

UNIVERSITY OF HOUSTON-VICTORIA
DRUG-FREE SCHOOLS AND COMMUNITIES ACT
ALCOHOL AND OTHER DRUG REPORT
BIENNIAL PROGRAM REVIEW

To: President's Cabinet

From: Drug and Alcohol Abuse Prevention Program Compliance Committee

Date: January 7, 2009

Subject: DFSCA Federal Mandated Biennial Program Review

The committee certifies that the federally mandated biennial review **for the two-year period ending December 31, 2008** of the University of Houston-Victoria drug and alcohol prevention program has been completed. The Drug-Free Schools and Communities Act (DFSCA) of 1989 and subsequent legislation require an institution of higher education to abide by the regulations to be eligible to receive funds or any other form of financial assistance under any Federal program, including participation in any federally funded or guaranteed student loan program. The committee reviewed the Department of Education's [Complying With the Drug-Free Schools and Campuses Regulations \[EDGAR Part 86\]: A Guide for University and College Administrators](#) as a guide to improve the university prevention program by looking at requirements and legislation.

The review found continuous improvement in the Alcohol and Other Drug (AOD) abuse prevention program education materials readily available to students, faculty and staff. The university prevention program materials prepared and distributed by Student Services, Human Resources and Business Services are comprehensive and meet DFSCA requirements. UHV administrative policies and procedures meet the requirements of the Drug-Free Workplace and Drug-Free Schools legislation. The communication process for Student Services, Human Resources and the Safety Office to discuss potential issues is believed to be effective. The university did not experience any AOD disciplinary or referral incidents during the reporting period. However, there are opportunities for improvement which are addressed in the findings and recommendations (Attachment A).

The Drug and Alcohol Abuse Prevention Program Compliance Committee consisted of the following university employees:

Genaro Cortez, Safety & Risk Manager, Business Services, Committee Chair
Greg Fanelli, Director, Business Services
Carolyn Mallory, Director, Financial Aid
Chari Norgard, Sr. Director, Student & Academic Services
Minnie Urbano, Manager, Student Activity and Leadership
Trudy Wortham, Registrar, Admissions & Records
Debbie Griffiths, Sr. Secretary, Athletics

The content of the biennial program review will be posted on the university Web site at <http://www.uhv.edu/Business/Forms/2005-06%20Biennial%20Report.pdf> and distributed electronically to students, faculty and staff. Institutions of higher education must provide a copy of their biennial report to the Department of Education on request. The report is kept on file in the Business Services Department. Comments are welcomed and may be directed to cortezg@uhv.edu.



The U.S. Department of Education's

HIGHER EDUCATION CENTER

for Alcohol and Other Drug Abuse and Violence Prevention

DOE Information and Publications

1. [Drug-Free Schools and Communities Act \(DFSCA\) and Drug and Alcohol Abuse Prevention Regulations](#)
2. [Complying With the Drug-Free Schools and Campuses Regulations \[EDGAR Part 86\]: A Guide for University and College Administrators](#)
3. [Frequently Asked Questions](#)

University Documents Reviewed:

1. Current [Alcohol and Other Drug Report](#) including Appendix 2, Part 86 [Compliance Checklist](#)
2. Legal Requirements of the Drug-Free Schools and Campuses Regulations:
 - a. Appendix 2, Part 86 [Compliance Checklist](#)
3. Review the [Campus Crime and Security Report](#)
4. Review the [UHV 2008-2009 Student Handbook](#)
5. Review the [UHV 2008-2009 UHV Catalog](#)
6. Review the [UHV Student-Athlete Handbook](#)
7. Review UHV Administrative Policies and Procedures (which include reference to alcohol and/or drug)
 - a. [A-6 Campus Safety Policy](#)
 - b. [A-41 Alcoholic Beverage Use on Campus](#)
 - c. [C-14 Discipline and Dismissal Regular Staff Employees](#)
 - d. [C-19 Drug and Alcohol Abuse Prevention](#)
 - e. [D-1 Confidentiality of Student Records](#)
 - f. [F-2 Business Use of Vehicles](#)
 - g. [F-3 Student Travel](#)
 - h. [H-1 Facilities and Ground Usage](#)

