



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

August 2018 to July 2020

**Submitted by Dr. Terry Brasier
Vice President of Student Services**

Approved by Dr. John Gossett, College President

Final Approval: December 2020

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I. Introduction/Overview

The Drug Free Schools and Campuses Regulations (34 CFR Part 86) of the Drug-Free Schools and Communities Act (DFSCA) require an institution of higher education (IHE) such as Asheville-Buncombe Technical Community College (A-B Tech) to certify it has implemented programs to increase awareness and prevention of alcohol and other drug abuse. Additionally, DFSCA ensures that IHE's implement programs and procedures preventing the distribution of illicit drugs both by A-B Tech students and employees both on its premises and as a part of any of its activities. At a minimum, each institution of higher education must annually distribute the following in writing to all students and employees:

- Standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees.
- A description of the legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol.
- A description of any drug or alcohol counseling, treatment, or rehabilitation or reentry programs that are available to students and employees; and
- A clear statement that the institution will impose sanctions on students and employees and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct.

The law further requires that the institution conduct a biennial review of its program with the following objectives:

- Determining the effectiveness of the Drug and Alcohol Abuse Prevention Program (DAAPP) and implementing changes to the alcohol and other drug programs if they are needed; and
- To ensure that the sanctions developed are enforced consistently.

The biennial review must also include a determination as to:

- The number of drug- and alcohol-related violations and fatalities occurring on the campus or as part of their activities that are reported to campus officials.
- The number and types of sanctions the IHEs impose on students or employees as a result of such violations or fatalities.

A-B Tech acknowledges its legal obligation to conduct a biennial review of compliance with the Drug-Free Schools and Communities Act (DFSCA) and authorizes an administrative review to be conducted to determine if the college fulfills the requirements of the previously mentioned Federal regulations. The Vice President of Student Services office is responsible for conducting the review and reporting on the findings. The purpose of this report is to comply with the DFSCA by using data collected over the past two years and to provide evidence of the procedures in place for subsequent biennial reports. The following campus units provide information and data for biennial reports:

- Office of the Vice President of Student Services
- Office of Human Resources
- Office of Student Life and Development
- Office of Support Services
- Office of A-B Tech Police and Security

Specifically, the following individuals provided information and helped compile and assess data for this Biennial Review:

- Office of the Vice President of Student Services, Dr. Terry Brasier, Vice President of Student Services and Kim England, Executive Assistant
- Office of Human Resources, Shanna Chambers, Executive Director of Human Resources and Organizational Development
- Office of Student Life and Development, Michele Hathcock, Director of Title IX Compliance and Student Life and Development
- Office of Support Services, Heather Pack, Director of Support Services
- Office of A-B Tech Police, Kara Walker, Chief of Campus Police

The intention of this document is to meet the legal requirements of conducting a biennial review and summarize the programs and activities related to alcohol and drug prevention on A-B Tech's campus during the 2018-2019 and 2019-2020 academic years. The following information was examined for the biennial review:

- Drug and Alcohol Policy
- Alcohol and drug information provided students
- College policies for students and employees related to drug and alcohol use and the sanctions imposed for failure to comply
- Drug and Alcohol Abuse Prevention Program located in [Appendix A](#)
- Various resources available to students and employees regarding drug and alcohol abuse
- Incident reports filed by the A-B Tech Police Department during the 2018-2019 and 2019-2020 academic years related to any possible infractions of the drug and alcohol policy presented to students
- Code of Student Conduct files related to any possible infractions of the drug and alcohol policy presented to students

The Biennial Review report will be filed both electronically and hard copy. The electronic file will be located on our Consumer Information page located at <http://www.abtech.edu/consumer-information> under Health Information. The hard copy will be located in the office of the Vice President for Student Services.

II. Annual Policy Notification Process

A-B Tech is committed to providing a drug free environment for all students and staff. A-B Tech strives to remain in compliance with the requirements of the Drug-Free Schools and Communities Act. The College has adopted and implemented programs to prevent the abuse of alcohol and use or distribution of illicit drugs both by students and employees both on its premises and as a part of any of the college's activities.

Additionally, the Community Relations and Marketing department sends out the following notices to all employees and students annually.

Sent on September 28, 2018

A-B Tech Community,

It is the policy of the Board of Trustees that A-B Tech will maintain a learning and working environment that is free from the negative impact of drug and alcohol abuse. In compliance with the Drug Free Workplace Act and the Drug Free Schools and Campuses Act, this is an annual notification to inform employees and students of A-B Tech's Drug and Alcohol Policies /Procedures as well as the College's Drug and Alcohol Abuse Prevention Plan (DAAPP).

Detailed information, including each document referenced above, can be found under the Health Information section of the Consumer Information page of the college website: <https://www.abtech.edu/consumer-information>.

Sent on September 30, 2019

A-B Tech Community,

It is the policy of the Board of Trustees that A-B Tech will maintain a learning and working environment that is free from the negative impact of drug and alcohol abuse. In compliance with the Drug Free Workplace Act and the Drug Free Schools and Campuses Act, this is an annual notification to inform employees and students of A-B Tech's Drug and Alcohol Policies /Procedures as well as the College's Drug and Alcohol Abuse Prevention Plan (DAAPP).

Detailed information, including each document referenced above, can be found under the Health Information section of the Consumer Information page of the college website: <https://www.abtech.edu/consumer-information>.

Sent on May 7, 2019, March 25, 2020, and April 22, 2020

Also, the Human Resources office sends out an email to campus regarding information provided to the College from the Employee Assistance Network. A copy of each email can be found in [Appendix F](#) with the hard copy of this report in the Vice President for Student Services office.

Currently Enrolled Students

A-B Tech has a College wide Drug and Alcohol policy which is presented during the new student orientation and published in various accessible locations on the A-B Tech website and in the College catalog and student handbook. In addition to the new student orientation, students are also shown where to access the online College Catalog and Student Handbook where the Drug and Alcohol policy can be found. A-B Tech also publishes a Consumer Information page on the College's website which contains the following:

- Drug and Alcohol Abuse Prevention Program (DAAPP) - [Appendix A](#). This policy includes:
- The Drug and Alcohol Policy and Procedure is also available in [Appendix B](#). This policy includes:
 - 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.
 - A description of the health risks associated with the use of illicit drugs and abuse of alcohol.
 - A description of counseling or treatment programs.

- A clear statement and description of the disciplinary sanctions the institution will impose on students and employees.
- The current Biennial Review
- A link to the A-B Tech Police/Security Overview

The Code of Student Conduct and Student Due Process are printed in the College Catalog and the Student Handbook each year. These publications are available both in print and online, so they are widely accessible for all students. A copy of the Code of Student Conduct is located in [Appendix C](#) and a copy of the Student Due Process is located in [Appendix D](#).

Employees

Asheville-Buncombe Technical Community College Human Resources Office provides a copy of the Drug and Alcohol Policy to all new employees in the New Hire Packet upon hire and each new employee signs an acknowledgement of receipt. Emphasis is placed on the importance of this policy during full-time new hire orientation. A copy of the new employee orientation agenda slide, including the Drug and Alcohol policy, from new employee orientation presentation and copy of the policy and acknowledgment form signed by new employees is located in [Appendix E](#).

Policies and Procedures on A-B Tech website:

<https://policies.abtech.edu/Policies/Forms/Chapter%20View.aspx>

III. Program Description

Employees

The following resources and programs are available for employees at A-B Tech:

- A-B Tech encourages the identification and treatment of alcohol and chemical dependency in its early stages before work is affected. Toward this end, the College retains the services of an Employee Assistance Program (EAP) to assist employees who request help with substance abuse. Employees will not be disciplined, demoted, or terminated for seeking professional counseling and/or treatment to recover from an alcohol or chemical dependency. However, employee performance and work behavior will continue to be evaluated consistent with the College's expectations and requirements.
- A-B Tech partners with Employee Assistance Network (EAN) to offer employee educational programming on drug and alcohol awareness, including information on the health risks associated with drug and alcohol usage. EAN also offers confidential short-term counseling and referrals.
- Participate in the employee assistance and/or complete a treatment program, if required by the College as a condition of continued employment.
- A-B Tech Human Resources department hosts an annual employee benefits fair as a component of the college-wide Wellness Fair each fall. EAN is a vendor at this annual event. This event

helps to introduce employees to college and community resources and services as related to drug and alcohol abuse prevention and treatment options.

Participation in College Sanctioned and other Work-related Activities where Alcohol is served:

- When an employee and/or guest attend a College-sanctioned or work-related activity where alcohol is served, each individual is expected to use good judgment with regard to the amount of alcohol consumed and the legal requirements for safely driving away from the activity. Under no circumstances may an individual under the age of 21 hold or drink an alcoholic beverage on the College's premises or work-related activity at another location.
- When the activity is hosted by A-B Tech, the College will arrange for alternate transportation to assist an impaired employee and/or guest in getting home safely when the need is brought to the attention of the A-B Tech employee in charge of the activity. In all situations, each employee and/or guest is responsible for their own behavior and any resulting consequences.
- When an employee is chaperoning students on an off-site activity, they have an obligation to inform the students that the College's Drug and Alcohol policy is still in effect. Knowingly permitting a student to consume alcohol, except as specifically allowed by the Drug and Alcohol Policy, may result in disciplinary action or dismissal, depending on the College's interpretation of the circumstances and/or legal requirements.

