

COLORADO COMMUNITY COLLEGE SYSTEM

SYSTEM PRESIDENT'S PROCEDURE

DRUG FREE SCHOOLS

SP 19-30

EFFECTIVE: October 1, 1990
RETITLED: September 14, 2000
RETITLED: August 25, 2001

REFERENCE: Board Policy on Drug Free Schools, BP 19-30
Drug Free Schools and Communities Amendment of 1989

APPROVED:

S/ Dorothy A. Horrell, System President

Application

This procedure applies to all entities which receive federal funds through the State Board for Community Colleges and Occupational Education (Board).

Basis

Board Policy provides that all entities required to comply with the Drug Free Schools and Communities Amendment of 1989 must do so prior to receiving federal funds through the Board.

Violations

Violations of the statute occur:

1. When a school receives federal assistance after October 1, 1990, without having submitted the drug prevention program certification required by federal statute or without having obtained an extension; or
2. When a school violates the drug prevention program certification. Such violation may include failure to adopt/implement a drug prevention program or to ensure that disciplinary sanctions are consistently applied.

Procedure

1. Entities other than state system community colleges.
Entities covered by the statute which receive federal funds allocated by the Board must provide assurance that they have complied with the statute. An agreement with the System or the Colorado Department of Education (CDE) in which the appropriate governing board or agency assures it is in compliance with the law will suffice.

2. State System Community Colleges (colleges).

No later than October 1, 1990, each college shall adopt and implement a program to prevent the abuse of alcohol and the use of illegal drugs (as identified in 21 USCS 812) by students and employees.

- a. The program shall consist at a minimum of the following:
 - i. Develop, implement and annually distribute your institution's Drug and Alcohol Abuse Prevention Program (Program) to students and employees of the college. (See the attached Sample Program). Distribution requirement may be satisfied by inclusion of the Program in class schedule, catalog, direct mail, pop-up bills, or any other method that will accomplish notice. Keep records to document distribution.
 - ii. Review the Program biennially to determine its effectiveness, implement necessary changes, and ensure that sanctions are consistently enforced.
- b. Keep records documenting compliance with the statute for a minimum of three years.
- c. Certification to Federal Agencies
 - i. Individual Recipients. Students who receive grants from federal funds are required to complete the certification form provided by the federal agency which is the funding source.
 - ii. College certification. A one-time certification that the Program described above has been established and implemented is required under the statute. Presidents are responsible for submitting the required certification to the USDE. The USDE has indicated that it will provide Regulations to implement this law along with certification forms. The proposed Regulations call for certifications to be submitted to the USDE no later than September 4, 1990, in order to assure that there will be no automatic discontinuance of federal funds.

Attachments:

- A. Sample Drug and Alcohol Abuse Prevention Program

ATTACHMENT A

DRUG AND ALCOHOL ABUSE PREVENTION PROGRAM (sample)

(COLLEGE NAME) is a state system community college governed by the State Board for Community Colleges and Occupational Education ("Board"). The Board policy requires the College to comply with the Drug Free Schools and Communities Amendments of 1989 (PL 101-226 in federal law). The College has adopted the following Drug and Alcohol Abuse Prevention Program:

I. Standard of Conduct

Students and employees shall not engage in the unauthorized or unlawful manufacture, distribution, dispensation, possession, use/abuse of alcohol and/or illicit drugs on College property or use as a part of College activities.

II. Legal Sanctions for Violation of the Standards of Conduct.

Any student or employee who is convicted of the unlawful manufacture, distribution, dispensation, possession, use/abuse of illicit drugs or alcohol is subject to criminal penalties under local, state and federal law. These penalties range in severity from a fine of up to \$100 to life imprisonment and/or a fine of \$48,000.00. The exact penalty assessed depends upon the nature and severity of the individual offense.

III. Penalties which may be Imposed by the College

Students and/or employees who violate the above standard of conduct will be subject to disciplinary action under employee and student disciplinary policies. The sanctions include, but are not limited to, a requirement to complete an appropriate rehabilitation or re-entry program; expulsion from College or termination of employment; and/or referral to authorities for prosecution.

IV. Health Risks Associated With Use of Illicit Drugs and Alcohol Abuse

Health risks associated with drug and alcohol abuse include, but are not limited to: malnutrition, brain damage, heart disease, pancreatitis, cirrhosis of the liver, mental illness, death, low birth weight babies, and babies with drug addictions.

V. Available counseling, Treatment, Rehabilitation or Re-entry Programs

Information on available counseling, treatment, rehabilitation or re-entry programs is available at (CAMPUS OFFICE NAME) or the Colorado Department of Health.