confirmation of a second positive urine test, the individual must call his/her parents in the presence of the head coach and/or athletic trainer, and explain not only why he/she is calling, but what he/she must do as the consequences and what will happen if he/she continues to be involved in substance abuse. The athlete must schedule a session with the Director of Counseling to set up a formal assessment with an outside facility. The appointment must be made within seventy-two hours of being notified that the/she has tested positive and the assessment will be at the athlete's expense. The results of that assessment will determine what treatment and/or education program will be needed and expected of the athlete. In addition to the counseling sessions, the athlete will be suspended from athletic participation for 365 days from the date of the test. The suspension duration may be subject to review at the discretion of the Director of Athletics. If the need exists for professional medical attention in addition to the counseling from the Director of Counseling, the athlete will be referred at his or her own expense to a local agency. Upon completion of counseling and suspension, the athlete will be subject to repeat drug screens at any time.

### **Third Offense**

If at any time an athlete tests positive a third time for substance abuse, he/she will be declared ineligible and lose their athletic scholarship, resulting in immediate and final disbarment from the intercollegiate athletic programs at Tusculum College.

The student-athlete will be encouraged to attend additional evaluations and counseling session with the Director of Counseling at Tusculum College. If the Director of Counseling feels the that athlete will need outside referral or medical attention, this will be done at the athlete's expense. If the athlete does not choose to attend the counseling sessions provided by Tusculum College, he/she will be encouraged to seek professional outside counseling and/or medical attention, again at the athlete's expense.

### **Final Statements**

The Athletic Department at Tusculum College encourages and requests that all athletes keep the Head Athletic Trainer, Team Physician and Director of Medical Services aware of any prescription medication that he/she may be taking. This is particularly important since some prescribed medication may show up in the screening process.

Any athlete who thinks that he or she has a substance abuse problem is encouraged to voluntarily seek assistance from the Head Athletic Trainer, Director of Counseling, and/or Team Physician.

Please indicate that you have read and understand this program by signing, dating, and returning the student waiver form.



Appendix 14 – Sanctioning, Referral and Profile Data

	Alcohol		Other Drugs	
	2012/2013	2013/2014	2012/2013	2013/2014
Total Cases	60	47	31	12
Case Cleared	9	12	0	4
Sanctioned Cases	51	35	31	8

Counseling Referred				
Alcohol Assessment	3	4	0	0
Anger Management	1	1	0	0
Life Coaching	0	3	0	0
Substance Counseling	0	3	2	7

Suspension	2	3	2	6
Deferred Suspension	4	6		3
Probation	2	8	1	

Other Sanctions				
Reflection paper	7	15	1	6
Uncomp Service Hours	8	46	2	8
Apology Letter	1	13	0	1
Parental Letter	3	18	0	1
Research Paper		5	1	2
Fine	3	18	1	4
Follow up appointment	0	1	0	0
Drug Testing	0	0	0	6
Damages	2	2	0	1

Expulsion	0	0	0	0
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Gender Ratio				
	Alcohol		Other Drugs	
	2012/2013	2013/2014	2012/2013	2013/2014
Male	43	36	26	15
Female	15	12	8	1
Total	58	48	34	16

Appendix 15 – CORE Survey Solicitation and Receipt Tracking

Take the CORE Survey! Print the last page for a free Perk drink/smoothie: [www.coresurvey.com](http://www.coresurvey.com) & to enter 18620

Last day to take the CORE Survey! Print the last page for a free Perk drink/smoothie: [www.coresurvey.com](http://www.coresurvey.com) & to enter 18620