Included in this Biennial Review Report:

Committee Findings and Recommendations	Attachment A
Alcohol and Other Drug Prevention Compliance Checklist	Attachment B
University Administrative Policies and Procedures Review	Attachment C
University Prevention Program Distribution Protocol	Attachment D
Biennial AOD Program Review – period ending December 31, 2006	Attachment E

2008 Reauthorization of the Higher Education Act of 1965

Congress completed reauthorization of the Higher Education Act of 1965 by passing the Higher Education Opportunity Act. The president signed the bill into law on August 14th, 2008. The provisions of the act are effective August 14, 2008, unless otherwise noted.

On January 12, 2009, committee members participated in a webinar to understand the implications of the 2008 Reauthorization of Higher Education Act. The committee concluded that the university should begin a good faith effort to comply with provisions of the recently passed 2008 Reauthorization of the Higher Education Act.

Biennial Review – Committee Findings and Recommendations

UNIVERSITY COMPLIANCE:

The existing university AOD abuse prevention program and policies are believed to be in compliance with DOE regulations. However, the following findings and recommendations are intended to provide additional support and continuous improvement in the enforcement of the existing prevention program.

COMMITTEE FINDINGS:

- The committee concluded that the use of a student alcohol and drug use survey, as suggested on the compliance checklist, to “determine effectiveness, implement necessary changes, and ensure that disciplinary sanctions are enforced” should be utilized in the prevention program.
- The Athletic Department requirement to have student athletes sign an acknowledgement sheet that they have received a copy of the *UHV Student-Athlete’s Handbook*, and that they have read and fully understand the provisions and policies in the handbook is an excellent practice.
- An online [Students’ Self-Care Guide](#) to help students make informed choices about their health is made available on the Student Services Office Web site under Health Services.
- The inclusion of comments by the previous committee to explain the “yes” and “no” answers on the compliance checklist provided valuable information for the current review committee.
- Policies were reviewed for compliance with DFSCA Regulations. The committee concluded that university policies are consistent when reference is made to alcohol and other drugs.
- The committee concluded that the university has made significant progress on the Committee Recommendations from the Biennial AOD Program Review – period ending December 31, 2006. (See Attachment E for recommendations status)

COMMITTEE RECOMMENDATIONS:

- The committee recommends the university immediately begin a good faith effort to comply with provisions of the recently passed 2008 Reauthorization of the Higher Education Act.
- The committee recommends that continuous effort be made to improve the effectiveness of its communications to students, faculty and staff.
- The committee recommends that the use of a student alcohol and drug use survey, as suggested on the compliance checklist, to “determine effectiveness, implement necessary changes, and ensure that disciplinary sanctions are enforced” be included as part of the annual Student and Academic Services survey.
- The committee recommends that the Athletic Department include a copy of UHV Administrative Policies and Procedures, Index C, Policy Number C-19, Drug and Alcohol Abuse Prevention Program with the *UHV Student-Athlete’s Handbook* provided to student athletes.
- The committee recommends an update to UHV Administrative Policies and Procedures, Index C, Policy Number C-19, Drug and Alcohol Abuse Prevention Program to include an amendment in the 2008 Reauthorization of Higher Education Act titled Section 484 (r) Suspension of Eligibility for Drug-Related Offenses.
- The committee recommends the following additional items should be included in the checklist for review of information needed to complete the DFSCA Federal Mandated Biennial Program Review Report: 1) *UHV Student-Athlete Handbook* and 2) *UHV 2008-2009 UHV Catalog*.

The committee believes that the implementation of the above recommendations could improve overall effectiveness of the program for students, faculty and staff.