Currently Enrolled Students

The following programs for alcohol/substance misuse prevention and/or the provision of treatment information are available to currently enrolled students at A-B Tech:

- The staff from Support Services hosts an information booth at the Fall Festival Welcome Back event to help make students aware of their services. The staff also makes classroom presentations during the semester.
- Students may be referred for individual counseling as a part of their sanction for violating the Code of Student Conduct related to drug and alcohol abuse.
- Additional educational materials, printed brochures, programs, and other resources are available through both the Student Life and Support Services departments in the Coman Student Center, Bailey Student Services Center, and through the A-B Tech Student Health Clinic.
- Support Services can provide short-term counseling for students with concerns regarding drug and alcohol abuse. For longer-term treatment, the student will be referred out to community counseling and rehabilitation services.
- The Student Life and Development department hosts a Wellness Fair event each fall for students. This event helps to introduce students to college and community resources and services as related to drug and alcohol abuse prevention and treatment options.

IV. Program Results and Goal Achievement

Employees

A-B Tech encourages the identification and treatment of alcohol and chemical dependency in its early stages before work is affected. Toward this end, the College retains the services of an Employee Assistance Program (EAP) to assist employees who request help with substance abuse. Employees will not be disciplined, demoted, or terminated for seeking professional counseling and/or treatment to recover from an alcohol or chemical dependency. However, employee performance and work behavior will continue to be evaluated consistent with the College's expectations and requirements. During the 2016-2017 and 2017-2018 academic years, there were no referrals made for employees regarding Alcohol or Drugs.

A-B Tech partners with EAN to offer employee educational programming on drug and alcohol awareness, including information on the health risks associated with drug and alcohol usage. EAN also offers confidential short-term counseling and referrals. During the 2016-2017 and 2017-2018 academic years, there were no referrals made for employees regarding alcohol and drugs.

A-B Tech Human Resources department hosts an annual employee benefits fair as a component of the college-wide Wellness Fair each fall. This event helps to introduce employees to college and community resources and services as related to drug and alcohol abuse prevention and treatment options.

In December 2016, Human Resources emailed information from EAN regarding substance abuse education and the drug and alcohol policy and procedure to staff and faculty of A-B Tech and provided contact information.

Currently Enrolled Students

During the 2018/2019 academic year, produced the following publications and services as well as hosted events for our students, staff, and faculty:

- Fall 2018 – Opened RESET room

Semester	Individuals signed in	Number of sign ins	Average Time in Room
2018fa	21	108	1:40
2019sp	50	121	1:03
2019su	7	25	0:51
2019fa	89	279	1:18
2020sp	38	144	1:25

- August 2018 - Support Services participated in Culinary, Baking and Pastry Arts, and Hospitality Orientation explaining all services, including Addiction, Recovery, and Coping (ARC) programing.
- September 7, 2018 - Heather Pack taught HRM 123 class about managing an individual in recovery.
- September 11, 2018 - Held PeerBook (aka Human Library).
- October 3, 2018 - A-B Tech hosted a Wellness Fair for all students and employees.

- October 24-25, 2018 – Heather Pack and Sherron Bristol attended Peer Support Conference at Mountain Area Health Education Center (MAHEC).
- March 6, 2019 - Updated opioid response video to include information about RESET room and how to access.
- March 14, 2019 - Alltreatment.com added to list of resources on abtech.edu/opioids webpage.
- March 27, 2019 - Addiction, Recovery, and Coping Event which included Cannabis and CBD, Experiential Coping Skills, and Everybody's a Listener. Also, a Support Group Resource Fair was held during the same time. The recovery resources include: Narcotic Anonymous, Gamblers Anonymous, Refuge Recovery, RHA SOAR Court, Insight, The Partnership for Substance Free Youth in Buncombe County, Sunrise Recovery Center, and more! The event was also offered online for those who were unable to attend the event. There were 86 participants.
- April 17, 2019 - A-B Tech hosted a professional development with Amy Upham from Buncombe Health and Human Services to discuss a framework for Opioid Use Disorder and overdoses, options for treatment, and harm reduction strategies.
- April 23, 2019 - Email was sent to all employees and students at A-B Tech regarding A-B Tech's response to the opioid epidemic is featured in another national publication, leading the article with information and quotes from President Dennis King and Student Support Services Director Heather Pack.
- June 13-14, 2019 – Sherron Bristol, Counselor, attended the Collegiate Recovery Community (CRC) Conference.
- Counselors provided services to two (2) students who self-disclosed “substance use” or “drug use” as a primary concern and three (3) students who self-disclosed “alcohol use” as a primary concern.

During the 2019/2020 academic year, produced the following publications and services as well as hosted events for our students, staff, and faculty:

- August 2019 - A-B Tech featured in an article by Chronicle of Higher Ed about our response to opioids and the death of a student from an overdose.
- August 2, 2019 - Email was sent to all employees and students at A-B Tech regarding a new PSA, a terrific collaboration between Buncombe County and A-B Tech that was spearheaded by Anne Seaman, a mother who lost her son to an opioid poisoning, and our students.
- September 20, 2019 – Sherron Bristol, Counselor, attended Bridges at Southwestern Community College which highlighted addiction and recovery in Western North Carolina.
- October 2, 2019 - A-B Tech hosted a Wellness Fair for all students and employees which included a drug turn-in for unused or expired medication for safe disposal.
- October 28, 2019 - Support Services tabled at County Opioid Update event.
- February 11, 2020 - Heather Pack presented at UNC/NCCCS Behavioral Health Convening about RESET room and A-B Tech's response to opioid/addiction crisis.
- March 11, 2019 - Addiction, Recovery, and Coping Event included topics on Various Addiction, PTSD, Schizophrenia, Depression, Borderline Personality Disorder, Combat Veteran with PTSD and Addiction, etc. There were 33 participants.
- June 11, 2020 - Heather Pack spoke to high school students of Asheville-Buncombe Futures Movement (ABFM) about A-B Tech's response to opioid/addiction crisis and supports for students.

- July 16-17, 2020 - Sherron Bristol, Counselor, attended California Counseling Association Professional Development Conference.
- July 13-14, 2020 - Sherron attended Collegiate Recovery Community (CRC) Summit.
- Continued participation in Buncombe County’s Substance Free Youth Coalition.
- A-B Tech Police officers are trained to use and carry Narcan/Naloxone.
- Counselors provided services to five (5) students who self-disclosed “substance use” or “drug use” as a primary concern and no student who self-disclosed “alcohol use” as a primary concern.
- COVID-19 – Interrupted events for spring 2020.

Examples of the invitation emails, brochures and program assessments/results are located in [Appendix F](#) with the hard copy of this report in the Vice President for Student Services office.

A-B Tech also provides the following brochures for all students and staff located in the Bailey Building and the Coman Student Center:

- Seeking Drug Abuse Treatment: Know What to Ask
- Today’s Alcohol Demands a Closer Look
- Harmful Interactions: Mixing Alcohol with Medicine
- A Family History of Alcohol
- The High Price of Smoking: Tobacco and Money, What Does Smoking Really Cost
- Drugs and HIV (also in Spanish)
- How to Help a Friend with a Drinking Problem
- Alcohol Use and You: Decisions on Tap
- An Important Lesson: Helping Students Avoid Prescription Drug Abuse
- Binge Drinking
- Drinking: What’s Normal, What’s Not
- Incredible Alcohol Facts
- Drinking and Violence
- Energy Drinks

A-B Tech has conducted a review of the conduct and legal violations that occurred during the review timeframe. Listed below are the violations and the sanctions imposed for each.

Violation Type	Date of Violation	Gender	Age	Type of Student (CU or CE)	Legal/Disciplinary Charges	Sanction Imposed	Notes
Drugs	8/23/2018	F	17	Middle College	Legal: Simple Poss Sch V1 Paraphernalia Code of Conduct: Drugs	Suspension	Campus Police found students smoking marijuana in car on the top floor of the parking desk.
Drugs	8/23/2018	M	16	Middle College	Legal: Simple Poss Sch V1	Suspension	Campus Police found students smoking marijuana

					Paraphernalia Code of Conduct: Drugs		in car on the top floor of the parking desk.
Drugs	9/14/2018	M	16	Early College	Legal: Simple Poss Sch V1 Paraphernalia Code of Conduct: Drugs	Suspension	Early College Principal contacted campus police to report a student on drugs and had the student held at their vehicle.
Drugs	9/22/2018	M	28	Nurse Aide	Code of Conduct: Drugs	Counseling, Probation, and Suspension	Student was found using drugs in his car when he was supposed to be at clinical.
Drugs	11/2/2018	M	17	Middle College	Code of Conduct: Drugs	Essay / Continue online only until spring/ meet with HS counselor/ Zero Tolerance	Student returned from lunch and was impaired.
Drugs	11/2/2018	F	17	Middle College	Legal: Simple Poss Sch V1 Paraphernalia Code of Conduct: Drugs	Counseling and Suspension	Student returned from lunch and was impaired. Drugs, grinder, and 2 glass pipes were found in car. Student was issued a citation.
Alcohol	12/17/2018	F	40	Nurse Aide	Code of Conduct: Alcoholic Beverages	Dismissed from program	Student came to class intoxicated

Alcohol	1/15.2019	M	24	Construction Management Technology	Code of Conduct: Alcoholic Beverages	Warning	Student was on
Drugs	4/25/2019	M	19	EMS – Con. Ed.	Legal: Possession Sch II Controlled Substance Code of Conduct: Public Laws	Handled by Instructor	Student was arrested with 49 pounds of marijuana in his vehicle.

A copy of the incident reports used for this report are located in Appendix G with the hard copy of this report in the Vice President for Student Services office.