TU SCULUM COLLEGE							
PIONEER ALERT							
POWERED BY: SchoolCast							
Users	Groups	Alerts	Account	Admin Reports	ClientCast Messages (2)	Dashboard	Help
Log Out							
Past:	Alert Type: All	Sent By: Jonita Ashley-Pauley	Start: 01/01/2013 12:00 AM	End: 05/31/2013 12:00 AM	Go!		
Edit	Alert Name (Subject)	Alert Type	Sent By	Sent	Message	View Results	Use as Draft
	Water	Text Message	Jonita Ashley-Pauley	5/20/2013 9:18 AM		(1282)	
	mail	Text Message	Jonita Ashley-Pauley	5/8/2013 1:05 PM		(637)	
	SchoolCast MCC for Android	Text Message	Jonita Ashley-Pauley	5/6/2013 12:16 PM		(638)	
	SchoolCast MCC for Android	Text Message	Jonita Ashley-Pauley	5/3/2013 3:21 PM		(463)	
	casino night	Text Message	Jonita Ashley-Pauley	5/3/2013 2:39 PM		(643)	
	spring fling	Text Message	Jonita Ashley-Pauley	5/3/2013 2:38 PM		(643)	
	CORE	Text Message	Jonita Ashley-Pauley	5/3/2013 11:16 AM		(595)	
	SchoolCast MCC for Android	Text Message	Jonita Ashley-Pauley	4/30/2013 11:26 PM		(1541)	
	Suspect	Text Message	Jonita Ashley-Pauley	4/30/2013 11:22 PM		(1541)	
	CORE	Text Message	Jonita Ashley-Pauley	4/30/2013 2:27 PM		(597)	
	Important Residence Hall Closing Information for TC Parents & Students	Email	Jonita Ashley-Pauley	4/29/2013 11:16 AM		(798)	
	CORE	Text Message	Jonita Ashley-Pauley	4/29/2013 9:54 AM		(598)	
	Reward	Text Message	Jonita Ashley-Pauley	4/26/2013 10:16 AM		(1332)	
	Earth Day	Text Message	Jonita Ashley-Pauley	4/25/2013 8:46 PM		(599)	
	SGA elections	Text Message	Jonita Ashley-Pauley	4/24/2013 4:32 PM		(599)	
	Convocation	Text Message	Jonita Ashley-Pauley	4/24/2013 11:53 AM		(893)	
	Vinton	Text Message	Jonita Ashley-Pauley	4/23/2013 11:41 AM		(601)	
	Convocation	Text Message	Jonita Ashley-Pauley	4/23/2013 9:39 AM		(894)	
	Old Oak Cleanup	Text Message	Jonita Ashley-Pauley	4/21/2013 4:06 PM		(601)	
			Jonita Ashley-	4/20/2013 10:01			

## Appendix 16 – 2013-2014 Residence Hall AOD Programs/Interventions

Date	Program Name	Description	# in Attendance
8/27/2013	Death Nachos	Will go over alcohol facts and eat nachos	16
9/6/2013	A Night of Games	An assortment of games to teach alcohol awareness	62
9/30/2013	A Shot of Reality	Mocktail Social	25
10/21/2013	A Shot of Reality	Students will make mocktails and discuss date rape drugs	13
10/22/2013	Is Your Brain Pudding?	PSRJ and Assessment: What is the best way to say "no" to drugs	12
10/29/2013	"Scream": Nights in Katherine Hall	Ghost Stories will be told, cornhole with beer goggles will be played, and candy with alcohol/drug facts will be handed out	57
10/29/2013	Free Throw Shoot Out	Free Throw Contest while wearing beer goggles to show the effects of alcohol	15
11/4/2013	Sex, Drinking, & Drugs	Will discuss the world of sex, drinking, and drugs	20
11/15/2013	I Have Seen Molly	Teaching students that the drug known as "Molly" is now as cool as today's society makes it out to be	26
11/19/2013	Don't Drink & Drive	Assessment: Will have an obstacle course where students will wear beer goggles and try to beat each others times.	21
11/19/2013	The Legal Age of Drinking	A discussion on whether or not the drinking age should be lowered to 18	21
11/20/2013	Gaming Under the Influence	Assessment: Students will play video games while wearing beer goggles to see the effects of alcohol.	17
11/21/2013	Black Out Patrol	Assessment: Provide educational materials for blacking out while under the influence of drugs	13
11/25/2013	College Life Jeopardy	Assessment: Based on the Jeopardy game show, students will be quizzed on their knowledge of alcohol and drugs.	Unknown
12/2/2013	One Last Drink	Assessment: Students will socialize and enjoy refreshments when they first arrive and will then be asked a series of questions about different scenerios concerning alcohol.	10
12/3/2013	Candy Cane or Cocaine	Assessment: Discuss the effects of cocaine on the body and how it has influenced culture through out history	24
12/4/2013	What's Happenin'?	Assessment: Students will play charades and bingo. Students will take turns acting out an effect from a drug and each student will try and guess what the drug is and will mark it off their bingo board.	8

