

# DRUG FREE SCHOOLS & COMMUNITIES ACT

*Biennial Review Report*



**Southwest Wisconsin  
TECHNICAL COLLEGE**

**Biennial Report for Fiscal Years 2020-21 & 2021-22  
May 2023**

## Table of Contents

<b>Introduction/Overview .....</b>	<b>3</b>
<b>Biennial Review Process .....</b>	<b>3</b>
<b>Annual Policy Notification Process .....</b>	<b>5</b>
<b>Policies Applicable to Students .....</b>	<b>6</b>
Student Code of Conduct .....	6
2022-23 Student Handbook.....	8
Student Housing Handbook.....	9
<b>Policies Applicable to Students and Employees .....</b>	<b>10</b>
Alcohol & Other Drugs Administrative Policy .....	10
<b>Policies Applicable to Employees .....</b>	<b>12</b>
Employee Handbook .....	12
<b>Legal Sanctions .....</b>	<b>15</b>
Local Sanctions for Alcohol & Illicit Drug Violations– City of Fennimore, WI .....	15
State of Wisconsin Sanctions for Alcohol & Illicit Drug Violations .....	15
Federal Legal Sanctions .....	16
<b>Health Risks .....</b>	<b>18</b>
Alcohol .....	18
Short-Term Health Risks .....	18
Long-Term Health Risks .....	18
Marijuana, Methamphetamine, and Other Drugs .....	18
Marijuana .....	19
Methamphetamine (Meth) .....	19
Educational Consequences of Alcohol and Other Drug Abuse .....	20
<b>Alcohol and Other Drug Programs and Resources .....</b>	<b>21</b>
Student Resources .....	21
Employee Resources .....	21
<b>Alcohol and Drug Awareness Committee .....</b>	<b>22</b>
<b>Data and Trends .....</b>	<b>23</b>
Comprehensive Review of 2020-21 and 2021-22 Alcohol & Drug Violations Data .....	24
<b>SWOT Analysis .....</b>	<b>26</b>
<b>Recommendations &amp; Goals for next Biennium.....</b>	<b>27</b>

## Introduction/Overview

The Drug Free Schools and Community Act (DFSCA) of 1989 (34 CFR Part 86) requires institutions of higher education to establish policies that address unlawful possession, use, and distribution of alcohol and illicit drugs, as well as the establishment of a drug and alcohol prevention program. The DFSCA also requires the preparation of a biennial report that evaluates the effectiveness of the drug and alcohol prevention program.

Southwest Wisconsin Technical College (Southwest Tech) (College) improves lives through excellence in learning and strives for students to succeed in their chosen career and make positive and impactful contributions to their local communities. Southwest Tech's mission identifies the college as "providing education and training opportunities responsive to students, employers, and communities." The College Values of *Inclusivity, Learning, Integrity, Accountability, and Continuous Improvement* guide how the college community conducts themselves while meeting the mission.

Southwest Tech cares about providing a safe, healthy environment for students to learn and grow. The College focuses on helping students realize the importance of all aspects of their life. Providing an atmosphere free of alcohol and drugs enhances this learning environment and helps students and employees reach their potential.

This biennial report will focus on the Drug and Alcohol Prevention Program (DAAPP) located at <https://www.swtc.edu/student-resources/policies-procedures/drug-free-schools> available to current students and employees and potential students and employees. The DAAPP emphasizes standards of conduct, policies, health risks, college and legal sanctions, and resource and awareness programs.

## Biennial Review Process

The timeframe covered in the biennial review process is fiscal years 2020-21 and 2021-22, starting on July 1, 2020, through June 30, 2022. Southwest Wisconsin Technical College completes a biennial review in even-numbered years and prepares a Biennial Review Report. The goal of the biennial review is to review the DAAPP and assess its effectiveness by reviewing the consistency of imposed sanctions for alcohol and drug use violations of the Student Code of Conduct, Student Handbook, Employee Handbook, and policies focused on alcohol and drugs.

During the fall semester of even-numbered calendar years, the College Compliance Officer will convene a DAAPP review committee. The committee will draw upon available data sources, which may include, but are not limited to, the following:

- number of drug- and alcohol-related disciplinary sanctions imposed.
- number of drug- and alcohol-related referrals for counseling or treatment.
- number of drug- and alcohol-related incidents recorded in the logs of campus security or other law enforcement officials.
- number of drug- and alcohol-related incidents of vandalism.

- number of students or employees attending self-help or other counseling groups related to alcohol or drug abuse.
- student, faculty and employee attitudes and perceptions about the drug and alcohol problem on campus.

Each review will determine the program's effectiveness and will ensure that sanctions imposed for violations of the standards of conduct identified in the DAAPP are consistently enforced. The review also recognizes any changes to implement during the next biennium should any changes be necessary following the review.

Furthermore, each Biennial Review Report will disclose the following statistics, as required by law:

- the number of drug and alcohol-related violations and fatalities that occur on the institution's campus (as defined by the Clery Act) or as part of any of the institution's activities reported to campus officials; and
- the number and type of sanctions that are imposed by the institution as a result of drug and alcohol-related violations and fatalities on the institution's campus or as part of any of the institution's activities.

The report will cover the prior two academic years and will result in a written, published Biennial Review Report. The Report will describe the research methods and data analysis tools used to determine the effectiveness of the DAAPP and will identify the offices or officials that have conducted the Biennial Review.

A copy of the final Biennial Review Report is maintained in the Compliance Office. The office is located in Building 400 (College Connection) at 1800 Bronson Boulevard, Fennimore, WI 53809. A copy of the report will be provided upon request.

The biennial review process includes the review of unlawful alcohol and illicit drug violations reported to the college. Southwest Tech has few reports of such violations each year. All reports are maintained in the SmartSheet system, and the data was extrapolated by the Executive Director of Facilities, Security & Safety. Once a year, Campus Security Authorities, as defined by the Clery Act, are asked to report any additional violations that are not maintained in the SmartSheet. The purpose of the evaluation of the data is to determine trends and make recommendations for future programming and intervention.

The college maintains biennial reports for no less than seven years. The custodian of the report is the Compliance Officer, and such reports can be requested by contacting this individual.