Biennial Review - Compliance Checklist

APPENDIX 2, PART 86 COMPLIANCE CHECKLIST

The compliance checklist developed by the U.S. Department of Education's Higher Education Center for Alcohol and Other Drug Abuse and Violence Prevention highlights the legal requirements of the Drug-Free Schools and Campuses Regulations. Completing this checklist will ensure that your campus has a sense of what has been done to satisfy the minimum requirements.

UNIVERSITY COMPLIANCE:

The committee completed the Higher Education Center Compliance Checklist. The committee continued with the practice of the previous review committee and included a comment section for questions which require additional information. The committee concluded that the university is in compliance with the minimum requirements of the Drug-Free Schools and Campuses Regulations. The completed compliance checklist is included in this report as **Attachment B, Compliance Checklist**.

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

The compliance checklist developed by the Department's Higher Education Center for Alcohol and Other Drug Abuse and Violence Prevention highlights the legal requirements of the Drug-Free Schools and Campuses Regulations. Completing this checklist will ensure that your campus has sense of what has been done to satisfy the minimum requirements. To read the exact letter of the law, visit www.ed.gov/policy/fund/reg/edgarReg/edlite-part86a.html.

Appendix 2, PART 86 Compliance Checklist

1. Does the institution maintain a copy of its drug prevention program? **Yes** **No**

If yes, where is it located?

The university drug prevention program is documented in 1) UHV Administrative Policies and Procedures, Index C, Policy Number C-19, Drug and Alcohol Abuse Prevention Program, 2) UHV Student Handbook and 3) UHV Student-Athlete's Handbook.

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?

The university provides annually to each employee and each student electronic distribution of the policy. The policy and handbooks are available on the university Web site. Hard copy distributions of the policy are available upon request. Written materials are distributed by Human Resources to new employees during the hiring process. New employees are required to sign an acknowledgement sheet that they have been provided a copy of UHV Administrative Policies and Procedures, Index C, Policy Number C-19, Drug and Alcohol Abuse Prevention Program. Written materials are distributed by the Athletic Department to student athletes. Student athletes are required to sign an acknowledgement sheet that they have received a copy of the UHV Student-Athlete's Handbook, and that they have read and fully understand the provisions and policies in the handbook.

- 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** **No** Staff and Faculty: **Yes** **No**

Standard of conduct are documented in 1) the UHV Administrative Policies and Procedures, Index C, Policy Number C-19, Drug and Alcohol Abuse Prevention Program, 2) UHV Student Handbook and 3) UHV Student-Athlete's Handbook.

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

Students: **Yes** **No** Staff and Faculty: **Yes** **No**

Health risks are documented in C-19, Drug and Alcohol Abuse Prevention Program, Attachment B, Health Risk of Alcohol and Drug Use.

- c. A description of applicable legal sanctions under local, state, or federal law

Students: **Yes** **No** Staff and Faculty: **Yes** **No**

A description of legal sanctions is documented in C-19, Drug and Alcohol Abuse Prevention Program, Attachment C, Summary of Penalties under Federal Law and Texas Law.

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

Students: **Yes** **No** Staff and Faculty: **Yes** **No**

The university protocol is documented in C-19, Drug and Alcohol Abuse Prevention Program, Employee and Student Resources.

ATTACHMENT B, COMPLIANCE CHECKLIST

- e. A clear statement of the disciplinary sanctions the institution will impose on students and employees, and a description of those sanctions

Students: **Yes** ✓ No Staff and Faculty: **Yes** ✓ No

Disciplinary sanctions are documented in UHV Administrative Policies and Procedures, Index C, Policy Number C-14, Discipline and Dismissal of Regular Staff Employees and Policy Number C-19, Drug and Alcohol Abuse Prevention Program, Penalties for Violation of this Policy. Additional disciplinary sanctions are detailed in the UHV Student-Athlete's Handbook.

3. Are the above materials distributed to students in one of the following ways?

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

Yes **No** ✓

- b. Through campus post offices boxes

Yes **No** ✓

UHV does not have student campus post office boxes.