12/5/2013	Reindeer Games	Assessment: To demonstrate the effects of alcohol through group games	Unknown
12/5/2013	Water Pong	Residents will play water pong while learning facts about alcohol abuse	8
1/16/2014	Candy Killer	Candy will be used to teach students the dangers of consuming drugs and alcohol.	20
1/20/2014	Getting Charged with AUI (Activities Under the Influence)	An obstacle course must be completed while wearing beer goggles.	12
1/23/2014	Bring Your Fork	The fork symbolizes the fork in the road when it comes to making decisions concerning drugs. Students will receive candy for bringing a fork.	20
2/12/2014	Jar of Hearts	Residents will make mood jars for Valentine's Day and will be learning about alcohol and drug use.	50
3/31/2014	Pot Time	Students will plant flowers while learning the negative effects that marijuana can have on lives	12
4/2/2014	A quest for answers	A scavenger hunt through the residential area to give students an engaging way to learn about alcohol	21
4/30/2014	Don't Melt Your Brain	Ice Cream will be served while talking about the negative effects of drugs on the brain	60

Appendix 17 – Assessment Objective Related to AOD Programs/  
Interventions in 2013-2014

1.1	During FY 2012-13 each residence hall will offer at least 3 programs on drugs and at least 75% of freshmen students will show improved learning regarding the negative consequences of drug usage.		
Associated Institutional Priorities:		1	No
		2	Yes
		3	Yes
		Measure Type:	
Measures:			
M1.1.1	Percentage of improvements from freshmen in Pre- and Post-test data	1	
M1.1.2	Number of residence halls hosting drug awareness programs	3	
M1.1.3	Number of programs related to drug awareness hosted by each hall.	3	
Findings:			
F1.1.1	In a random sample of pre-and post-test data, 90% of students were able to articulate one or more things they learned during the presentation		
Interpretation:		Programs in halls are effective for delivering information to students.	
Application:		FY2013-14 at least 70% of students in residence halls will attend a program related to alcohol or drug use. 60% of those students will be able to articulate at least one thing they learned.	
Budget Implications:		Cost of delivering program.	
F1.1.2	Each residence hall offered drug awareness programming		
Interpretation:		Building learning objectives into training and staff expectation is effective	
Application:		For FY 2013-14 eat least two drug or alcohol prgs per semester per hall will take place with at least 70% attendance of their floor with 60% evidencing learning on pre- and post-test	
Budget Implications:		Cost of speakers and material	
F1.1.3	Each residence hall offered programs about drug awareness		
Interpretation:		Building learning objectives into training and staff expectation is effective	

		<b>Application:</b>	For FY 2013-14 eat least two drug or alcohol prgs per semester per hall will take place with at least 70% attendance of their floor with 60% evidencing learning on pre- and post-test	
		<b>Budget Implications:</b>	Cost of speakers and material	
1.2	During FY 2013-14 Student Affairs will conduct a series of focus groups to explore factors associated with student perceptions of drug use on campus. As a result publicity campaign will take place to educate students so that 60% of a random sample evidence learning from a pre- and post-test.			
<b>Associated Institutional Priorities:</b>			1	No
			2	Yes
			3	Yes
			<b>Measure Type:</b>	
<b>Measures:</b>				
M1.2.1	Focus group data to determine factors associated with perceptions of drug use on campus.		1	
M1.2.2	Publicity campaign		1	
M1.2.3	Percentage of responses from random sample that evidence learning.		2	
<b>Findings:</b>				
F1.2.1	Students indicated they did not feel drugs were a major issue on campus except for marijuana they felt others use to "chill".			
<b>Interpretation:</b>		Students continue not to perceive marijuana usage as typical drug usage		
<b>Application:</b>		For FY2013-14 programming and publicity campaign will take place to educate about the dangers and consequences of alcohol/drug-marijuana use, use focus groups to guide publicity. 40% of students will indicate they learned something from campaign.		
<b>Budget Implications:</b>		Cost of programming and publicity.		
F1.2.2	New counseling staff and student data from focus group indicated the publicity campaign being used was ineffective.			
<b>Interpretation:</b>		Using data from the CORE survey was something students felt was not effective. In reviewing the way the CORE was used by counseling in the past, it was learned that students in freshmen classes were required to participate and were required to provide their name, leading to the perception their survey answers were not anonymous.		