## Annual Policy Notification Process

Beginning in December 2022, Southwest Tech implemented a method to distribute the Drug and Alcohol Abuse Prevention Program (DAAPP). All students who enroll in a credit or non-credit course receive an email that includes a link to the DAAPP

(<https://www.swtc.edu/student-resources/policies-procedures/drug-free-schools>)

- The DAAPP is also linked on the college's public facing Consumer Disclosures webpage (<https://www.gtc.edu/about-gateway/consumer-disclosures>).
- The DAAPP is provided to new full-time, part-time employees, and adjunct employees through the onboarding process and through an annual review and acknowledgement process each fall. These employees must acknowledge college policies, including the DAAPP. Human Resources is responsible for maintaining these acknowledgement forms.

## Policies Applicable to Students

### Student Code of Conduct

The Student Code of Conduct applies to all students enrolled in credit and non-credit courses and indicates, “the College prohibits conduct on its campus and in its student housing, which impedes learning, disrupts a peaceful campus environment, and does not promote a cohesive culture based on professionalism, fairness, and trust.” It further states, “The Code applies to students (and their guests) on property, including housing, owned, leased, or controlled by the College, Foundation or Real Estate Foundation, and, at college-sponsored activities and events. This Code may apply to off-campus activities and locations when conduct has an actual or potential adverse impact on the College community, including conduct which presents a danger or threat to the health or safety of self or others, significantly impinges upon the rights, property or achievements of self or others, significantly breaches the peace and/or causes social disorder, or is detrimental to the educational mission and/or interests of the College.

The Student Code of Conduct specifies behavioral misconduct by outlining that “The following conduct constitutes a violation of the Code and will subject a student to disciplinary action...

*Illegal Use of Substances*- Illegal use, possession, sale, or distribution of controlled substances, associated paraphernalia, and/or alcohol on property owned or leased by the College, Foundation or Real Estate Foundation or at college-sponsored activities.”

It is noted in the Student Code of Conduct (Code) that, “When the severity of the circumstances warrants, the Chief Student Services Officer; Chief Academic Officer; Vice President of Administrative Services; Chief Human Resources Officer; Executive Director of Facilities, Safety, & Security; Director of Student Success; and/or President may impose upon the respondent a temporary suspension or separation from the College, including classes and College housing.” In addition, the Code outlines sanctions for behavioral misconduct and notes, “The range of outcomes, consequences, and sanctions include, but are not limited to:

- *Verbal Reprimand* – Verbal notice to the student that his/her actions are inappropriate, and the individual must act more responsibly in the future.
- *Written Reprimand* - Written notice to the student that his/her actions are inappropriate, and the individual must act more responsibly in the future.
- *Corrective Action* – Required corrective action including, but not limited to, academic counseling, substance abuse screening, writing a letter of apology, etc.
- *Educational Program* – Enrolling in an educational program addressing the related issues. Referral to an off-campus education program may be recommended.
- *Loss of Privileges/Access* - Denial of specified privileges for a designated period of time such as a restriction from hosting visitors and/or guests in housing; prohibitions on entering a specified housing facility; restriction from college-sponsored extracurricular activities or work positions on campus; other restrictions, as approved by the Chief Student Services Officer or designee.
- *Restitution/Compensation*. Monetary penalties for loss, damage, or injury.



- **No Contact Directive.** Directive to avoid all contact with complainant or other individual including via in-person, email, cell phone, social media, or other electronic medium.
- **Mandated Housing Reassignment** – Immediate relocation of the respondent to another housing residence.
- **Probation** - Probation for a designated period of time. Additional disciplinary sanctions will be imposed if the student engages in behavioral misconduct during the probationary period.
- **Housing Probation** - Housing probation for a designated period of time. Additional disciplinary sanctions will be imposed if the student engages in behavioral misconduct during the probationary period.
- **Disciplinary Suspension** - Suspension results in separation from the College for a specific minimum period of time, after which the respondent is eligible to return, usually after meeting certain conditions. During the suspension period, the student is banned from property owned, leased, or controlled by the College, Foundation or Real Estate Foundation, including student housing and is banned from school-sponsored events and activities. The sanction may be enforced with a trespass action as necessary. Students suspended for disciplinary reasons are not entitled to any refund of tuition or housing fees.
- **Housing Suspension** - Separation from the student housing area for a specific period of time, after which the student may be eligible to return. During the suspension period, the student is banned from student housing. The sanction may be enforced with a trespass action as necessary. Students suspended for disciplinary reasons are not entitled to any refund of housing fees.
- **Expulsion** - A permanent separation from the College. The student is banned from property owned, leased, or controlled by the College, Foundation or Real Estate Foundation, including student housing, and at college-sponsored events. This sanction may be enforced with a trespass action as necessary. Students that are expelled for disciplinary reasons are not entitled to any refund of tuition or housing fees.
- **Housing Expulsion** - Permanent removal of the student from student housing. The sanction will most likely result in a permanent ban from all student housing properties. Students dismissed from student housing for disciplinary reasons are not entitled to any refund of housing fees.
- **Academic Removal** - Removal of student from an academic course ("W" grade shown on transcript).
- **Confiscation of Prohibited Property** – Confiscation of illegal or prohibited items for specified period of time. Any controlled substances, including alcohol, will be discarded or turned over to law enforcement.”

The Student Code of Conduct specifies behavioral misconduct by outlining that “The following conduct constitutes a violation of the Code and will subject a student to disciplinary action...

*Illegal Use of Substances*- Illegal use, possession, sale, or distribution of controlled substances, associated paraphernalia, and/or alcohol on property owned or leased by the College, Foundation or Real Estate Foundation or at college-sponsored activities.”

