



Biennial Review of  
Compliance with the Drug-Free Schools and Communities Act  
2014-2016

## Overview

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**The Drug-Free Schools and Campuses Regulations** (EDGAR Part 86) lay out several requirements with which all IHEs receiving any form of federal funding must comply, one of which is a biennial review. The regulations' structure and format provide enough flexibility that a campus can tailor its biennial review and report to suit the particular circumstances of the campus and provide a springboard for a thorough review, evaluation, and adaptation of its AOD prevention program.

*AOD Prevention Program.* IHEs receiving federal funds or financial assistance must develop and implement a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. The program must include annual notification of the following: standards of conduct; a description of sanctions for violating federal, state, and local law and campus policy; a description of health risks associated with AOD use; a description of treatment options; and a biennial review of the program's effectiveness and the consistency of the enforcement of sanctions.

*Certification:* For certain forms of federal funding or assistance, IHEs must certify that they have an AOD prevention program; the certification is included commonly in the "Representations and Certifications" section of an application or proposal.

*Requirement to Comply.* IHEs must provide a copy of their biennial report to the U.S. Department of Education or its representative on request. The Secretary or his/her designee may review the report and supporting documentation as necessary and, where an IHE is noncompliant, may take action ranging from providing technical assistance to help the campus come into compliance to terminating all forms of federal financial assistance.

*Other Legal Obligations.* IHEs also may be subject to related requirements under state and federal law and judicial rulings. IHEs should seek advice on this point from the institution's general counsel or other relevant national resources.

To comply with the Part 86 regulations, IHEs must notify all students and employees annually of certain information. The notification must include the following: (1) standards of conduct; (2) possible legal sanctions and penalties; (3) statements of the health risks associated with AOD abuse; (4) the IHE's AOD programs available to students, staff, and faculty; and (5) disciplinary sanctions for violations of the standards of conduct. IHEs must make the notification in writing and in a manner that ensures all students and employees receive it.

*Content of Review.* To comply with the regulations, every two years an IHE must conduct a review of its AOD program to determine effectiveness and the consistency of sanction enforcement, in order to identify and implement any necessary changes. The Department of Education recommends that IHEs conduct the biennial review in even-numbered years and focus their report on the two preceding academic years.

## AOD Prevention Programs

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### Students:

1. Belles 101
2. 5th Quarter programs
3. Alcohol assessment for violations
4. Counseling assessments for violations

### Faculty and Staff:

1. EAP

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

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

YES                       NO

If yes, where is it located? Information regarding Saint Mary's College drug prevention program is located:

Students: Code of Student Conduct <https://www.saintmarys.edu/files/RL%20-%20revised%20code%20of%20student%20conduct%202.pdf>

Student Athletes:

[https://www.saintmarys.edu/files/2017/03/DIII\\_Summary\\_of\\_NCAA\\_Regulations\\_2016\\_17\\_20160606.pdf](https://www.saintmarys.edu/files/2017/03/DIII_Summary_of_NCAA_Regulations_2016_17_20160606.pdf)

Faculty: Employee Handbook

Staff/Administrators: Employee 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?

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

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

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

Students:                       YES                       NO

Staff and Faculty             YES                       NO

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

Students:                       YES                       NO

Staff and Faculty             YES                       NO

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

Students:  YES  NO

This information is clearly outlined in the Code of Student Conduct and is consistent with federal, state, and local laws. Sanctions for alcohol and drug policy violations are also clearly outlined in the Code and processed consistently for incidents documented through the Maxient discipline database program. Maxient is monitored by the Assistant Vice President for Student Affairs.

Staff and Faculty  YES  NO

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)?

Students:  YES  NO

Annually via email

b. Through campus post office boxes

Students:  YES  NO

c. Class schedules which are mailed to each student

Students:  YES  NO

Class schedules are available on-line via PRISM and are not mailed to each student.

d. During freshman orientation?

Students:  YES  NO

This information and related policies are communicated to students through our orientation program entitled Belles 101 and followed-up with individual floor meetings facilitated by the Office of Residence Life staff.

e. During new student orientation?

Students:  YES  NO

This information and related policies are communicated to students through our orientation program entitled Belles 101 and followed-up with individual floor meetings facilitated by the Office of Residence Life staff.

f. In another manner (describe):

Students:  YES  NO

This information and related policies are communicated to student organizations through the registered student organization process and handbook.

4. Does the means of distribution provide adequate assurance that each student receives the materials annually?

Students:  YES  NO

All students have access to the Code of Student Conduct available online on the Saint Mary's College website.

All first year students are expected to attend the Belles Beginnings orientation before fall semester classes begin. Information regarding student behavior expectations, policies and resources are disseminated during this orientation.

Students are required to live on campus for their first 6 semesters unless approved to live off campus. Each student living on campus must acknowledge the housing agreement which states "Additional resident responsibilities may be found in the Guide to Residence Hall Living. Residents agree to abide by all policies and procedures as outlined in the Guide and the Code of Student Conduct."

Students who live on campus must attend their first floor meeting facilitated by the Office of Residence Life staff who reviews polices as outlined in the Code of Student Conduct.

5. Does the institution's distribution plan make provisions for providing these materials to students who enroll at some date after the initial distribution?

Students:         YES         NO

Saint Mary's College does not permit students to enroll after census day (the tenth day after classes begins). All students receive the official notification email with the information after that day; therefore no plan is needed.