V. Program Strengths and Areas of Concern

Strengths

- Since fall of 2018, a dedicated safe space, called the RESET room, was established for students in recovery.
- A student advocacy based sanctioning procedure, including mandated counseling sessions, for student discipline regarding substance misuse has been developed and implemented.
- Spring awareness event renamed to Addiction, Recovery, and Coping with an increase in participation.
- Video created to alert the campus community of the effects of opioid addiction.
- Restructured the (DAAPP) to put student information before employee information in the document.
- A-B Tech included the Drug and Alcohol Policy and Procedure in the Annual Security Report which is distributed to employees and students each fall.
- The College added the Drug and Alcohol Policy and Procedure to the Consumer Information page on the College website. Furthermore, all College policies and procedures are viewable on the College website at <https://www.abtech.edu/consumer-information>.
- Continued to fund the on-campus Health Clinic that is offered weekly to all students and employees.
- All Campus Police officers have been trained in the administration of Narcan. The College purchased a Narcan kit for each officer.
- The College incorporated a drug take-back collection into the annual Fall Wellness Fair. This activity was conducted in partnership with the Sherriff’s office and the Substance Free Youth Coalition.

- Partnership with the Buncombe County Substance Free Youth Coalition to ensure consistent community messaging and expands access to resources for students and for staff.
- The College implemented a CARE Team to discuss concerning student behavior including drug and alcohol misuse.
- Since the last Biennial Review, there was a decrease in student discipline cases related to drug and alcohol misuse from 21 to 9 cases.
- After the College implemented stay-at-home protective orders due to the pandemic, staff contacted each currently registered student to check in providing necessary resources and follow-up.

Concerns

- Continued budgetary constraints may limit the opportunity to expand drug and alcohol and prevention professional development and training. We are foreseeing continued budgetary restraints due to the pandemic and this may restrict the ability to provide resources to students.
- Concerns over the increase in mental health issues and substance misuse due to isolation during the pandemic.
- Continued increase of Middle/Early College high school student violations of drug and alcohol policy.
- The growth and usage of JUULS and the concern of other substances that could be used in this device.
- During the 2018-2019 reporting period, there were no student deaths from overdose reported. However, during the 2019-2020 reporting period, the College had one confirmed and one suspected death due to overdose.
- The College is concerned about the effects of the pandemic on students including the lack of social connection and access to resources.

VI. Program and Policy Revision Recommendations

- The College is developing psychoeducational interactive sessions to support those in recovery.
- Develop student referral for personal, legal, and financial counseling.
- Continue to offer expanded virtual programs and resources.
- Continue to send drug and alcohol abuse awareness and prevention activities offered by the College to all employees annually.
- Expand Drug and Alcohol counseling options, referrals, and targeted program outreach.
- Continue to include the DAAPP on the Consumer Information page on the College website.
- Encourage Early and Middle College high school administrators to review the College's Drug and Alcohol Policy and Procedure and communicate the expectations to their students each academic year.
- Expand awareness of activities, distribution of literature, and provision of support services to students participating at other A-B Tech sites, including distance learners.

Appendices

Appendix A



Drug and Alcohol Abuse Prevention Program (DAAPP)

For Students and Employees

Biennial Review Period: August 2018 to July 2020

Published: September 30, 2019

Asheville-Buncombe Technical Community College

The Drug Free Schools and Campuses Regulations (34 CFR Part 86) of the Drug-Free Schools and Communities Act (DFSCA) requires an Institution of Higher Education (IHE) such as Asheville-Buncombe Technical Community College (A-B Tech), to certify that it has implemented programs to prevent the abuse of alcohol, use and/or distribution of illicit drugs both by A-B Tech students and employees either on its premises and as a part of any of its activities. At a minimum, an IHE must annually distribute the following in writing to all students and employees:

- Standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees; (see [Appendix A](#) for the Drug and Alcohol Policy and Procedures, [Appendix B](#) for the Code of Student Conduct Policy and Procedures, and [Appendix D](#) for the Threat Assessment Policy and Procedures)
- A description of the legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol (see [Legal Sanctions](#) on page 6).
- A description of the health risks associated with the use of illicit drugs and alcohol abuse (see [Health Risks](#) on page 7).
- A description of any drug or alcohol counseling, treatment, or rehabilitation or reentry programs that are available to employees or students (see [Drug and Alcohol Programs](#) on Page 12); and
- A clear statement that the institution will impose sanctions on students and employees and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct or law (see [Disciplinary Sanctions](#) on Page 14) .

I. Standards of Conduct Overview

A-B Tech is committed to providing a drug-free learning and working environment. From a safety perspective, the use of drugs or alcohol may impair the well-being of students, employees, and visitors, interfere with the College's educational environment, and result in damage to College property. Therefore, it is the College's policy that the unlawful manufacture, distribution, dispensation, possession, or use of alcohol, illegal or unauthorized controlled substances or impairing substances are prohibited at any College location by college students and employees.

A-B Tech complies with the Drug Free Workplace Act and the Drug Free Schools and Campuses Act (DFSCA) and applicable Department of Education requirements by instituting the following practices:

1. The College will conduct an annual review of the effectiveness of the Drug and Alcohol Abuse Prevention Program (DAAPP). This activity will be the responsibility of the Vice President for Student Services, Executive Director of Human Resources and Organizational Development, or designee. The review will be completed by June 30 of each year so that this information may be used to revise the DAAPP for optimum effectiveness.
2. Annual review of information will be compiled to produce a biennial review as required by the Department of Education and the DFSCA.

Definitions

Alcohol means any beverage containing at least one-half of one percent (0.5%) alcohol by volume, including malt beverages, unfortified wine, fortified wine, spirituous liquor, and mixed beverages.

College Location means in any College building or on any College premises; in any College-owned vehicle or in any other College-approved vehicle used to transport students/employees to and from College or College activities; and off College property at any College-sponsored or College-approved activity, event, or function, such as a field trip or athletic event, where employees and students are under the College's jurisdiction.

Controlled Substance means any substance listed in 21 CFR Part 1308 and other federal regulations, as well as those listed in Article V, Chapter 90 of the North Carolina General Statutes. Generally, the term means any drug which has a high potential for abuse and includes, but is not limited to: heroin, marijuana, cocaine, PCP, GHB, methamphetamines, and crack. This term also includes any drugs that are illegal under federal, state, or local laws and legal drugs that have been obtained illegally or without a prescription by a licensed healthcare provider or are not intended for human consumption. The term also applies to improper use of over-the-counter medication.

Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug and alcoholic beverage statutes.

Impairing Substances means any substance taken that may cause impairment, including but not limited to bath salts, inhalants, or synthetic herbs.

Reasonable Suspicion is the legal standard required before the College can require a student or employee to take a drug or alcohol test. Some of the factors that constitute reasonable suspicion are a) direct observation of drug use or possession; b) direct observation of the physical symptoms of being under the influence of drugs; c) impairment of motor functions; d) pattern of abnormal or erratic conduct or behavior; or e) reports from reliable sources or credible sources (anonymous tips may only be considered if they can be independently corroborated).

Safety-Sensitive Employee means employment positions where the duties involve such a significant risk of injury to others that even a momentary lapse of attention can have disastrous consequences or positions where a single slip-up may have irremediable consequences; the employee will have no chance to recognize and rectify the mistake, nor will other personnel have an opportunity to intervene before harm occurs.

The following positions are designated as safety-sensitive:

- a. All A-B Tech Police and Security employees except those who perform purely administrative, office duties.
- b. All Facilities and Plant Operations employees except those who perform purely administrative, office duties.

Limited Immunity

A-B Tech realizes that individuals may be hesitant to report to College officials or participate in the resolution process because they fear that they themselves may be accused of policy violations, such as underage drinking or being under the influence of drugs and alcohol at the time of the incident. To encourage individuals to receive appropriate help for various circumstances and to encourage reporting, limited immunity will be provided in the following incidents:

1. Sexual misconduct: The College offers the reporting party and witnesses limited immunity from minor drug and alcohol policy violations. (Refer to the Sexual Misconduct Policy 112)
2. Substance misuse treatment: The College offers the reporting party limited immunity when seeking treatment assistance for an addiction. Likewise, a person seeking medical assistance for an individual experiencing a drug-related overdose may also be permitted limited immunity from minor drug and alcohol policy violations.

Senate Bill 20 - On April 9th, 2013 the NC General Assembly approved an act to provide limited immunity from prosecution for (1) certain drug-related offenses committed by an individual who seeks medical assistance for a person experiencing a drug-related overdose and (2) certain drug-related offenses committed by an individual experiencing a drug-related overdose and in need of medical assistance; to provide immunity from civil or criminal liability for (1) practitioners who prescribe an opioid antagonist to certain third parties and (2) certain individuals who administer an opioid antagonist to a person experiencing a drug-related overdose; and to provide limited immunity from prosecution for certain alcohol-related offenses committed by persons under the age of 21 who seek medical assistance for another person. The entire bill can be found at:

<http://www.ncga.state.nc.us/sessions/2013/bills/senate/html/s20v7.html>.