The Student Code of Conduct further identifies Misconduct and Possible Sanctions for various behavioral misconduct including the following:

<b>Behavioral Misconduct</b>	<b>Possible Sanctions</b>
Substance abuse - first offense	Written reprimand, Educational program, Probation, Housing Probation, Confiscation of prohibited property
Substance abuse - repeat offense	Educational program, Probation, Housing probation, Mandated housing reassignment, Disciplinary suspension, Housing suspension, Confiscation of prohibited property, Expulsion, Housing Expulsion

### 2022-23 Student Handbook

The 2022-23 Student Handbook includes the same information that is included in the Student Code of Conduct related to alcohol and other drugs. The Student Handbook also outlines the State of Wisconsin & Federal Legal Sanctions related to controlled substances. The following is from the Student Handbook (pp. 48-49):

**Wisconsin.** The Uniform Controlled Substances Act, Chapter 961 of the Wisconsin Statutes, regulates controlled substances and outlines specific penalties for the violation of the regulations. A first-time conviction for possession of a controlled substance can result in a sentence of up to one year in prison and a fine of up to \$5,000. Sec. 961.41(3g), Stats. A person convicted of manufacturing a controlled substance, delivering a controlled substance, or possessing a controlled substance with an intent to manufacture or deliver, can be imprisoned for up to 30 years and fined up to \$1,000,000. Secs. 961.41(1) and (1m), Stats. Penalties vary according to the type of drug involved, the amount of drug confiscated, the number of previous convictions, and the presence of any aggravating factors. The distribution of a controlled substance to a minor can lead to the doubling of an authorized sentence term.

Wisconsin has formidable legal sanctions that restrict the use of alcohol in various situations. It is illegal to procure for, sell, dispense or give away alcohol to anyone who has not reached the legal drinking age of 21 years. Sec. 125.07(1)(a)(1), Stats. Every adult has a legal obligation to prevent the illegal consumption of alcohol on premises owned by the adult or under the adult's control. Sec. 125.07(1)(a)(3), Stats. A first-time violator of either of the above subsections can be fined up to \$500. It is against the law for an underage person to procure or attempt to procure an alcoholic beverage, to falsely represent his or her age for the purpose of obtaining alcohol, to enter premises licensed to sell alcohol, or to consume or possess alcohol on licensed premises. Sec. 125.07(4)(a), Stats. A first-time underage violator of Section 125.07(4)(bs), Stats., can be fined up to \$500, ordered to participate in a supervised work program, and have their driver's license suspended.



**Federal.** Pursuant to federal law, the United States Sentencing Guidelines establish mandatory minimum penalties for categories of drug offenses and provide for penalty enhancements in specific cases. Under these federal guidelines, courts can sentence a person for up to 6 years for unlawful possession of a controlled substance, including the distribution of a small amount (less than 250 grams) of marijuana; a sentence of life imprisonment can result from a conviction of possession of a controlled substance that results in death or bodily injury; and, possession of more than 5 grams of cocaine can trigger an intent to distribute penalty of 10-16 years in prison. [U.S.S.G.s.2D2.1 (b) (1)]. Copies of federal and state alcohol and drug laws are available in Southwest Tech’s Affirmative Action Office (Human Resources).

### Student Housing Handbook

Southwest Tech’s Student Housing is owned by the SWTC Real Estate Foundation and managed by the College. One college position, the Resident Life Manager, oversees the Student Housing with dedicated job duties. The SWTC Real Estate Foundation and the College have approved a Student Housing Handbook.

The Student Housing Handbook includes behavioral misconduct, policies, and procedures. It is noted in the Student Housing Handbook that there is a Zero Tolerance policy and “certain behaviors and policy violations are deemed serious enough that students may be dismissed on the first offense, which includes, but is not limited to, the following: ... Possession, use, or sale of narcotics or dangerous drugs, fireworks, or other material that might create a hazard.”

There is a section in the Student Housing Handbook that notes “The possession and/or consumption of alcoholic beverages are prohibited in all student housing areas, including the grounds, regardless of your age...Tobacco/VAPOR use is prohibited in all student housing (this includes e-cigarettes of all kinds.” Outlined in this section of the handbook, it states “It is considered an alcohol violation if you are in a room where alcohol is present, even if you are not consuming alcohol.” The handbook also refers to paraphernalia related to alcohol stating, “Residents are not permitted to have any paraphernalia related to alcohol use in their apartments. This includes, but is not limited to, empty bottles, cans, boxes, flags or posters.”

Furthermore, the Student Housing Handbook contains a section on Drugs. That statement reads:

### Drugs

The College will deal in a serious manner, as outlined in the Student Code of Conduct, with any resident who is involved in the use, being under the influence, possession, or sale or distribution of illegal drugs or drug paraphernalia. Involvement with controlled substances could lead to criminal charges being brought against those involved, including imprisonment, monetary fines, and termination of the individual’s lease. **The College will not hesitate to involve local and state law enforcement agencies if there is**

**reason to believe a resident or another individual has drugs or drug paraphernalia, including the misuse of prescription drugs, in their possession.** The College will evict a resident for nuisances related to drugs. The resident will be given a 5-day notice to vacate.

## Policies Applicable to Students and Employees

### Alcohol & Other Drugs Administrative Policy

Southwest Wisconsin Technical College (hereinafter “Southwest Tech” or “College”) is committed to providing a safe, healthy learning community for all its members. The College recognizes improper and/or excessive use of alcohol and other drugs may interfere with the College’s mission by negatively affecting the health and safety of students, faculty, and staff. Due to the harm caused by the excessive and/or illegal use of alcohol and other drugs, the College has a vested interest in establishing policies to prohibit unlawful behavior and sanctions to address policy violations by members of our community.

Southwest Tech is committed to maintaining an alcohol and drug-free learning and work environment for students, faculty, staff, and visitors. An alcohol and drug-free campus provides for a safe and healthy campus and workplace for all. This policy applies to students, employees, and the public on Southwest Tech’s owned and leased property, including housing, owned, leased, or controlled by the College, Foundation or Real Estate Foundation, and, at college-sponsored activities and events. This policy also applies to college-sponsored off-campus activities and locations wherever held. Wisconsin Technical College System Board policy forbids the expenditure of student activity fees for alcoholic beverages.

The provisions of this policy are intended to comply with applicable state and federal laws including, but not limited to the Drug Free Schools and Communities Act Amendment of 1989; the Drugfree Workplace Act of 1988; the Americans with Disabilities Act of 1990; the 1989 Wisconsin Act 121; and the Uniform Controlled Substances Act, Wisconsin Statutes Chapter 161. The Uniform Controlled Substances Act prohibits using, selling, manufacturing, distributing, possessing, storing, dispensing, purchasing, transferring, or being under the influence of alcohol and/or controlled substances, illegal or illicit drugs, or alcohol by any student, employee, or vendor on College-owned or leased property, student learning environments, educational field trips, club activities, or at any College-sponsored activity wherever held. Controlled substances refer to any drug or substance that is prohibited by state or federal law. See the ‘Allowable Use of Alcohol and Other Drugs’ section for permissible use.