		<b>Application:</b>	For FY2013-14 programming and publicity campaign will take place to educate about the dangers and consequences of alcohol/drug-marijuana use, use focus groups to guide publicity. 40% of students will indicate they learned something from campaign.	
		<b>Budget Implications:</b>	CORE survey incentives will be needed, cost of publicity campaign.	
		In random samplings, less than 60% of students indicated learning from the previous education approach of "social norming" approach.		
		<b>Interpretation:</b>	Students need to be involved in publicity campaigns for the information to have the greatest impact.	
		<b>Application:</b>	For FY2013-14 a student group will be created to guide and advise on campus educational publicity for health issues.	
		<b>Budget Implications:</b>	Staff time, printing costs.	
<b>1.3</b>	For FY2012-13 at least 75% of students who attend an alcohol/drug education program in the residence halls will indicate they "agree" or "strongly agree" that they have learned something they did not previously know about drinking responsibly.			
<b>Associated Institutional Priorities:</b>		1	No	
		2	Yes	
		3	Yes	
<b>Measures:</b>				
		<b>M1.3.1</b>	Percentage of students either selecting "agree" or "strongly agree" with the statement "I learned something about drinking responsibly I did not previously know."	1
		<b>M1.3.2</b>	Percentage of students who show improvement from pre- to post- test administered during at least 5 residence hall programs.	1
		<b>M1.3.3</b>	Focus group data exploring factors associated with students alcohol & drug use.	2
<b>Findings:</b>				
		<b>F1.3.1</b>	43% of students surveyed responded that they had learned something they did not previously know.	
		<b>Interpretation:</b>	Current program delivery does not appear to be effective, coupled with focus group data, new presentation method should be found.	
		<b>Application:</b>	For FY2013-14 repeat measure with 60% of students attending alcohol or drug programs will evidence learning from a pre- and post test.	
		<b>Budget Implications:</b>	Cost of programs	

		F1.3.2	90% of students who participated in a pre- and post test were able to articulate at least one fact they learned from the program.		
		Interpretation:		Despite conflicting data, when asked directly in M1.2.1 if they learned anything 57% answered "no", but when asked to articulate a fact they learned 90% were able to so do.	
		Application:		For FY2013-14, pre- and post-tests will be used for all alcohol and drug programs. At least 60% of students will show improvement.	
		Budget Implications:		Cost of inputting data.	
		F1.3.3			Focus groups students indicated they felt alcohol was more problematic among younger students and felt drug use was minimal with the exception of marijuana which they thought other students used to "chill"
		Interpretation:		More education should be focused on younger students about alcohol and to all students about dangers of marijuana.	
		Application:		For FY2013-14 look to produce educational series of at least one program per block in freshmen facilities regarding alcohol use. Produce publicity campaign about dangers of drug usage.	
		Budget Implications:		Cost of programming, cost of printing	
1.4	During FY2012-13, as a result of a passive publicity campaign throughout campus at least 60% of randomly surveyed students will agree or strongly agree that they have learned something about alcohol or drugs they did not previously know.				
Associated Institutional Priorities:		1	No		
		2	Yes		
		3	Yes		
		Measures:		Measure Type:	
M1.4.1	FY 2012-13 an alcohol and drug passive campaign will take place throughout campus to educate students.		1		
M1.4.2	Percentage of respondents on the CORE Survey item "refused an offer of alcohol or other drugs" with 60% or more indicated they have refused one or more times.		1		
M1.4.3	Focus group data exploring factors associated with students alcohol and drug use.		2		
		Findings:			
F1.4.1	Introduction of new counseling staff and their assessment of the educational "social norming" campaign put in place by previous staff and its effectiveness, caused the program to be pulled and reevaluated with student input.				
Interpretation:		Publicity prepared the previous year and intended to run through 2012-13 was pulled from usage. Focus groups were reshaped to			