Currently Enrolled Students

1. No student shall distribute, dispense, possess, use or be under the influence of Alcohol, illegal or unauthorized Controlled Substance or Impairing Substance at a College Location at any time. Students in Continuing Education, Hospitality, Culinary, or Brewing programs over the age of 21, in which alcohol is part of the curriculum, may consume beverages as applicable to the course.
2. A student's legal use of prescribed or over-the-counter drugs is not a violation of policy only if such use does not endanger the student or others and it does not interfere with student learning or participation in student-related activities. Students shall be held strictly accountable for their behavior while under the influence of prescribed drugs or over-the-counter drugs.
3. Any student who manufactures, possesses, uses, sells, gives, or in any way transfers a Controlled Substance or Impairing Substance while at a College location will be subject to disciplinary action up to and including expulsion and referral for prosecution, and possible legal sanctions.
4. A-B Tech hosts an Addition, Recovery, and Coping (ARC) program for students each semester. These programs are open to all students but may be required for students in violation of this policy as a first level disciplinary sanction. Additional educational materials, programs, and

other resources are available through both our Student Life and Support Services departments.

5. If the instructor suspects a student is under the influence of drugs or alcohol, they should contact A-B Tech Police to remove the student from the classroom. Instructors must notify the Vice President for Student Services or designee of this alleged violation of Code of Student Conduct as soon as possible.
6. A-B Tech complies with applicable Department of Education requirements by taking the following steps, as they apply to students:
 - a. Prepares the College's Drug and Alcohol Abuse Prevention Program (DAAPP) for annual distribution to all currently enrolled students.
 - b. Publishes the Drug and Alcohol Policy and Procedures on the website and establishes an annual email notification to students with a link to the online documents.
 - c. Incorporates information about Drug and Alcohol Policy and Procedures in New Student Orientation and Student Handbook.

Employees

A-B Tech complies with the Drug Free Workplace Act and applicable Department of Education requirements by taking the following steps, as they apply to employees:

1. Prepares the College's Drug and Alcohol Abuse Prevention Program (DAAPP) for annual distribution to all employees.
2. Publishes the Drug and Alcohol Policy and Procedures on the employee Portal page and established an annual email notification with a link to the online documents.
3. Incorporates information about the Drug and Alcohol Policy and Procedures in New Employee Orientation.
4. Offers an Employee Assistance Program (EAP), which includes drug and alcohol information, short-term counseling, and referrals.
5. Notifies employees of their obligation to inform the Human Resources Department of any conviction of a criminal drug violation in the workplace (see below).
6. Maintains a process for notifying the contracting or granting agency within ten days of receiving notice that a covered employee has been convicted of a criminal drug violation that occurred while on the College's premises or while participating in a work-related activity. Conducts a thorough and timely assessment regarding internal consequences for such conviction.

7. Reserves the right to search the person, vehicle, and/or personal property of employees when on College property and/or while on duty regardless of location, consistent with applicable law.
8. Establishes a separate file in the Human Resources Department where employee drug/alcohol information is maintained. The confidentiality of any medical issues discussed is protected as required by law, and this information will only be shared on a legitimate need-to-know basis or when required by law.

Consistent with the Drug Free Workplace Act, employees are required to:

1. Sign a Drug-Free Workplace Statement as a condition of employment.
2. Abide by all terms of the Drug and Alcohol Policy and Procedures.
3. Notify the Human Resources Department in writing, within five calendar days after conviction of a criminal drug violation that occurred while on the College's premises or while participating in a work-related activity.
4. Participate in the Employee Assistance Program and/or complete a treatment program, if required by the College as a condition of continued employment.
5. Notify the immediate supervisor before work if the employee needs to take a prescribed or over-the-counter drug that may impair judgment or performance in any way. It is the employee's responsibility to use appropriate College procedures (i.e. request sick leave) if any use of legal drugs presents a safety risk. Any medical issues discussed will be kept in confidence according to legal requirements. The legal use of prescribed or over-the-counter drugs is permitted on the job only if it does not impair the employee's ability to perform the job effectively and in a safe manner, and that does not endanger the employee or others in the workplace or interfere with student learning or services.

II. Legal Sanctions

Local, State & Federal Legal Sanctions

Local, state, and federal laws provide a variety of legal sanctions and penalties for the unlawful possession, use or distribution of illicit drugs and alcohol. These sanctions include, but are not limited to, incarceration and monetary fines. The illegal or abusive use of drugs and alcohol by students or employees may result in criminal prosecution by governmental agencies in addition to disciplinary action by the College. Status as a student or employee of the College in no way insulates a lawbreaker from criminal prosecution and punishment. The constitutional concept of "double jeopardy" does not prevent state and/or federal prosecution and College disciplinary action for conduct that violates state, or federal law and College policy.

A. Alcohol

North Carolina General Statutes, section 18B-102, states the general rule relating to the possession, distribution and use of alcoholic beverages in North Carolina: "Unless a different punishment is otherwise expressly stated, any person who violates any provision of this Chapter shall be guilty of a misdemeanor and upon conviction shall be punished by a fine, by imprisonment for not more than two years, or both....." Local laws and ordinances and College regulations are preempted by state laws regarding regulation of alcoholic beverages.

B. Illicit Drugs

The Federal Controlled Substances Act (21 U.S.C.A. 841, et seq.) provides "first-offense" penalties of up to 15 years imprisonment and fines of up to \$25,000 for unlawful distribution or possession with intent to distribute narcotics. For unlawful possession of a controlled substance, a person is subject to up to five years of imprisonment and fines of up to \$15,000. Any person who unlawfully distributes a controlled substance after a prior conviction or to a person under 21 years of age or within 1,000 feet of the university campus may be punished by up to twice the term of imprisonment and fine otherwise authorized by law.

North Carolina law provides that any person who violates the criminal statutes by selling, distributing, or manufacturing opiates and narcotics such as cocaine and heroin, shall be guilty of a Schedule I or II drug offense.

For a Schedule I or II substance, the crime is a Class H felony punishable by maximum imprisonment of 10 years and/or a fine. Any person who sells, distributes, or manufactures substances such as barbiturates, depressants, stimulants, or marijuana shall be guilty of a Schedule III, IV, V or VI drug offense. This crime constitutes a Class I felony punishable by maximum imprisonment of five years and/or a fine. Possession of a Schedule I substance constitutes a Class I felony. Possession of a substance classified in Schedules II, III or IV constitutes a misdemeanor punishable by maximum imprisonment of two years and/or a \$2,000 fine (or a Class I felony if quantity is sufficiently large). Possession of a substance classified in Schedule V constitutes a misdemeanor punishable by maximum imprisonment of six months and/or a \$500 fine. Possession of a Schedule VI substance is a misdemeanor punishable by maximum imprisonment of 30 days and/or a \$100 fine.

III. Health Risks

According to the National Institute of Drug Abuse (NIDA), the following are risks associated with drugs and alcohol abuse.

Information regarding health risks associated with drug and alcohol abuse was obtained from the National Institute of Drug Abuse (NIDA) website at: <http://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs/commonly-abused-drugs-chart> (website last visited on 8/27/18).

Drug Abuse

The following is a list of the most frequently used drugs and the risks associated with their use.

1. **Cannabinoids** (marijuana & hashish)

Acute Effects - Euphoria; relaxation; slowed reaction time; distorted sensory perception; impaired balance and coordination; increased heart rate and appetite; impaired learning, memory; anxiety; panic attacks; psychosis

Health Risks - Cough, frequent respiratory infections; possible mental health decline; addiction

2. **Opioids** (heroin & opium)

Acute Effects - Euphoria; drowsiness; impaired coordination; dizziness; confusion; nausea; sedation; feeling of heaviness in the body; slowed or arrested breathing

Health Risks - Constipation; endocarditis; hepatitis; HIV; addiction; fatal overdose

3. **Synthetic Opioids** (Fentanyl and fentanyl analogs)

Acute Effects - Abused for their intense, albeit short-term high and temporary feelings of euphoria.

- U-47700 - "pink" - Nearly eight times stronger than morphine
- Fentanyl – 25 to 40 times more potent than heroin and 50 to 100 times more potent than morphine
- Carfentanil – “Gray Death” - 100 times more potent than fentanyl and 10,000 times more potent than morphine.
- Acrylfentanyl and Tetrahydrofuran fentanyl- can be absorbed through the skin and are considered highly dangerous, more resistant to the overdose antidote, naloxone

4. **Stimulants** (cocaine, amphetamine & methamphetamine)

Acute Effects - Increased heart rate, blood pressure, body temperature, metabolism; feelings of exhilaration; increased energy, mental alertness; tremors; reduced appetite; irritability; anxiety; panic; paranoia; violent behavior; psychosis

Health Risks - Weight loss, insomnia; cardiac or cardiovascular complications; stroke; seizures; addiction

Also, for cocaine – Nasal damage from snorting

Also, for methamphetamine – Severe dental problems

5. **Club Drugs** (MDMA-methylenedioxy-methamphetamine [also known as: Ecstasy, Adam, clarity, Eve, lover's speed, peace, uppers]; Flunitrazepam [also known as: *Rohypnol*: forget-me pill, Mexican Valium, R2, roach, Roche, roofies, roofinol, rope, rophies]; GHB [also known as: *Gamma-hydroxybutyrate*: G, Georgia home boy, grievous bodily harm, liquid ecstasy, soap, scoop, goop, liquid X])

Acute Effects, for MDMA - Mild hallucinogenic effects; increased tactile sensitivity; empathic feelings; lowered inhibition; anxiety; chills; sweating; teeth clenching; muscle cramping

Also, for Flunitrazepam - Sedation; muscle relaxation; confusion; memory loss; dizziness; impaired coordination

Also, for GHB - Drowsiness; nausea; headache; disorientation; loss of coordination; memory loss

Health Risks, for MDMA - Sleep disturbances; depression; impaired memory; hyperthermia; addiction