Alcohol: Employees, students, and campus guests, regardless of age, are expected to refrain from the use of alcohol on Southwest Tech-owned or leased premises including Foundation and Real Estate Foundation-owned or leased premises or at college-sponsored/supported events, while driving a College vehicle or while otherwise engaged in

College business. The only exception is if alcohol is served as part of an event listed under the Allowable Use of Alcohol and Other Drugs section. Employees must follow the requirements related to alcohol in the Employee Handbook. Students must also follow the requirements related to alcohol in the Student Code of Conduct and Student Handbook. In addition, housing students must follow the requirements related to alcohol in the Student Housing Lease and the Student Housing Handbook.

Drugs and Controlled Substances: Employees, students, and campus guests are prohibited from the use of drugs, other controlled substances, and/or related paraphernalia including hookahs on Southwest Tech-owned or leased premises including Foundation and Real Estate Foundation-owned or leased premises or at College-sponsored/supported events, while driving a College vehicle, or while otherwise engaged in College business. The only exception is if drugs and/or drug paraphernalia are used as part of an event listed under the Allowable Use of Alcohol and Other Drugs. Employees must follow the requirements related to drugs and controlled substances in the Employee Handbook. Students must also follow the requirements related to drugs and substances in the Student Code of Conduct and Student Handbook. In addition, housing students must follow the requirements related to drugs and controlled substances in the Student Housing Lease and the Student Housing Handbook.

Any person taking prescription drugs or over-the-counter medication is personally responsible for ensuring that while taking such drugs or medications, he or she is not a safety risk to themselves and others while on college property while driving a College or privately owned vehicle, or while otherwise engaged in College business. It is illegal to misuse prescription medication, i.e., continue to use medication when the prescription is no longer valid, use prescribed drugs contrary to the prescription, and give or sell prescribed drugs to another person.

All members of the College community also are governed by and subject to laws, regulations, and ordinances established by the state and local municipalities and will be held accountable by law enforcement representatives of those entities for any illegal activity. It is the responsibility of all campus members to be aware of these laws.

#### Disciplinary Action

Any violation by employees or students will follow appropriate disciplinary action. Employee discipline will follow the Employee Handbook progressive discipline policy. Student discipline will follow the process outlined in the Student Code of Conduct.

As mandated by the Drug Free Workplace Act of 1988, employees must report any conviction under a criminal drug statute for violations which occurred while the employee was conducting Southwest Tech business, whether on- or off-campus. This report must be made to Human Resources within five (5) days after the conviction. Failure to report in the required timeframe will result in appropriate disciplinary action up to and including termination.

### Allowable Use of Alcohol and Other Drugs

Alcohol, illicit drugs, and drug paraphernalia are permissible as part of an educational program that is dictated by curriculum needs and used under the direct supervision of faculty, with advanced approval by the President or designee.

Southwest Tech may grant permission for serving beer and/or wine at District facilities to Southwest Tech affiliated groups or outside organizations. Written permission must be granted by the President or designee. Organizations sponsoring an event will assume responsibility for damages to the facility, may be required to present evidence of insurance and will be required to indemnify Southwest Tech from any loss, damage or injury resulting from the serving of beer and/or wine. For all approved College related events involving alcohol, a licensed bartender must be present to serve the alcohol.

### Alcohol and Drug-Free Awareness and Referral Programs

The College has established an alcohol and drug-free education and awareness program for all employees and students. This program includes distribution of its policies, sanctions for violations, health risks associated with alcohol and other drug use, and resources available to students and employees.

All students are encouraged to seek help early if they feel they have a problem with drugs and/or alcohol and to learn how to assist others with substance abuse problems. Students have access to the Southwest Tech's Mental Health Counselor for assessment and/or intervention referral for alcohol and other drugs.

Employees with alcohol or drug abuse problems are strongly encouraged to seek help. Alcohol and drug abuse rehabilitation and assistance programs are available through the College's health benefits program and through the College Employee Assistance Program. Employees may contact the Office of Human Resources to seek assistance and/or referral to an appropriate outside agency. Employees are encouraged to use the College Employee Assistance Program for assessment and/or intervention referral.

A copy of this Policy statement will be distributed to all faculty, staff and students annually via email at the beginning of fall semester.

## Policies Applicable to Employees

### Employee Handbook

The Southwest Tech Employee Handbook articulates the college's collective working environment. There are several sections in the Employee Handbook that discusses appropriate and inappropriate behavior pertaining to alcohol and other drugs. The Employee Handbook Ethics, Conflicts of Interests, and Outside Employment section states, "Employees are expected to uphold the highest standards of ethical and professional behavior. Employees have an obligation to conduct business within guidelines that prohibit actual, potential, or perceived conflicts of interest."

The Guidelines for Appropriate Conduct section affirm, “As an integral member of the College team, each employee is expected to accept certain responsibilities, to adhere to acceptable business principles in matters of personal conduct, and to exhibit a high degree of personal integrity. Whether on or off duty, employee conduct reflects on the College. Employees are encouraged to observe the highest standards of professionalism and ethics.” Listed under the types of behavior and conduct related to alcohol and illicit drugs that the College deems inappropriate are the following:

- Reporting to work under the influence of non-prescribed drugs or alcohol
- Manufacturing, possessing, using, selling, distributing, or transporting drugs illegally
- Possessing or using alcoholic beverages on or off College property while engage in College business, except where authorized

The Drug and Alcohol Use section of the Employee Handbook asserts:

- Employees are required to report to work in appropriate mental and physical condition and perform their jobs in a satisfactory manner. If an employee is suspected of being under the influence of alcohol or an illegal drug, he or she may be requested to immediately submit to a drug and/or alcohol test.
- The legal use of drugs currently prescribed for an employee is permitted on the job only if it does not impair the employee's ability to perform the essential functions of the job effectively and in a safe manner.
- Employees with drug or alcohol problems may seek assistance through the employee assistance program (EAP) or the College's health insurance benefit coverage.