		gather data from students about what type of publicity they would consider effective.	
		For FY2013-14 data gathered from 2012-13 will be used to produce a new publicity campaign with input from students and alcohol/drug peer mentors.	
		Cost of graphic design, printing, staff time.	
		56.8% of students indicated on the CORE survey they had refused an offer of alcohol or drugs	
		43.2% of students indicated they had <i>never</i> refused an offer of alcohol or drugs, more education should be focused on discovering why such a large % of students never refused A or D	
		For FY2013-14 data gathered from 2012-13 will be used to produce a new publicity campaign with input from students and alcohol/drug peer mentors.	
		Cost of publicity.	
		Students indicated that alcohol use on campus was the bigger issues of drugs/alcohol, but most dangerous among younger students.	
		Students in focus groups suggested more proactive programming, more peer to peer programming, and a new publicity campaign within the halls.	
		FY2013-14 Create peer mentoring program with peer to peer based education targeting younger students. PMs will host at least 2 programs each semester.	
		Peer recruiting and training costs.	
3.1	During FY 2012-13, all residence halls will host at least one program per semester regarding drug use and at least 75% of attendees will evidence learning after attending		
		1	No
		2	Yes
		3	Yes
Associated Institutional Priorities:			
Measures:			Measure Type:
M3.1.1	Percentage of students who show improved learning on a pre- and post-test related to drugs		1
M3.1.2	Number of halls hosting drug programs		3
M3.1.3	Number of programs hosted per semester within the residence halls.		3
Findings:			
F3.1.1	In a random sample of pre-and post-test data, 90% of students were able to articulate one or more things they learned during the presentation		

		<b>Interpretation:</b>		Programs in halls are effective for delivering information to students.	
		<b>Application:</b>		FY2013-14 at least 70% of students in residence halls will attend a program related to alchol or drug use. 60% of those students will be able to articulate at least one thing they learned.	
		<b>Budget Implications:</b>		Cost of delivering program.	
		<b>F3.1.2</b>	All 10 residence halls hosted a program regarding drug use each semester, in fact each hall hosted 3 programs over the year.		
		<b>Interpretation:</b>		Building objectives into RA programming requirements is effective for ensuring programs take place.	
		<b>Application:</b>		For FY 2013-14 at least two drug or alcohol prgs per semester per hall will take place with at least 70% attendance of their floor with 60% evidencing learning on pre- and post-test	
		<b>Budget Implications:</b>		Funding for speakers, educational information per program- \$300	
		<b>F3.1.3</b>		Each residence hall hosted at least one program each semester about drug use; however, most halls hosted at least one program per RA on this topic.	
		<b>Interpretation:</b>		Building objectives into RA programming requirements is effective for ensuring programs take place.	
		<b>Application:</b>		For FY 2013-14 at least two drug or alcohol prgs per semester per hall will take place with at least 70% attendance of their floor with 60% evidencing learning on pre- and post-test	
<b>Budget Implications:</b>		Funding for program			

Appendix 18 – Compliance Checklist

PART 86, Drug-Free Schools and Campuses Regulations Compliance Checklist

1.

Does the institution maintain a copy of its drug prevention program?

Yes X      No O

If yes, where is it located?    The drug prevention program is kept in the Dean of Students Office.
2.

Does the institution provide *annually to each employee and each student*, who is taking one or more classes for any type of academic credit except for continuing education units, written materials that adequately describe and contain the following?
- a)

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.

Students:      Yes X No O      Staff and Faculty:      Yes X No O
- b)

A description of the health risks associated with the use of illicit drugs and the abuse of alcohol

Students:      Yes X No O      Staff and Faculty:      Yes X No O
- c)

A description of the applicable legal sanctions under local, state, or federal law

Students:      Yes X No O      Staff and Faculty:      Yes X No O
- d)

A description of applicable counseling, treatment or rehabilitation or re-entry programs

Students:      Yes X No O      Staff and Faculty:      Yes X No O
- e)

A clear statement of the disciplinary sanctions the institution will impose on students and employee, and a description of those sanctions

Students:      Yes X No O      Staff and Faculty:      Yes X No O
3.