Also, for Flunitrazepam – Addiction

Also, for GHB - Unconsciousness; seizures; coma

6. **Dissociative Drugs** (Ketamine [also known as: *Ketalar SV*: cat Valium, K, Special K, vitamin K]; PCP and analogs [also known as: *Phencyclidine*: angel dust, boat, hog, love boat, peace pill]; Salvia divinorum [also known as: Salvia, Shepherdess's Herb, Maria Pastora, magic mint, Sally-D]; Dextrometh-orphan (DXM) [also known as: cough and cold medications: Robotripping, Robo, Triple C])

Acute Effects - Feelings of being separate from one's body and environment; impaired motor function

Also, for ketamine - Analgesia; impaired memory; delirium; respiratory depression and arrest; death

Also, for PCP and analogs - Analgesia; psychosis; aggression; violence; slurred speech; loss of coordination; hallucinations

Also, for DXM - Euphoria; slurred speech; confusion; dizziness; distorted visual perceptions

Health Risks - Anxiety; tremors; numbness; memory loss; nausea

7. **Hallucinogens** (LSD [also known as: *Lysergic acid diethylamide*: acid, blotter, cubes, microdot yellow sunshine, blue heaven]; Mescaline [also known as: buttons, cactus, mesc, peyote]; Psilocybin [also known as: Magic mushrooms, purple passion, shrooms, little smoke])

Acute Effects - Altered states of perception and feeling; hallucinations; nausea

Also, for LSD - Increased body temperature, heart rate, blood pressure; loss of appetite; sweating; sleeplessness; numbness, dizziness, weakness, tremors; impulsive behavior; rapid shifts in emotion

Also, for Mescaline - Increased body temperature, heart rate, blood pressure; loss of appetite; sweating; sleeplessness; numbness, dizziness, weakness, tremors; impulsive behavior; rapid shifts in emotion

Also, for Psilocybin - Nervousness; paranoia; panic

Health Risks, for LSD - Flashbacks, Hallucinogen Persisting Perception Disorder

8. **Other Compounds** (Anabolic steroids [also known as: *Anadrol, Oxandrin, Durabolin, Depo-Testosterone, Equipoise*: roids, juice, gym candy, pumpers]; Inhalants [also known as: Solvents (paint thinners, gasoline, glues); gases (*butane, propane, aerosol propellants, nitrous oxide*); nitrites (*isoamyl, isobutyl, cyclohexyl*): laughing gas, poppers, snappers, whippets])

Acute Effects, for Anabolic steroids - No intoxication effects

Also, for Inhalants (varies by chemical) - Stimulation; loss of inhibition; headache; nausea or vomiting; slurred speech; loss of motor coordination; wheezing.

Health Risks, for Anabolic steroids - Hypertension; blood clotting and cholesterol changes; liver cysts; hostility and aggression; acne; in adolescents—premature stoppage of growth; in males—prostate cancer, reduced sperm production, shrunken testicles, breast enlargement; in females—menstrual irregularities, development of beard and other masculine characteristics.

Also, for Inhalants - Cramps; muscle weakness; depression; memory impairment; damage to cardiovascular and nervous systems; unconsciousness; sudden death.

Prescription Drug Abuse

Commonly abused classes of prescription drugs include opioids (for pain), central nervous system (CNS) depressants (for anxiety and sleep disorders), and stimulants (for ADHD and narcolepsy).

1. **Depressants (Barbiturates, Benzodiazepines, and sleep medication)**

Intoxication Effects - Sedation/drowsiness, reduced anxiety, feelings of well-being, lowered inhibitions, slurred speech, poor concentration, confusion, dizziness, impaired coordination, and memory.

Potential Health Consequences - lowered blood pressure, slowed breathing, tolerance, withdrawal, addiction; increased risk of respiratory distress and death when combined with alcohol.

Also, for Barbiturates - Euphoria, unusual excitement, fever, irritability/life-threatening withdrawal in chronic users.

2. **Opioids and Morphine Derivatives** (Codeine, Morphine, Methadone, Oxycodone, pain relievers)

Intoxication Effects - Pain relief, euphoria, drowsiness, sedation, weakness, dizziness, nausea, impaired coordination, confusion, dry mouth, itching, sweating, clammy skin, constipation

Potential Health Consequences - slowed or arrested breathing, lowered pulse and blood pressure, tolerance, addiction, unconsciousness, coma, death; risk of death increased when combined with alcohol or other CNS depressants

Also, for oxycodone - muscle relaxation/twice as potent analgesic as morphine; high abuse potential

Also, for codeine - less analgesia, sedation, and respiratory depression than morphine

Also, for methadone - used to treat opioid addiction and pain; significant overdose risk when used improperly

*** Taking drugs by injection can increase the risk of infection through needle contamination with staphylococci, HIV, hepatitis, and other organisms. Injection is a more common practice for opioids, but risks apply to any medication taken by injection.*

3. **Stimulants** (Amphetamines, and Methylphenidate)

Intoxication Effects - Feelings of exhilaration, increased energy, mental alertness

Potential Health Consequences - increased heart rate, blood pressure, and metabolism, reduced appetite, weight loss, nervousness, insomnia, seizures, heart attack, stroke

Also, for amphetamines - rapid breathing, tremor, loss of coordination, irritability, anxiousness, restlessness/delirium, panic, paranoia, hallucinations, impulsive behavior, aggressiveness, tolerance, addiction

Also, for methylphenidate - increase or decrease in blood pressure, digestive problems, loss of appetite, weight loss

4. **Other Compounds** (Dextromethorphan – found in cough and cold medicines, Robotripping)

Intoxication Effects - Euphoria, slurred speech

Potential Health Consequences - increased heart rate and blood pressure, dizziness, nausea, vomiting, confusion, paranoia, distorted visual perceptions, impaired motor function

Nicotine Abuse

Nicotine is readily absorbed into the bloodstream when a tobacco product is chewed, inhaled, or smoked. A typical smoker will take 10 puffs on a cigarette over a period of 5 minutes that the cigarette is lit. Thus, a person who smokes about 1½ packs (30 cigarettes) daily gets 300 “hits” of nicotine each day.

Upon entering the bloodstream, nicotine immediately stimulates the adrenal glands to release the hormone epinephrine (adrenaline). Epinephrine stimulates the central nervous system and increases blood pressure, respiration, and heart rate.

Like cocaine, heroin, and marijuana, nicotine increases levels of the neurotransmitter dopamine, which affects the brain pathways that control reward and pleasure. For many tobacco users, long-term brain changes induced by continued nicotine exposure result in addiction—a condition of compulsive drug seeking and use, even in the face of negative consequences. Studies suggest that additional compounds in tobacco smoke, such as acetaldehyde, may enhance nicotine’s effects on the brain.

When an addicted user tries to quit, he or she experiences withdrawal symptoms including irritability, attention difficulties, sleep disturbances, increased appetite, and powerful cravings for tobacco.

Alcohol Abuse

Ethyl alcohol, or ethanol, is an intoxicating ingredient found in beer, wine, and liquor. Alcohol is produced by the fermentation of yeast, sugars, and starches. It is a central nervous system depressant that is rapidly absorbed from the stomach and small intestine into the bloodstream. A standard drink equals 0.6 ounces of pure ethanol, or 12 ounces of beer; 8 ounces of malt liquor; 5 ounces of wine; or 1.5 ounces (a "shot") of 80-proof distilled spirits or liquor (e.g., gin, rum, vodka, or whiskey).

Alcohol affects every organ in the drinker's body and can damage a developing fetus. Intoxication can impair brain function and motor skills; heavy use can increase risk of certain cancers, stroke, and liver disease. Alcoholism or alcohol dependence is a diagnosable disease characterized by a strong craving for alcohol, and/or continued use despite harm or personal injury. Alcohol abuse, which can lead to alcoholism, is a pattern of drinking that can result in harm to one's health, interpersonal relationships, or ability to work.

IV. Drug and Alcohol Programs

A-B Tech is committed to supporting the whole student through their educational process. To this end, various programming and events have been developed. According to the National Institute of Drug Abuse (NIDA), the Principles of Drug Addiction Treatment, and more than three decades of scientific research show that treatment can help drug-addicted individuals stop drug use, avoid relapse and successfully recover their lives.

Currently Enrolled Students

The following programs for drug and alcohol abuse prevention and treatment options are available to currently enrolled students at A-B Tech:

1. The staff from Support Services hosts an information booth at the Fall Welcome Back event to help make students aware of their services. The staff also makes classroom presentations during the semester.
2. Addiction, Recovery, and Coping (ARC) program for students is presented each semester to students via their email. These programs are open to all students but may be required for students in violation of College policy as a first level disciplinary sanction.