It is noted in the Employee Handbook that violations of any of these conditions could result in disciplinary action, up to and including termination of employment. The Employee Handbook notes:

#### Employee Sanctions

Employee discipline may take the form of a verbal warning, written warning, suspension (with or without pay), disciplinary demotion, or termination, depending upon the circumstances. The severity of the discipline shall be determined by the College in its sole discretion and in accordance with its disciplinary procedures. The supervisor, in consultation with Human Resources, may place an employee on a performance improvement plan. The employee must demonstrate a willingness and ability to meet and maintain the conduct and work requirements as specified in the performance improvement plan.

The range of sanctions include:

- Verbal warning – A verbal warning will involve a supervisor holding a conference with an employee. During the conference, the supervisor will verbally discuss concerns and what changes in job performance or behavior are necessary. The supervisor will document the concerns and expectations and inform the employee

that future violations could lead to further discipline. The employee and supervisor will be asked to sign and date a document, indicating that its contents have been discussed. The employee may write a rebuttal, within 60 days of the issuance of the verbal warning, which will be attached to the document. A copy of the document(s) will be provided to the employee and filed in the employee's personnel file.

- **Written warning** – Following an investigation, an employee may receive a written warning. A supervisor will hold a conference with the employee and present a written warning to the employee that specifies the violations, what changes in job performance or behavior are necessary, and the consequences for failure to improve. The employee and supervisor will be asked to sign and date the document, indicating the written warning has been received. The employee may write a rebuttal, within 60 days of the issuance of the written warning, which will be attached to the document. A copy of the document(s) will be provided to the employee and filed in the employee's personnel file.
- **Suspension** – During or following an investigation, an employee may be suspended with or without pay.
- **Disciplinary demotion** – Following an investigation, an employee may receive a disciplinary demotion. Disciplinary demotion is the movement to a different position, which may result in a lower salary.
- **Termination** – Following an investigation, employment may be terminated. Termination is an involuntary separation of employment. The employee will receive written notice of termination. Whenever possible, a conference will be scheduled with the employee to inform the employee of the termination. A copy of the termination notice will be placed in the employee's personnel file.



## Legal Sanctions

### Local Sanctions for Alcohol & Illicit Drug Violations– City of Fennimore, WI

In addition to Federal and State sanctions, Chapter 18 – Offenses – of the Municipal Code for the City of Fennimore, Grant County, Wisconsin, defines sanctions related to open containers and consumption of alcohol beverages on public property and inside all-terrain vehicles (ATV) and utility terrain vehicles (UTV) (s.18.04) and marijuana possession, delivery, and use (s.18.61 and s. 18.62).

Penalties are outlined below:

- *Open Containers and Consumption of Alcohol Beverages on Public Property and Inside an ATV or UTV (s. 18.04):*
  - A forfeiture of not less than \$5.00 nor more than \$50.00 together with the cost of prosecution
  - In the event of failure to pay said forfeiture and costs, said person may be imprisoned in the county jail not to exceed five (5) days.
- *Possession, Delivery, and Use of Marijuana (s.18.61):*
  - A forfeiture of not less than \$100.00 nor more than \$300.00
- *Possession of Drug Paraphernalia (s.18.62(3)(a)):*
  - A forfeiture of not less than \$100.00 nor more than \$300.00
- *Manufacture or Delivery of Drug Paraphernalia (s.18.62(4)(a)):*
  - A forfeiture of not less than \$100.00 nor more than \$300.00
- *Delivery of Drug Paraphernalia to a Minor (s.18.62(5)(a)):*
  - A forfeiture of not less than \$100.00 nor more than \$500.00

### State of Wisconsin Sanctions for Alcohol & Illicit Drug Violations

The Uniform Controlled Substances Act, Chapter 961 of the Wisconsin Statutes, regulates controlled substances and outlines specific penalties for the violation of the regulations. Below are penalties for controlled substances.

- A first-time conviction for possession of a controlled substance can result in a sentence of up to one year in prison and a fine of up to \$5,000. Sec.961.41(3g), Stats.
- A person convicted of manufacturing a controlled substance, delivering a controlled substance, or possessing a controlled substance with an intent to manufacture or deliver, can be imprisoned for up to 30 years and fined up to \$1,000, 000. Secs. 961.41(1) and (1m), Stats.
- Penalties vary according to the type of drug involved, the amount of drug confiscated, the number of previous convictions, and the presence of any aggravating factors. The distribution of a controlled substance to a minor can lead to the doubling of an authorized sentence term. Sec. 961.46, Stats.

Wisconsin has formidable legal sanctions that restrict the use of alcohol in various situations.

- It is illegal to procure for, sell, dispense or give away alcohol to anyone who has not reached the legal drinking age of 21 years. Sec.125.07(1)(a)(1), Stats.

- Every adult has a legal obligation to prevent the illegal consumption of alcohol on premises owned by the adult or under the adult's control. Sec. 125.07(1)(a)(3), Stats.
- A first-time violator of either of the above subsections can be fined up to \$500. It is against the law for an underage person to procure or attempt to procure an alcoholic beverage, to falsely represent his or her age for the purpose of obtaining alcohol, to enter premises licensed to sell alcohol, or to consume or possess alcohol on licensed premises. Sec. 125.07(4)(a), Stats.
- A first-time underage violator of Section 125.07(4) (bs), Stats., can be fined up to \$500, ordered to participate in a supervised work program, and have their driver's license suspended.

### Federal Legal Sanctions

Pursuant to federal law, the United States Sentencing Guidelines establish mandatory minimum penalties for categories of drug offenses and provide for penalty enhancements in specific cases. Under these federal guidelines, courts can sentence a person for up to 6 years for unlawful possession of a controlled substance, including the distribution of a small amount (less than 250 grams) of marijuana; a sentence of life imprisonment can result from a conviction of possession of a controlled substance that results in death or bodily injury; and, possession of more than 5 grams of cocaine can trigger an intent to distribute penalty of 10-16 years in prison.