Are the above materials distributed to students on one of the following ways?
- a)

Mailed to each student (separately or included in another mailing)

Yes O No X
- b)

Through campus post office boxes

Yes O No X

- c) Class schedules which are mailed to each student  
  
Yes ☐ No ☒
  - d) During freshman orientation  
  
Yes ☒ No ☐
  - e) During new student orientation  
  
Yes ☒ No ☐
  - f) In another manner (*describe*) Tusculum College has chosen to distribute the materials to all students and employees via e-mail during each new semester. For those employees not having access to email, this material is made available through staff meetings. Everyone may request a further digital or print copy of the current report via e-mail, mail or in person by contacting the Dean of Students Office.
4. Do the means of distribution provide adequate assurance that each student receives the materials annually?  
  
Yes ☒ No ☐
5. Are the above materials distributed to staff and faculty in one of the following ways?
- a) Mailed  
  
Staff: Yes ☐ No ☒      Faculty: Yes ☐ No ☒
  - b) Through campus post office boxes  
  
Staff: Yes ☐ No ☒      Faculty: Yes ☐ No ☒
  - c) During new employee orientation  
  
Staff: Yes ☒ No ☐      Faculty: Yes ☒ No ☐
  - d) In another manner (*describe*) Tusculum College has chosen to distribute the materials to all students and employees via e-mail during each new semester. For those employees not having access to email, this material is made available through staff meetings. Everyone may request a further digital or print copy of the current report via e-mail, mail or in person by contacting the Dean of Students Office.
6. Does the means of distribution provide adequate assurance that each staff and faculty member receives the materials annually:  
  
Staff: Yes ☒ No ☐      Faculty: Yes ☒ No ☐
7. Does the institution's distribution plan make provisions for providing these materials to staff and faculty who are hired after the initial distribution?

- Staff: Yes X No O      Faculty: Yes X No O
8. In what ways does the institution conduct biennial reviews of its drug prevention program to determine effectiveness, implement necessary changes, and ensure that disciplinary sanctions are enforced?
- a) Conduct student alcohol and drug use survey
- Yes X No O
- b) Conduct opinion survey of its students, staff and faculty
- Students: Yes X No O      Staff and Faculty: Yes O No X
- c) Evaluate comments obtained from a suggestion box
- Students: Yes O No X      Staff and Faculty: Yes O No X
- d) Conduct focus groups
- Students: Yes X No O      Staff and Faculty: Yes O No X
- e) Conduct intercept interviews
- Students: Yes O No X      Staff and Faculty: Yes O No X
- f) Assess effectiveness of documented mandatory drug treatment referrals for students and employees
- Students: Yes X No O      Staff and Faculty: Yes O No X
- g) Assess effectiveness of documented cases of disciplinary sanctions imposed on students and employees
- Students: Yes X No O      Staff and Faculty: Yes X No O
- h) Other (*please list*)
9. Who is responsible for conducting these biennial reviews? BYU-Idaho has established an on-going committee who is responsible for the biennial review. During the 2011-2012 review period the committee assignments were as follows:
- David M. McMahan, J.D., Dean of Students
  - Jonita Ashley, Ph.D., Associate Dean of Students;
  - Deborah Davis, Associate Director of Athletics;
  - Tiffany Dearstone, Director of Behavior Education;
  - Jonathon Gresham, M.B.A., Director of Campus Safety;
  - Diane Hensley, L.P.N., Campus Health Educator;
  - Jill Jones, Director of Academic Advising; and

- Mary Sonner, SHRP, Director of Personnel Services.

10. If requested, has the institution made available, to the Secretary and the public, a copy of each requested item in the drug prevention program and the results of the biennial review?

Yes X No O

11. Where is the biennial review documentation located:

Title: Dean of Students

Department: Student Affairs

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12. Comments

Note: The above Drug-Free Schools and Campuses Regulations Compliance Checklist was taken from *Complying with the Drug-Free Schools and Campuses Regulations [34CFR Part 86]*, a publication of the Higher Education Center for Alcohol and Other Drug Prevention, funded by the U.S. Department of Education.