3. The RESET room was open in the fall of 2018. This is a safe space for students to come, press pause, and reset before continuing with their day. The design of the room is that it is always staffed so no one has to be alone; isolation being a key contributor to relapsing use of a substance.
4. Addiction, Recovery, and Coping (ARC) information to be sent to student emails monthly to remind them of treatment, support, and educational options.
5. Additional educational materials, printed brochures, programs, and other resources are available through both the Student Life and Support Services departments in the Coman Student Center, Bailey Student Services Center, and through the A-B Tech student health clinic. The printed brochures available to students include:
 - Seeking Drug Abuse Treatment: Know What to Ask
 - Tips for Cutting Down Drinking
 - Today's Alcohol Demands a Closer Look
 - Harmful Interactions: Mixing Alcohol with Medicine
 - Prescription Drugs
 - Helping a Friend
 - A Family History of Alcohol
 - About Recovery
 - Getting Help in a Crisis
 - The High Price of Smoking: Tobacco and Money, What Does Smoking Really Cost
6. Support Services can provide short-term counseling for students with concerns regarding drug and alcohol misuse. For longer-term treatment, the student will be referred out to community counseling and rehabilitation services.
7. The Student Life and Development and Support Services departments hosts a Health and Wellness Fair event each fall for students. This event helps to introduce students to college and community resources and services as related to drug and alcohol abuse prevention and treatment options.
8. Substance Use Assessment and Referral with A-B Tech professional counselor (available upon request, and as a possible disciplinary sanction). Students are assessed for substance misuse and referred for treatment to appropriate community resources.
9. Student Opioid Awareness Video will be shown in all ACA classes during the beginning of fall and spring semesters. A link to the video will be emailed to all curriculum students.

Employees

The following resources and programs are available for employees at A-B Tech:

- A-B Tech encourages the identification and treatment of alcohol and chemical dependency in its early stages before work is affected. Toward this end, the College retains the services of an Employee Assistance Program (EAP) to assist employees who request help with substance abuse. Employees will not be disciplined, demoted, or terminated for seeking professional counseling and/or treatment to recover from an alcohol or chemical dependency. However,

employee performance and work behavior will continue to be evaluated consistent with the College's expectations and requirements.

- A-B Tech partners with EAN to offer employee educational programming on drug and alcohol awareness, including information on the health risks associated with drug and alcohol usage. EAN also offers confidential short-term counseling and referrals.
- Participate in the employee assistance and/or complete a treatment program, if required by the College as a condition of continued employment.
- A-B Tech Human Resources department hosts an annual employee benefits fair as a component of the college-wide Health and Wellness Fair each fall. This event helps to introduce employees to college and community resources and services as related to drug and alcohol abuse prevention and treatment options.
- Drug and alcohol abuse awareness and prevention professional development seminars for employees. These sessions will be conducted annually in partnership with various community agencies, including RHA Prevention, and the Sheriff's Department.
- All faculty participate in a mandatory In Service training before the start of the fall semester on substance awareness, prevention, and response.

V. Disciplinary Sanctions

Consistent with federal, state, and local laws, A-B Tech will impose sanctions on students and employees for violation of College policies and standards of conduct, up to and including expulsion, termination, and referral for prosecution. Possible sanctions are described in more detail below.

Currently Enrolled Students

A student who violates the terms of this policy will be subject to disciplinary action in accordance with the Code of Student Conduct (See [Appendix B](#)) and Student Due Process (See [Appendix C](#)) Policies and Procedures. For violations that threaten the individual or the Campus community, the disciplinary process will be moved to a Threat Assessment Policy and Procedures (See [Appendix D](#)). The Vice President for Student Services or designee may require any student who violates the terms of this policy to satisfactorily participate in a drug abuse awareness program or other sanctions as listed below. For repeated or more severe infractions the student may be required to complete an off-campus drug or alcohol abuse rehabilitation program sponsored by an approved private or governmental institution as a precondition of continued enrollment at the College. The following sanction options may include, but are not limited to, the following:

1. Determination of disciplinary Warning, Probation, or Suspension.
2. Complete a drug and alcohol use assessment in order to identify the student's current level of use and to identify appropriate service recommendations.
3. Required to attend one or more collegiate recovery group and/or a community recovery event.
4. Mandatory counseling focusing on drug or alcohol abuse.
5. Referral for offsite formal clinical assessment and treatment.

The Board of Trustees endorses that a student has a liberty and/or property interest in their education, which is the expectation to continue enrollment at the College in the absence of academic failure and/or misconduct. Prior to action by the College to deprive a student of this interest through suspension or expulsion, the student will be given due process. The extent of process due is determined by state law. In addition, students who have been charged with a violation of the Code of Student Conduct (see [Appendix B](#)) shall be provided with an equitable system of due process, which can include the right to a fair hearing. For the complete Student Due Process Policy and Procedures, please reference [Appendix C](#).

Employees

Violations of the Drug and Alcohol Policy or Procedure and/or a confirmed positive drug/alcohol screen may result, at A-B Tech's sole discretion, in disciplinary action and/or dismissal of any employee, depending on the College's interpretation of the circumstances and subject to Policy # 509.02, Employee Due Process policy (See [Appendix E](#)). Violations may also result in legal consequences, as A-B Tech will notify the appropriate authorities whenever warranted.

At its sole discretion, in lieu of or in addition to taking disciplinary action against an employee, the College may require the employee to satisfactorily complete a drug or alcohol abuse assistance or rehabilitation program. If an employee refuses to seek treatment when required, does not respond to treatment, and/or there are indications that the drug or alcohol dependency persists, the situation will be handled by the College like any other event which adversely affects job performance.

Drug/Alcohol Screening

A-B Tech maintains a drug/alcohol screening program consistent with legal requirements. All drug/alcohol screening is conducted by an approved laboratory identified by the College and in accordance with the NC Controlled Substance Examination Regulation Act and all testing shall comply with the Controlled Substances Examination Regulation, 13 NCAC 20.0101 *et seq.* All drug/alcohol screens must be approved by, and coordinated through, the Human Resources Department, except those required after hours, which must be approved and coordinated by the A-B Tech Police Department. The Human Resources Department shall be required to maintain all records associated with the College's drug/alcohol screening program.

Drug and/or alcohol testing occurs under the following circumstances:

1. Pre-Employment. Pre-employment drug screens are required for employees in safety-sensitive positions and/or College programs where such screening is a requirement for placement at a clinical or other site.
2. Post-Accident. When there is Reasonable Suspicion that drug and/or alcohol use or impairment may have contributed to the accident or incident, a post-accident drug/alcohol screen is required for any employee. The College will arrange transportation for the employee to the screening location and then home, if necessary, to ensure the employee's safety. If the employee refuses to participate in the drug and/or alcohol screening, it will result in a positive test.
3. Reasonable Suspicion. A supervisor, with agreement of the appropriate ELT member and the Executive Director of Human Resources and Organizational Development may require an employee to participate in drug and/or alcohol screening when the screening is based on Reasonable Suspicion. If the employee refuses to participate in the drug and/or alcohol screening, it will result in a positive test.

An employee who refuses to submit to a drug or alcohol screen that is consistent with the above criteria, adulterates or dilutes the specimen/sample, substitutes the specimen/sample with that from another person, sends an imposter, refuses to sign the required consent forms, and/or refuses to cooperate in the screening process in such a way that it prevents completion of the examination, will be dismissed subject to Policy # 509.02, Employee Due Process Policy (See [Appendix E](#)).

Participation in College - Sanctioned and other Work-related Activities where Alcohol Is Served

1. When an employee and/or guest attend a College-sanctioned or work-related activity where alcohol is served, each individual is expected to use good judgment with regard to the amount of alcohol consumed and the legal requirements for safely driving away from the activity. Under no circumstances may an individual under the age of 21 hold or drink an alcoholic beverage on the College's premises or work-related activity at another location.
2. When the activity is hosted by A-B Tech, the College will arrange for alternate transportation to assist an impaired employee and/or guest in getting home safely when the need is brought to the attention of the A-B Tech employee in charge of the activity. In all situations, each employee and/or guest is responsible for their own behavior and any resulting consequence.
3. When chaperoning students during an off-site activity, the employee has an obligation to inform the students that the College's Drug and Alcohol policy is still in effect. Knowingly permitting a student to consume alcohol, except as specifically allowed by the Drug and Alcohol policy, may result in disciplinary action or dismissal, depending on the College's interpretation of the circumstances and/or legal requirements.

VI. Requirements for A-B Tech and Third-Party Events when Alcohol is Sold or Served

At A-B Tech events, and events held on A-B Tech property by third parties, the following guidelines shall apply when alcohol is served:

- a. Alcoholic beverages may be served no more than one (1) hour before food for the main event is served.
- b. Once food has been served for the main event, only beer and wine may be served during the main event.
- c. Events at which alcoholic beverages are served may last no longer than three (3) hours.
- d. For events that do not precede a meal function, serving heavy hors d'oeuvres, with at least two (2) hot hors d'oeuvres, is required.
- e. Service of alcohol must be discontinued fifteen (15) minutes prior to the anticipated end of the event.
- f. When serving alcohol, a "Request to Serve Alcohol" application, provided by A-B Tech, must be completed, and returned ten (10) full business days prior to the event.
- g. In cases where only malt beverages or unfortified wine, are to be served, only the approved "Request to Serve Alcohol" is required. In addition, in cases where fortified wine or spirituous liquor (i.e. more than malt beverages and unfortified wine) are to be served, all entities, including A-B Tech internal events, must apply for, and be approved for, a "Limited Special Occasion Permit," submitted to, and received from, the NC ABC Commission [Permits](#). This

permit must be received by A-B Tech no later than five (5) full business days prior to the event date. Failure to obtain, or deliver, this permit will result in alcohol being banned from the event.

Finally, in cases where malt beverages, unfortified wine, fortified wine or spirituous liquor are to be sold, all entities, including A-B Tech internal events, must apply for, and be approved for, a "Special Occasion Permit," submitted to, and received from, the NC ABC Commission (<http://abc.nc.gov/Permit/SpecialPermits>). This permit must be received by A-B Tech no later than five (5) full business days prior to the event date. Failure to obtain, or deliver, this permit will result in alcohol being banned from the event.