### **Federal Penalties and Sanctions for Illegal Possession of Controlled Substances**

#### **21 U.S.C. 844(A)**

1st conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000, or both, if:

- a. 1st conviction and the amount of crack possessed exceeds 5 grams.
- b. 2nd crack conviction and the amount of crack possessed exceeds 3 grams.
- c. 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

#### **21 U.S.C. 853(A)(2) AND 881(A)(7)**

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack, above.)

**21 U.S.C. 881(A)(4)**

Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

**21 U.S.C. 844A**

Civil fine of up to \$10,000.

**21 U.S.C. 862**

Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

**18 U.S.C. 922(G)**

Ineligible to purchase, receive or transport a firearm.

**MISCELLANEOUS**

Revocation of certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies.

Note: These are only Federal penalties and sanctions. Additional State penalties and sanctions may apply.

## Health Risks

The following are summaries of the major health risks and common symptoms associated with alcohol and other drug use and abuse. This is not a complete listing but does provide an overview.

### Alcohol

Drinking too much – on a single occasion or over time – can take a serious toll on your health. According to the Centers for Disease Control (CDC), the following risks are associated with alcohol use and abuse.

#### Short-Term Health Risks

Excessive alcohol use has immediate effects that increase the risk of many harmful health conditions. These are most often the result of binge drinking and include the following:

- Injuries, such as motor vehicle crashes, falls, drownings, and burns.
- Violence, including homicide, suicide, sexual assault, and intimate partner violence.
- Alcohol poisoning, a medical emergency that results from high blood alcohol levels.
- Risky sexual behaviors, including unprotected sex or sex with multiple partners. These behaviors can result in unintended pregnancy or sexually transmitted diseases, including HIV.
- Miscarriage and stillbirth or fetal alcohol spectrum disorders (FASDs) among pregnant women.

#### Long-Term Health Risks

Over time, excessive alcohol use can lead to the development of chronic diseases and other serious problems including:

- High blood pressure, heart disease, stroke, liver disease, and digestive problems.
- Cancer of the breast, mouth, throat, esophagus, voice box, liver, colon, and rectum.
- Weakening of the immune system, increasing the chances of getting sick.
- Learning and memory problems, including dementia and poor school performance.
- Mental health problems, including depression and anxiety.
- Social problems, including family problems, job-related problems, and unemployment.
- Alcohol use disorders, or alcohol dependence.

By not drinking too much, you can reduce the risk of these short- and long-term health risks. For more information on alcohol use and abuse, go to the CDC's website at <https://www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm>. More information can be found at the National Institute on Alcohol Abuse and Alcoholism at <https://www.niaaa.nih.gov/alcohols-effects-health/alcohols-effects-body>.

### Marijuana, Methamphetamine, and Other Drugs

According to the U.S. Department of Health & Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA), all drug use comes with risks and takes their toll on you and your family. Drug use, including marijuana, cocaine, methamphetamine, as well as prescription drug misuse and illicit opioids, pose different

dangers. Drug use can lead to dependence and addiction, injury and accidents, health problems, sleep issues, and more. For more information on drug health risks, SAMHSA has great information on its website located at <https://www.samhsa.gov/adult-drug-use>.

Over time, the regular or habitual use of drugs becomes a crutch and only adds to the stress. Drugs can also cause other harms, including:

- **Cocaine:** Highly addictive, cocaine is involved in nearly one in five overdose deaths; its health effects include asthma, bowel decay, and increased risk of HIV.
- **Prescription and Illicit Opioids:** Highly addictive, the substances are the top cause of overdose deaths; health effects include confusion, nausea, constipation, coma, and brain damage.

### Marijuana

Marijuana use comes with real risks that can impact a person's health and life. There are real risks for people who use marijuana, especially youth and young adults, and women who are pregnant or nursing. Today's marijuana is stronger than ever before. People can and do become addicted to marijuana.

Marijuana use can have negative and long-term effects:

**Brain Health:** Marijuana can cause permanent IQ loss of as much as 8 points when people start using it at a young age. These IQ points do not come back, even after quitting marijuana.

**Mental Health:** Studies link marijuana use to depression, anxiety, suicide planning, and psychotic episodes. It is not known, however, if marijuana use is the cause of these conditions.

**Athletic Performance:** Research shows that marijuana affects timing, movement, and coordination, which can harm athletic performance.

**Driving:** People who drive under the influence of marijuana can experience dangerous effects: slower reactions, lane weaving, decreased coordination, and difficulty reacting to signals and sounds on the road.

**Baby's Health and Development:** Marijuana use during pregnancy may cause fetal growth restriction, premature birth, stillbirth, and problems with brain development, resulting in hyperactivity and poor cognitive function. Tetrahydrocannabinol (THC) and other chemicals from marijuana can also be passed from a mother to her baby through breast milk, further impacting a child's healthy development.

**Daily Life:** Using marijuana can affect performance and how well people do in life. Research shows that people who use marijuana are more likely to have relationship problems, worse educational outcomes, lower career achievement, and reduced life satisfaction.

### Methamphetamine (Meth)

Meth causes short-term and long-term health effects and sometimes death, even on the first try. Meth speeds up the body's systems to dangerous levels. Chronic users experience anxiety, confusion, insomnia, paranoia, aggression, and more.

#### Short-term Effects

Even taking small amounts of meth can cause harmful health effects, including:

- Increased blood pressure and body temperature
- Faster breathing
- Rapid or irregular heartbeat
- Loss of appetite, disturbed sleep patterns, or nausea
- Erratic, aggressive, irritable, or violent behavior

### Long-term Health Risks

Chronic meth use can lead to many damaging, long-term health effects, even when people stop taking meth, including:

- Permanent damage to the heart and brain
- High blood pressure leading to heart attacks, strokes, and death
- Liver, kidney, and lung damage
- Anxiety, confusion, and insomnia
- Paranoia, hallucinations, mood disturbances, delusions, or violent behavior (psychotic symptoms can sometimes last for months or years after meth use)
- Intense itching, causing skin sores from scratching
- Premature osteoporosis
- Severe dental problems

## Educational Consequences of Alcohol and Other Drug Abuse

There are numerous educational consequences associated with alcohol and other drug abuse. According to an article titled 'Substance Use Among College Students' in the *Focus – The Journal of Lifelong Learning in Psychology*, substance use among college students is associated with numerous negative outcomes including lower academic performance, a higher probability of unemployment after graduation, and an increased risk of committing and experiencing sexual assault. It is estimated that 1 in 4 college students experience academic problems due to alcohol. Students who regularly use substances are more likely to have lower GPAs, spend fewer hours studying, miss significantly more class time, and fail to graduate or to be unemployed postgraduation.