- c. Class schedules which are mailed to each student

Yes **No** ✓

UHV does not mail class schedules to students.

- d. During freshman orientation

Yes **No** ✓

UHV is currently an upper level institution and has no freshman or sophomore students.

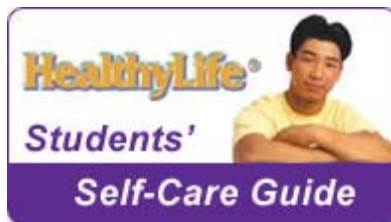
- e. During new student orientation

Yes ✓ No

- f. In another manner (*describe*)

Materials are distributed electronically each semester by Student Services or the Safety Office. Hard copy distributions of the policy and other materials are available upon request. Student Services uses a student email distribution list to send electronic alcohol and drug prevention program notifications to students and for random announcements throughout the academic year. Written materials are distributed by the Athletic Department to student athletes. Student athletes are required to sign an acknowledgement sheet that they have received a copy of the UHV Student-Athlete's Handbook, and that they have read and fully understand the provisions and policies in the handbook.

The following Students' Self-Care Guide link is available on the Student Services Office Web site under Health Services:



ATTACHMENT B, COMPLIANCE CHECKLIST

4. Does the means of distribution provide reasonable assurance that each student receives the materials annually? **Yes** **No**
Each student receives electronic notice and access to these materials at least once annually.
5. Does the institution's distribution plan make provisions for providing these materials to students who enroll at some date after the initial distribution? **Yes** **No**
The university practice is to distribute materials electronically to students after the start of the Fall, Spring and Summer semesters.
6. 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**
The materials are distributed by Human Resources to new employees during the hiring process. New employees are required to sign an acknowledgement sheet that they have been provided a copy of UHV Administrative Policies and Procedures, Index C, Policy Number C-19, Drug and Alcohol Abuse Prevention Program.
- d. In another manner (*describe*)
Staff: **Yes** **No** Faculty: **Yes** **No**
The Alcohol and Other Drug (AOD) report is mailed electronically by the Safety & Risk Manager annually during the 1st Quarter of the calendar year to faculty, staff and students.
7. Does the means of distribution provide reasonable assurance that each staff and faculty member receives the materials annually?
Staff: **Yes** **No** Faculty: **Yes** **No**
Each staff and faculty employee receives electronic notice and access to these materials at least once annually.
8. 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** **No** Faculty: **Yes** **No**
The materials are distributed by Human Resources to new employees during the hiring process. New employees are required to sign an acknowledgement sheet that they have been provided a copy of UHV Administrative Policies and Procedures, Index C, Policy Number C-19, Drug and Alcohol Abuse Prevention Program.
9. 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 **No**

ATTACHMENT B, COMPLIANCE CHECKLIST

- b. Conduct opinion survey of its students, staff, and faculty
Students: Yes No Staff and Faculty: Yes No
- c. Evaluate comments obtained from a suggestion box
Students: Yes No Staff and Faculty: Yes No
There is a suggestion box available on the Student & Academic Services Web site for faculty, staff, and students to submit comments and voice concerns. The Campus Safety e-mail box is also available for faculty, staff, and students to submit comments and voice concerns. Faculty, staff and students are invited to participate in the quarterly Safety and Risk Advisory Committee meetings.
- d. Conduct focus groups
Students: Yes No Staff and Faculty: Yes No
- e. Conduct intercept interviews
Students: Yes No Staff and Faculty: Yes No
UHV has had no documented cases of alcohol or drug use by employees or students on campus; therefore no intercept interviews have been conducted.
- f. Assess effectiveness of documented mandatory drug treatment referrals for students and employees
Students: Yes No Staff and Faculty: Yes No
UHV has had no documented cases of alcohol or drug use by employees or students on campus; therefore no documented mandatory referrals.
- g. Assess effectiveness of documented cases of disciplinary sanctions imposed on students and employees
Students: Yes No Staff and Faculty: Yes No
UHV has had no documented cases of disciplinary sanctions imposed on students and employees.
- h. Other (*please list*)
A Drug and Alcohol Abuse Prevention Program Compliance Committee conducts the biennial review and assesses the effectiveness of the prevention program makes recommendations for continuous improvement of the prevention program. The Safety & Risk Manager is the designated committee chairperson. The university administrative policy review process requires that significant changes to C-19, Drug and Alcohol Abuse Prevention Program are posted for a minimum of 10 days for public review.
10. Who is responsible for conducting these biennial reviews?
A Drug and Alcohol Abuse Prevention Program Compliance Committee conducts the biennial review and assesses the effectiveness of the prevention program makes recommendations for continuous improvement of the prevention program. The Safety & Risk Manager is the designated committee chairperson.
11. 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 No
If requested, the institution will make available a copy of each requested item in the drug prevention program and the results of the biennial review.