6. Are the above materials distributed to staff and faculty in one of the following ways?

a. Mailed

Staff:         YES         NO

Faculty:       YES         NO

Annually via email

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):

Staff:         YES         NO

Faculty:       YES         NO

7. Does the means of distribution provide adequate assurance that each staff and faculty member receives the materials annually?

Staff:  YES  NO

Faculty:  YES  NO

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

9. In what ways does the institution conduct biennial review 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

b. Conduct opinion survey of its students, staff, and faculty  
 YES  NO

c. Evaluate comments obtained from a suggestion box

Students:  YES  NO

Staff:  YES  NO

Faculty:  YES  NO

d. Conduct focus groups

Students:  YES  NO

Staff:  YES  NO

Faculty:  YES  NO

e. Conduct intercept interviews

Students:  YES  NO

Staff:  YES  NO

Faculty:  YES  NO

- f. Assess effectiveness of documented mandatory drug treatment referrals for students and employees

Students:  YES  NO

Students mandated to drug treatment must provide a release of compliance to the Assistant Vice President for Student Affairs as part of their sanction as outlined in the Code of Student Conduct.

Staff:  YES  NO

Human Resources monitors staff members who have been referred to treatment or counseling for AOD related issues.

Faculty:  YES  NO

Human Resources monitors faculty members who have been referred to treatment or counseling for AOD related issues.

- g. Assess effectiveness of documented cases of disciplinary sanctions imposed on students and employees

Students:  YES  NO

The Assistant Vice President for Student Affairs evaluates the effectiveness of students who have progressed through the individual alcohol and drug assessment process. Evaluation is based on recidivism rates and timeliness of progression. Individual student disciplinary cases are discussed in the weekly Behavioral Concerns Team (BCT) meetings with relevant college staff.

Staff:  YES  NO

Human Resources monitors staff members who have been had disciplinary sanctions imposed on them.

Faculty:  YES  NO

Human Resources monitors faculty members who have been had disciplinary sanctions imposed on them.

- h. Other (please list):

10. Who is responsible for conducting these biennial reviews?

The Vice President for Student Affairs is responsible for gathering information and documenting the biennial review.

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

12. Where is the biennial review documentation located?



13. Comments:

Saint Mary's College is in significant compliance with DFSCA requirements.

### Staff and Faculty Violations and Sanctions

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	2014	2015	2016
Liquor Law Violation			
Drug Abuse			

Staff and Faculty members who are found responsible for these violations are sanctioned in accordance with employee handbook:

### Student Violations and Sanctions

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	On Campus			Off Campus			Public		
	2014	2015	2016	2014	2015	2016	2014	2015	2016
Arrest: Liquor Law Violation	1	0		0	0	0	1	1	
Disciplinary referrals: Liquor Law	102	47		0	0	0	112	53	
Arrest: Drug Abuse	0	0		0	0	0	0	0	
Disciplinary referrals: Drug Abuse	4	1		0	0	0	4	1	

Students who are found responsible for violations of the Code of Student Conduct are sanctioned in accordance with our sanctioning guidelines:

Alcohol:

In the presence of alcohol:

- ✓ 1<sup>st</sup> offense: warning
- ✓ 2<sup>nd</sup> offense: probation 3 months and educational sanction
- ✓ 3<sup>rd</sup> offense: probation for an additional 6 months and educational sanction(s)

- ✓ 4<sup>th</sup> offense: probation extended for 12 months and educational sanction(s)
- ✓ 5<sup>th</sup> offense: probation through graduation, warning that emergency actions will be taken next time and educational sanction(s)
- ✓ 6<sup>th</sup> offense: emergency actions until CIB hearing

*In possession/consumption of alcohol (no transport) or notification of MIP:*

- ✓ 1<sup>st</sup> offense: warning
- ✓ 2<sup>nd</sup> offense: counseling assessment and educational sanction
- ✓ 3<sup>rd</sup> offense: probation for 3-6 months and educational sanction(s)
- ✓ 4<sup>th</sup> offense: probation extended up to 12 months, parental notification and educational sanctions(s)
- ✓ 5<sup>th</sup> offense: probation through graduation, parental notification and warning that emergency actions will be taken next time and educational sanction(s)
- ✓ 6<sup>th</sup> offense: emergency action until CIB hearing

*In excessive possession/consumption/distribution of alcohol (transport):*

- ✓ 1<sup>st</sup> offense: warning, counseling assessment and educational sanction
- ✓ 2<sup>nd</sup> offense: probation for 6 months and educational sanction(s)
- ✓ 3<sup>rd</sup> offense: : probation extended 12 months (min. of 2 full semesters), parental notification and educational sanctions(s)
- ✓ 4<sup>th</sup> offense: probation through graduation, parental notification and warning that emergency actions will be taken next time and educational sanction(s)
- ✓ 5<sup>th</sup> offense: emergency actions until CIB hearing

*Consumption/possession/distribution of drugs:*

- ✓ 1<sup>st</sup> offense: minimum of probation for 12 months or 2 full semesters, counseling assessment, parental notification and educational sanctions(s)
- ✓ 2<sup>nd</sup> offense: probation through graduation, parental notification and warning that emergency actions will be taken next time and educational sanction(s)
- ✓ 3<sup>rd</sup> offense: emergency action until CIB hearing