According to the National Survey on Drug Use and Health:

- Almost 53% of full-time college students ages 18-22 drank alcohol in the past month
- A total of 33% engaged in binge drinking in the past month (meaning 5 or more drinks for males or 4 or more drinks for females on one occasion)

Data from the National Institute on Alcohol Abuse and Alcoholism noted that an estimated 1,519 college students aged 18-24 died in the past year due to unintentional alcohol-related injuries, which includes car accidents. The same data estimated 97,000 students ages 18-24 are victims of alcohol-related sexual assault or date rape.

Students may be arrested for alcohol and drug violations, fighting, and damaging property. Finally, substance-using college students often diminish the quality of campus life for other students, many of whom report having study and sleep time interrupted and having personal property damaged and destroyed because of intoxicated students.



## Alcohol and Other Drug Programs and Resources

### Student Resources

The Southwest Tech Drug & Alcohol Abuse Prevention Program outlines on-campus and external resources for students to seek assistance with an alcohol or substance abuse problem.

Any **student** seeking assistance with an alcohol or substance abuse problem can contact the Mental Health Counselor on campus at 608.822.2268 or [mhc@swtc.edu](mailto:mhc@swtc.edu). The mental health counselor will conduct an assessment and/or intervention referral for alcohol and other drugs. Southwest Tech also offers students access to BetterMynd mental health counseling. This online mental health service is available at <https://bettermynd.com>. External drug and alcohol resources are available by dialing 211 or 988, contacting Unified Community Services at <https://unified.co.grant.wi.gov/> or at the following locations:

- 24/7 Crisis Hotline – 1-800-362-5717
- Lancaster (Grant County) – 608-723-6357
- Dodgeville (Iowa County) – 608-935-2776

Other county alcohol and other drug use resources available in the Southwest Tech district include:

- Crawford County Human Services – 608-326-0248
- Lafayette County Human Services - 608-776-4800
- Richland County Health & Human Services – 608-647-8821

Other external resources include:

- Alcoholics Anonymous – [www.aa.org](http://www.aa.org)
- Narcotics Anonymous – [www.na.org](http://www.na.org)

### Employee Resources

**Employees** with alcohol or drug abuse problems are strongly encouraged to seek help. Alcohol and drug abuse rehabilitation and assistance programs are available through the College's health benefits program and through the College Employee Assistance Program. Employees may contact the Office of Human Resources at 608-822-2314 or [humanresources@swtc.edu](mailto:humanresources@swtc.edu) to seek assistance and/or referral to an appropriate outside agency. Employees are encouraged to use the free, confidential Employee Assistance Program (EAP) for assessment and/or intervention referral. The EAP information is available to employees on the Charger Hub.

External drug and alcohol resources are also available to **employees** by dialing 211 or 988, contacting Unified Community Services at <https://unified.co.grant.wi.gov/> or at the following locations:

- 24/7 Crisis Hotline – 1-800-362-5717
- Lancaster (Grant County) – 608-723-6357
- Dodgeville (Iowa County) – 608-935-2776

Other county alcohol and other drug use resources available in the Southwest Tech district include:

- Crawford County Human Services – 608-326-0248
- Lafayette County Human Services - 608-776-4800
- Richland County Health & Human Services – 608-647-8821

Other external resources include:

- Alcoholics Anonymous – [www.aa.org](http://www.aa.org)
- Narcotics Anonymous – [www.na.org](http://www.na.org)

## Alcohol and Drug Awareness Committee

The Southwest Tech Alcohol and Drug Awareness Committee was formed in Winter 2022-23. The committee was convened in April 2023 with the following charges:

- a. Review what education has been provided to the students and the housing students via student and residence life as well as education provided to employees.
- b. Review the Drug & Alcohol Abuse Prevention Program (DAAPP) posted on the website.
- c. Review sanctions imposed for violations of the standards of conduct identified in the DAAPP to ensure consistency in enforcement.
- d. Make recommendations for changes in Drug & Alcohol Abuse programming.

Committee membership includes an advisor, a faculty member, the Chief Academic Officer, the Chief Financial Officer, the Student Activity Coordinator, the Disability Support Specialist, the Human Resources Specialist/WLDI Coordinator, and an executive dean. These positions represent a cross functional committee focused on students and employees.

## Data and Trends

Southwest Wisconsin Technical College is a drug and alcohol-free campus. The College strives to abide by all drug and alcohol related policies, regulations, laws, and statutory requirements, and to impose consistent disciplinary sanctions against those students and/or employees who violate said policies and laws. The Alcohol and Drug Awareness Committee found no irregularities or inconsistencies in the disciplinary action taken when reviewing each offense listed below.

### DRUG AND ALCOHOL VIOLATIONS 2020-21 and 2021-22

2020-21				
Person	Violation	Offense	Additional Circumstance(s)	Sanction
Student 2021A	Alcohol Violation	First Offense Possession, No Consumption	Occurred in Student Housing	Oral Reprimand
Student 2021B	Alcohol Violation	First Offense Possession & Consumption	Occurred in Student Housing	Written Reprimand
Student 2021C	Alcohol Violation	First Offense Possession & Consumption	Occurred in Student Housing	Written Reprimand
Student 2021D	Alcohol Violation	First Offense Possession & Consumption	Occurred in Student Housing	Written Reprimand
Student 2021E	Alcohol Violation	First Offense Possession & Consumption	Occurred in Student Housing	Written Reprimand
Student 2021F	Alcohol Violation	First Offense Possession & Consumption	Occurred in Student Housing	Written Reprimand
Student 2021G	Alcohol Violation	First Offense Possession & Consumption	Occurred in Student Housing - Transported to Hospital Due to Intoxication Level	Housing Probation, Referred for Treatment
Student 2021H	Alcohol Violation	First Offense Possession & Consumption	Occurred in Student Housing - Threw Party and Jumped Off Balcony	Housing Probation
Student 2021I	Drug Violation	Possession of Controlled Substance	Occurred in Student Housing	Housing Expulsion