ATTACHMENT B, COMPLIANCE CHECKLIST

12. Where is the biennial review documentation located?

Name: Genaro Cortez

Title: Safety & Risk Manager

Department: Business Service Department

Phone: (361) 570-4245 E-mail: cortezg@uhv.edu

13. Comments: The report is available online on the university Business Services Department Web site in the Campus Safety Manual at <http://www.uhv.edu/Business/CampusSafety.asp>. The Alcohol and Other Drug Review report and supporting documentation is filed in the Business Services Department; Institutional Compliance Folder labeled Institutional Compliance Documentation – Drug & Alcohol Policy Review.

Biennial Review - Administrative Policies and Procedures Review

UNIVERSITY COMPLIANCE:

The committee concluded that UHV Administrative Policies and Procedures are in compliance with the minimum requirements of the DFSCA. Policies and Procedures which reference alcohol and drugs will be reviewed by the respective procedure proprietors. The committee recommends that the procedure proprietors focus on policy content to ensure alignment and consistency with the university alcohol and drug prevention program and DFSCA requirements.

Index A: General; A-6 Campus Safety Policy

Department: Business Services
 Procedure Proprietor: Genaro Cortez, Safety & Risk Manager

Index A: General; A-41 Alcoholic Beverage Use on Campus

Department: Business Services
 Procedure Proprietor: Gregory Fanelli, Director

Index C: Human Resources; C-14 Discipline and Dismissal Regular Staff Employees

Department: Human Resources
 Procedure Proprietor: Denise Prescott, Manager, Payroll/Benefits

Index C: Human Resources; C-19 Drug and Alcohol Abuse Prevention

Department: Human Resources
 Procedure Proprietor: Denise Prescott, Manager, Payroll/Benefits

Index D: Student Services; D-1 Confidentiality of Student Records

Department: Office of Admissions and Records
 Procedure Proprietor: Trudy Wortham, Registrar

Index F: Travel; F-2 Business Use of Vehicles

Department: Business Services
 Procedure Proprietor: Gregory Fanelli, Director

Index F: Travel; F-3 Student Travel

Department: Student & Academic Services
 Procedure Proprietor: Chari Norgard, Sr. Director

Index H: Facilities Services; H-1 Facilities and Ground Usage

Department: Facilities Services
 Procedure Proprietor: Michael Ruland, Director

Biennial Review - University Prevention Program Distribution Protocol**UNIVERSITY COMPLIANCE:**

The Department of Education requires that each institution of higher education distribute its annual AOD policy notification in writing. The UHV makes the policy available in various ways.

Students:

- *UHV Catalog*
- *UHV Student Handbook*
- *UHV Student-Athlete Athletic Handbook*
- Campus Safety Manual
- Monthly Combined Incident Log
- Annual Campus Crime and Security Report
- UHV Administrative Policies and Procedures

Faculty and Staff:

- New Faculty Hiring Process
- New Employee Orientation Process
- Campus Safety Manual
- Monthly Combined Incident Log
- Annual Campus Crime and Security Report
- UHV Administrative Policies and Procedures

Biennial AOD Program Review – period ending December 31, 2006

UNIVERSITY COMPLIANCE

The existing university policies are in compliance. However, the following recommendations are intended to provide additional support in the enforcement of the existing prevention program.

COMMITTEE FINDINGS:

- The committee concluded that the use of a survey to increase effectiveness of the prevention program was not necessary since the university did not have any documented case reported.
- The inclusion of comments by the previous committee to explain the “yes” and “no” answers on the compliance checklist provided valuable information for the current review committee.
- Policies were reviewed for compliance with DFSCA Regulations. The committee concluded that university policies should be consistent when reference is made to alcohol and other drugs.
- The AOD policy statement included on the student tuition and fee bill is no longer an effective way to communicate the prevention program. Most students now utilize online services provided by the Bursar Office and tuition and fee bills are issued to only 10% of students.

COMMITTEE RECOMMENDATIONS:

- The committee recommends completion of the DFSCA Supplemental Checklist prior to the next biennial review. **(Status – Committee to complete in FY 09)**
- The committee recommends that the university continue to educate faculty and staff on AOD policies. Include information about the new Employee Assistance Program (EAP). **(Status – Complete, ongoing process)**
- The committee recommends that Student & Academic Services continue to develop the online student orientation program and include the Drug and Alcohol Abuse Prevention Program to educate new incoming students about these policies. **(Status – The initiative to develop an online student orientation program was discontinued. Recently, Student Services has scheduled and conducted student orientation presentations for new students.)**
- Campus departments that are engaged in AOD policy educational efforts need to provide ongoing documentation to the Safety & Risk Manager for inclusion in future biennial reviews. **(Status – Complete, ongoing process)**
- Use the monthly Combined Campus Incident Log to distribute timely information about the AOD policy to students, faculty and staff. **(Status – Protocol is in place to distribute information on the monthly Combined Campus Incident Log. The university can also utilize PIER system for immediate distribution of information to students, faculty and staff.)**
- Annually, the Safety & Risk Manager will make the AOD policy available by e-mail to faculty and staff and will alert the Student Activity & Leadership Manager to notify students. Add a tickler item to the Administration & Finance Tracking List. **(Status – Complete, Safety & Risk Manager responsibility added to the Administration & Finance Tracking List)**
- Meet once a year with The Victoria College Police Department to address issues regarding any drug and alcohol problems occurring at Victoria College and UHV. University representatives should include the Student Activity & Leadership Manager and Safety & Risk Manager. The UHV and VC share some common campus facilities. **(Status – Meetings held with The Victoria College Campus Police & Security as needed to address issues. Communications to share information between institutions occur more often.)**

Biennial AOD Program Review – period ending December 31, 2006 (cont'd)

- Develop a checklist to include information needed to complete the DFSCA Federal Mandated Biennial Program Review. **(Status – Complete. Included the following additional items in the checklist for review of information needed to complete the DFSCA Federal Mandated Biennial Program Review Report: 1) UHV Student-Athlete Handbook and 2) UHV 2008-2009 UHV Catalog.**
 - U.S. Department of Education Guide for University Administrators
 - Complying with the Drug-Free Schools and Campus Regulations
 - U.S. Drug Enforcement Administration Federal Trafficking Penalties
 - <http://www.dea.gov/agency/penalties.htm>
 - Campus Crime and Security Report
 - UHV Student Handbook
 - UHV Policies and Procedures
 - A-6 Campus Safety Policy
 - A-41 Alcoholic Beverage Use on Campus
 - C-14 Discipline and Dismissal Regular Staff Employees
 - C-19 Drug and Alcohol Abuse Prevention
 - D-1 Confidentiality of Student Records
 - F-2 Business Use of Vehicles
 - F-3 Student Travel
 - H-1 Facilities and Ground Usage

The committee felt that overall there has been continuous improvement in how the university is prepared to deal with drug and alcohol issues on-campus. However, the committee feels that the implementation of the above recommendations could improve overall effectiveness of the program for students, faculty and staff members.