2021-22				
Person	Violation	Offense	Additional Circumstance(s)	Sanction
Student 2122A	Drug Violation	Possession of Controlled Substance	Occurred in Student Housing	Written Reprimand, Referred for Treatment
Student 2122B	Alcohol Violation	First Offense	Occurred in Student Housing	Written Reprimand
Student 2122C	Alcohol Violation	First Offense	Occurred in Student Housing	Written Reprimand
Student 2122D	Alcohol Violation	First Offense	Occurred in Student Housing	Written Reprimand
Student 2122E	Alcohol Violation	First Offense	Occurred in Student Housing	Written Reprimand
Student 2122F	Drug Violation	Possession of Controlled Substance & Drug Paraphernalia	Occurred in Student Housing	Housing Probation, Referred for Treatment
Student 2122F	Drug Violation	Second Offense Possession of Controlled Substance & Drug Paraphernalia	Occurred in Student Housing	Housing Expulsion

### Comprehensive Review of 2020-21 and 2021-22 Alcohol & Drug Violations Data

- A review of reported incidents for the prior biennium shows there were a total of 16 alcohol and drug violations among the student population.
  - In 2020-21, there were 8 alcohol violations and 1 drug violation for a total of 9 violations by 9 students. All violations occurred in Student Housing and were violations of the Student Housing Handbook and Alcohol, Tobacco & Other Drugs Policy.
  - There were zero alcohol and/or drug violations for employees in 2020-21.
  - There were 4 alcohol violations and 3 drug violations for a total of 7 violations by 6 students in 2021-22. All violations occurred in Student Housing and were violations of the Student Housing Handbook and Alcohol, Tobacco & Other Drugs Policy.
  - There were zero alcohol and/or drug violations for employees in 2021-22.
- To further reduce incidences of alcohol and drug violations, the Alcohol and Drug Awareness Committee proposed the following measures:
  - Add educational and prevention training to Student Housing Orientation and have students sign off
  - Have Resident Assistants attend training on drug and alcohol use response and prevention
  - Include as part of Mental Health Counselor's job duties student programming on drug and alcohol awareness and prevention
  - Resident Life Manager, Mental Health Counselor, and Resident Assistants develop an educational and prevention training for Student Housing Orientation as well as ongoing programming throughout the year for Student Housing

- Offer educational awareness programming for all students, either in person or online.
- Breakdown the student numbers by special populations
- Contact the UW Extension Office as a resource
- Have In-Service training for all employees on drug task force training, drug identification training, etc.
- Develop educational activities for all employees including the chapter on alcohol and drug use from the Mental Health First Aid Course, the Employee Assistance Program, and other resources and distribute these activities and resources through Human Resource emails to all staff and by posting on Yammer
- Approach the Wellness Committee to participate in the Dry January Challenge

Southwest Tech continues to ensure each individual offense is handled fairly, consistently, and in accordance with policies, regulations, and available disciplinary sanctions. Should a student feel that disciplinary action taken or not taken was unfair or inconsistent with any drug or alcohol use or abuse policy, they should contact the Chief Student Services Officer. Should an employee feel that disciplinary action taken or not taken was unfair or inconsistent with any drug or alcohol use or abuse policy, they should contact the Chief Human Resources Officer.

## SWOT Analysis

### Strengths:

- Southwest Tech developed a Drug and Alcohol Abuse Prevention Program (DAAPP) for the College website. An annual notice is sent to employees and students notifying them of the DAAPP. The DAAPP is posted on the website for potential students and employees to review. The current full DAAPP is comprehensive and covers all areas required by the law.
- Employees and students are trained on the policy and utilize a webform on the College website for all reports of violations.
- Sanctions are in place for students and employees.
- The DAAPP distribution plan is thorough and covers all required populations.

### Weaknesses:

- The DAAPP notification doesn't mean the intended individuals read the policy.
- The DAAPP is lengthy.
- There is no current drug and alcohol prevention programming on campus other than what it is the Employee Assistance Program (EAP).

### Opportunities:

- With an increased institutional focus on the DAAPP, the college can develop and offer drug and alcohol prevention and awareness training for both students and employees.

### Threats/Challenges:

- There is currently no dedicated funding to support drug and alcohol abuse prevention strategies.



## Recommendations & Goals for next Biennium

- Add educational and prevention training to Student Housing Orientation and have students sign off
- Have Resident Assistants attend training on drug and alcohol use response and prevention
- Include as part of Mental Health Counselor's job duties student programming on drug and alcohol awareness and prevention
- Resident Life Manager, Mental Health Counselor, and Resident Assistants develop an educational and prevention training for Student Housing Orientation as well as ongoing programming throughout the year for Student Housing
- Have In-Service training for all employees on drug task force training, drug identification training, etc.
- Develop educational activities for all employees including the section on alcohol and drug use from the Mental Health First Aid Course, the Employee Assistance Program, and other resources and distribute these activities and resources through in-service, Human Resource emails to all staff, and by posting on Yammer
- Approach the employee Wellness Committee to participate in the Dry January Challenge

Based on the Alcohol & Drug Awareness Committee recommendations and a review by the Chief Student Services Officer, Chief Human Resources Officer, and Executive Director of Facilities, Safety & Security, the following goals are in place for the next biennium.

- The college is committed to drug and alcohol abuse prevention even though the college has few incidences. Southwest Tech will continue to leverage the newly created Alcohol & Drug Awareness Committee to provide feedback from various stakeholders, implement the recommendations and goals, and assist in monitoring progress through annual meetings.
- The college will implement drug and alcohol prevention programming, including educational resources, awareness campaigns and ongoing visibility of the Drug and Alcohol Abuse Prevention Program for students and employees.
- The Student Housing Resident Assistants will attend training on drug and alcohol use response and prevention.
- The Residence Life Coordinator, the Mental Health Counselor, and the Resident Assistants will offer drug and alcohol awareness and prevention programming related to residence life at Fall 2023 Student Housing Orientation and throughout the academic year for the Student Housing residents.