- h. Alcoholic beverages must be served/consumed only in the area designated for the event. It is not permissible for individuals to take alcoholic beverages from that area.
- i. The service of alcohol is limited to invitation-only, private events. Alcohol may not be served at events open to the general public.
- j. Violation of this policy may lead to the termination of the event by an A-B Tech staff person and/or A-B Tech Police.
- k. Bartenders and/or Catering Services must be licensed to serve alcohol. They shall provide proof that their staff has been adequately trained to recognize the early signs of intoxication in patrons. Staff must also be trained to exercise adequate intervention techniques to reduce or stop patrons' alcohol intake. Bartenders and/or Catering Services shall provide, in writing, intervention techniques, along with a copy of the liquor/serving license, appropriate insurance coverage, and a list of names, addresses, and ages of those who will distribute the alcohol. This documentation must be provided to A-B Tech Event Coordinator at least ten (10) business days prior to the event. Food and non-alcoholic beverages MUST be made available at all events where alcohol is distributed. Events held on the Victoria Road campus under the provisions of the Mission Health/A-B Tech Conference Center Memorandum of Understanding are exempt from guideline seven. Servers must be at least eighteen (18) years of age.
- l. No one under the age of twenty-one (21) will be allowed to consume alcohol at an A-B Tech event or event held on A-B Tech campuses. Sponsoring group will need to provide the A-B Tech Event Coordinator with detailed procedures to be followed to prevent service to minors (this is submitted with the "Request to Serve Alcohol" application).
- m. A-B Tech Police must be notified at least ten (10) days in advance of the date and time of all events at which alcohol service is to be served. A-B Tech Police will provide security coverage. The sponsoring organization will be responsible for any additional costs associated with that coverage.
- n. If requested, guests must provide photo identification for proof of age before being served.
- o. No one under the age of twenty-one (21) may sign a Facilities Usage Agreement for an event where alcohol will be served.
- p. At an event, if anyone is found to have provided an alcoholic beverage to an underage person, A-B Tech Police will respond, and local police may be called.
- q. All parties involved in coordinating food service or catering an event at A-B Tech must sign a "Notice of Sale or Distribution of Alcoholic Beverages on A-B Tech Property" indicating their agreement and understanding of the above policy guidelines and agree to adhere to them at all times. Any member of the College community found to be in violation of the College alcohol

policy shall be subject to disciplinary actions by the appropriate College office. A-B Tech departments require the approval and signature of the College President if students are to be present at the event.

- r. Refer to Policy 308, Use of Facilities, for more information regarding third party events on College property

VII. Annual Notification of the DAAPP

Student Notification

The DAAPP and the Drug and Alcohol policy will be distributed to all currently enrolled curriculum students via individual student email accounts (name @students.abtech.edu) on or before Sept. 30th. It is also posted continuously on the Consumer Information page on the A-B Tech website. In addition to email dissemination, the College will:

- Publish the Drug and Alcohol Policy and Procedures in the Student Handbook and Catalog. The printed version of the Student Handbook and Catalog will be revised each August, while updates to the online version of the document can be made as revisions occur.
- Incorporate information on the College's Drug and Alcohol Policy and Procedures into New Student Orientation, both online and seated sessions. Students are shown where to find the information on the Consumer Information page on the College's website and are also given a student handbook before they leave the seated session. This activity is a required admission step for every incoming curriculum student.
- DAAPP information is published on A-B Tech's website under Consumer Information.

Employee Notification

The DAAPP and the Drug and Alcohol Policy will be distributed to all current employees of the college via email on or before Sept. 30th. In addition to email dissemination, the College will:

- Publish the Drug and Alcohol Policy and Procedures.
- DAAPP information is published on A-B Tech's website under Consumer Information.
- Incorporate information on the College's Drug and Alcohol Policy and Procedures, and DAAPP into New Employee Orientation (See [Appendix E](#) for Acknowledgement signed by employees during New Employee Orientation.)

VIII. Oversight Responsibility

The Executive Director of Human Resources and Organizational Development and the Vice President for Student Services, or their designees, shall serve as the main contacts that will have oversight responsibility of the DAAPP including, but not limited to, updates, coordination of information presented in the DAAPP, and coordination of the annual notification to employees and students, and the biennial review.

IX. Additional Resources

The following list references College policies that were included in this document. For more detailed information on each policy, please visit the College website at www.abtech.edu. The policies and procedures are also added to the end of this document.

- Drug and Alcohol Policy and Procedures - #113 ([Appendix A](#))
- Code of Student Conduct Policy and Procedures - #804 ([Appendix B](#))
- Student Due Process Policy and Procedures - #823 ([Appendix C](#))
- Threat Assessment Policy and Procedures - #118 ([Appendix D](#))

This policy may be viewed from the employee portal.

- Employee Due Process Policy and Procedures - # 509.02 ([Appendix E](#))
- Employee Acknowledgement – ([Appendix F](#))

Additional resources can be found online.

- <https://www.abtech.edu/opioids>
- www.abtech.edu/counseling
- <https://www.abtech.edu/campus-safety>
- <https://www.abtech.edu/supportservices>

Appendix B

Policy 113: Drug and Alcohol Policy

It is the policy of the Board of Trustees that A-B Tech will maintain a learning and working environment that is free from the negative impact of drug and/or alcohol abuse. The College prohibits students, employees, and visitors from being on the College's premises or attending any College-sponsored activity at a non-College location while impaired by any impairing substance. The College also prohibits the manufacture, possession, use, distribution, or sale of controlled substances or alcohol during work time and breaks, on A-B Tech premises or class/work sites, while driving a College vehicle, and/or while driving any vehicle for a College-sponsored, sanctioned, or required activity, with the following exception.

This policy permits College-sanctioned activities approved in writing by the President where alcohol is manufactured, possessed, used, distributed, sold, served, and/or consumed for academic, continuing education, social, or other purposes consistent with the College's procedures and applicable legal requirements. These documents will be maintained in the President's Office.

Scope

A-B Tech employees, students, and visitors

Definitions

Student: A person who is registered for, enrolled in, or attending an A-B Tech course, regardless of the course location.

Employee: A person who is hired to provide services to the College on a regular basis in exchange for compensation and who does not provide these services as part of an independent business.

Visitor: A person on the College's premises or attending any College-sponsored activity who is not a student or employee.

Impairing substance: Any substance that, when introduced into a person's body, has the effect of impairing, to any degree, that person's mental or physical faculties. Impairing substances include, but are not limited to, alcohol in any form (ethanol, methanol, or isopropanol), any substance included within the North Carolina Controlled Substance Act, prescription medications, over-the-counter medications and chemical inhalants.

Controlled Substance: A drug, substance, or immediate precursor included in Schedules I through VI of the North Carolina Controlled Substances Act and/or any drug listed in Title 21 of the United States Code and other federal regulations. Generally, these are drugs which have a high potential for abuse and include "legal drugs" which are not prescribed by a licensed physician.

Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including methyl and isopropyl alcohol.

References

Drug-Free Workplace Act of 1988

Safe and Drug-Free Schools and Communities Act

34 CFR 85.600 et seq

21 USCA 841 et seq

NC GS 18B-102

North Carolina Controlled Substances Act (GS Article 5 Sections 90-95)

NC Administrative Code Title 13, Chapter 20

NC Controlled Substance Examination Regulation Act

Title 21 of the United States Code

Reviewed by the College Attorney, September 24, 2014

Reviewed by the Executive Leadership Team, September 24, 2014

Policy Owners

Executive Director, Human Resources and Organizational Development, Ext. 7113

Vice President for Student Services, Ext. 7146

See Drug and Alcohol Procedure

Approved by the Board of Trustees on October 6, 2014.

Procedure 113: Drug and Alcohol

General Prohibition:

A-B Tech is committed to providing a drug-free learning and working environment. From a safety perspective, the use of drugs or alcohol may impair the well-being of students, employees, and visitors, interfere with the College's educational environment, and result in damage to College property. Therefore, it is the College's policy that the unlawful manufacture, distribution, dispensation, possession, or use of Alcohol, illegal or unauthorized Controlled Substances or Impairing Substances are prohibited at any College Location by College students and employees.

A-B Tech complies with the Drug Free Workplace Act and the Drug Free Schools and Campuses Act (DFSCA) and applicable Department of Education requirements by instituting the following practices:

1. The College will conduct an annual review of the effectiveness of the Drug and Alcohol Abuse Prevention Program (DAAPP). This activity will be the responsibility of the Vice President for Student Services, Executive Director of Human Resources and Organizational Development, or designee. The review will be completed by June 30 of each year so that this information may be used to revise the DAAPP for optimum effectiveness.
2. Annual review information will be compiled to produce a biennial review as required by the Department of Education and the DFSCA.

Definitions:

Alcohol means any beverage containing at least one-half of one percent (0.5%) alcohol by volume, including malt beverages, unfortified wine, fortified wine, spirituous liquor, and mixed beverages.

College Location means in any College building or on any College premises; in any College-owned vehicle or in any other College-approved vehicle used to transport students/employees to and from College or College activities; and off College property at any College-sponsored or College-approved activity, event, or function, such as a field trip or athletic event, where employees and students are under the College's jurisdiction.

Controlled Substance means any substance listed in 21 CFR Part 1308 and other federal regulations, as well as those listed in Article V, Chapter 90 of the North Carolina General Statutes. Generally, the term means any drug which has a high potential for abuse and includes, but is not limited to heroin, marijuana, cocaine, PCP, GHB, methamphetamines, and crack. This term also includes any drugs that are illegal under federal, state, or local laws and legal drugs that have been obtained illegally or without a prescription by a licensed healthcare provider or are not intended for human consumption. The term also applies to improper use of over-the-counter medication.

Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug and alcoholic beverage statutes.

Impairing Substances means any substance taken that may cause impairment, including but not limited to bath salts, inhalants, or synthetic herbs.

Reasonable Suspicion is the legal standard required before the College can require a student or employee to take a drug or alcohol test. Some of the factors that constitute reasonable suspicion are a) direct observation of drug use or possession; b) direct observation of the physical symptoms of being under the influence of drugs; c) impairment of motor functions; d) pattern of abnormal or erratic conduct or behavior; or e) reports from reliable sources or credible sources (anonymous tips may only be considered if they can be independently corroborated).

Safety-Sensitive Employee means employment positions where the duties involve such a significant risk of injury to others that even a momentary lapse of attention can have disastrous consequences or positions where a single slip-up may have irremediable consequences; the employee will have no chance to recognize and rectify the mistake, nor will other personnel have an opportunity to intervene before harm occurs.

The following positions are designated as safety-sensitive:

- c. All A-B Tech Police and Security employees except those who perform purely administrative, office duties.
- d. All Facilities and Plant Operations employees except those who perform purely administrative, office duties.

Limited Immunity

A-B Tech realizes that individuals may be hesitant to report to College officials or participate in the resolution process because they fear that they themselves may be accused of policy violations, such as underage drinking or being under the influence of drugs and alcohol at the time of the incident. To encourage individuals to receive appropriate help for various circumstances and to encourage reporting, limited immunity will be provided in the following incidents:

1. *Sexual misconduct*: The College offers the reporting party and witnesses limited immunity from minor drug and alcohol policy violations. (Refer to the Sexual Misconduct Policy 112).
2. *Substance misuse treatment*: The College offers the reporting party limited immunity when seeking treatment assistance for an addiction. Likewise, a person seeking medical assistance for an individual experiencing a drug-related overdose may also be permitted limited immunity from minor drug and alcohol policy violations (NC Senate Bill 20, 2013).

Students

7. No student shall distribute, dispense, possess, use or be under the influence of Alcohol, illegal or unauthorized Controlled Substance or Impairing Substance at a College Location at any time. Students in Continuing Education, Hospitality, Culinary, or Brewing programs over the age of 21, in which alcohol is part of the curriculum, may consume beverages as applicable to the course.
8. A student's legal use of prescribed or over-the-counter drugs is not a violation of policy only if such use does not endanger the student or others and it does not interfere with student learning or participation in student-related activities. Students shall be held strictly accountable for their behavior while under the influence of prescribed drugs or over-the-counter drugs.
9. Any student who manufactures, possesses, uses, sells, gives, or in any way transfers a Controlled Substance or Impairing Substance while at a College Location will be subject to disciplinary action up to and including expulsion and referral for prosecution, and possible legal sanctions.
10. A-B Tech hosts an Addition, Recovery, and Coping (ARC) program for students each semester. These programs are open to all students but may be required for students in violation of this policy as a first level disciplinary sanction. Additional educational materials, programs, and other resources are available through both our Student Life and Support Services departments.
11. If the instructor suspects a student is under the influence of drugs or alcohol, they should contact A-B Tech police to remove the student from the classroom. Instructors must notify the Vice President for Student Services or designee of this alleged violation of Code of Student Conduct as soon as possible.
12. College administrators reserves the right to search the student, vehicle and/or personal property of student when on College property or other location where instruction occurs, based on reasonable suspicion. The A-B Tech Police Department may search students consistent with applicable law.
13. A-B Tech complies with applicable Department of Education requirements by taking the following steps, as they apply to students:
 - d. Prepares the College's Drug and Alcohol Abuse Prevention Program (DAAPP) for annual distribution to all currently enrolled students.
 - e. Publishes the Drug and Alcohol Policy and Procedures on the website and establishes an annual email notification to students with a link to the online documents.
 - f. Incorporates information about drug and alcohol Policy and Procedures in New Student Orientation.
14. Consequences for Violating Policy/Procedures:

A student who violates the terms of this policy will be subject to disciplinary action in accordance with the Code of Student Conduct and Student Due Process policies and procedures. The Vice President for Student Services or designee may require any student who violates the terms of this policy to satisfactorily participate in a drug abuse awareness program or other sanctions as listed below. For repeated or more severe infractions, the student may be required to complete an off-campus drug or alcohol abuse rehabilitation program sponsored by an approved private or

governmental institution as a precondition of continued enrollment at the College. The following sanction options may include, but are not limited to, the following:

- a. Determination of disciplinary Warning, Probation, or Suspension.
- b. Complete a drug and alcohol use assessment in order to identify the student's current level of use and to identify appropriate service recommendations.
- c. Required to attend one or more collegiate recovery group and/or a community recovery event.
- d. Mandatory counseling focusing on drug or alcohol abuse.
- e. Referral for offsite formal clinical assessment and treatment.

Employees

1. Notice to Employees

A-B Tech complies with the Drug Free Workplace Act and applicable Department of Education requirements by taking the following steps, as they apply to employees:

- a. Prepares the College's Drug and Alcohol Abuse Prevention Program (DAAPP) for annual distribution to all employees.
 - b. Publishes the Drug and Alcohol Policy and Procedures on the employee Portal page and established an annual email notification with a link to the online documents.
 - c. Incorporates information about the Drug and Alcohol policy and procedures in New Employee Orientation.
 - d. Offers an Employee Assistance Program (EAP), which includes drug and alcohol information, short-term counseling, and referrals.
 - e. Notifies employees of their obligation to inform the Human Resources Department of any conviction of a criminal drug violation in the workplace (see below).
 - f. Maintains a process for notifying the contracting or granting agency within ten days of receiving notice that a covered employee has been convicted of a criminal drug violation that occurred while on the College's premises or while participating in a work-related activity. Conducts a thorough and timely assessment regarding internal consequences for such conviction.
 - g. Reserves the right to search the person, vehicle, and/or personal property of employees when on College property and/or while on duty regardless of location, consistent with applicable law.
 - h. Establishes a separate file in the Human Resources Department where employee drug/alcohol information is maintained. The confidentiality of any medical issues discussed is protected as required by law, and this information will only be shared on a legitimate need-to-know basis or when required by law.
- ### 2. Consistent with the Drug Free Workplace Act, employees are required to:
- a. Sign a Drug-Free Workplace Statement as a condition of employment.
 - b. Abide by all terms of the Drug and Alcohol Policy and Procedures.
 - c. Notify the Human Resources Department in writing, within five calendar days after conviction of a criminal drug violation that occurred while on the College's premises or while participating in a work-related activity.

- d. Participate in the Employee Assistance Program and/or complete a treatment program, if required by the College as a condition of continued employment.
- e. Notify the immediate supervisor before work if the employee needs to take a prescribed or over-the-counter drug that may impair judgment or performance in any way. It is the employee's responsibility to use appropriate College procedures (i.e. request sick leave) if any use of legal drugs presents a safety risk. Any medical issues discussed will be kept in confidence according to legal requirements. The legal use of prescribed or over-the-counter drugs is permitted on the job only if it does not impair the employee's ability to perform the job effectively and in a safe manner, and that does not endanger the employee or others in the workplace or interfere with student learning or services.

3. Employee Assistance Program/Substance Abuse Treatment

A-B Tech encourages the identification and treatment of alcohol and chemical dependency in its early stages before work is affected. Toward this end, the College retains the services of an Employee Assistance Program (EAP) to assist employees who request help with substance abuse. Employees will not be disciplined, demoted, or terminated for seeking professional counseling and/or treatment to recover from an alcohol or chemical dependency. However, employee performance and work behavior will continue to be evaluated consistent with the College's expectations and requirements.

4. Drug/Alcohol Screening

A-B Tech maintains a drug/alcohol screening program consistent with legal requirements. All drug/alcohol screening is conducted by an approved laboratory identified by the College and in accordance with the NC Controlled Substance Examination Regulation Act and all testing shall comply with the Controlled Substances Examination Regulation, 13 NCAC 20.0101 *et seq.* All drug/alcohol screens must be approved by, and coordinated through, the Human Resources Department, except those required after hours, which must be approved and coordinated by the A-B Tech Police Department. The Human Resources Department shall be required to maintain all records associated with the College's drug/alcohol screening program.

Drug and/or alcohol testing occurs under the following circumstances:

- a. **Pre-Employment.** Pre-employment drug screens are required for employees in safety-sensitive positions and/or College programs where such screening is a requirement for placement at a clinical or other site.
- b. **Post-Accident.** When there is Reasonable Suspicion that drug and/or alcohol use or impairment may have contributed to the accident or incident, a post-accident drug/alcohol screen is required for any employee. The College will arrange transportation for the employee to the screening location and then home, if necessary, to ensure the employee's safety. If the employee refuses to participate in the drug and/or alcohol screening, it will be considered a positive result.
- c. **Reasonable Suspicion.** A supervisor, with agreement of the appropriate ELT member and the ED of Human Resources and Organizational Development may require an employee to participate in drug and/or alcohol screening when the screening is based on Reasonable Suspicion. If the employee refuses to participate in the drug and/or alcohol screening, it will be considered a positive result.

5. Participation in College - Sanctioned and other Work-related Activities where Alcohol Is Served.

- a. When an employee and/or guest attend a College-sanctioned or work-related activity where alcohol is served, each individual is expected to use good judgment with regard to the amount of alcohol consumed and the legal requirements for safely driving away from the activity.

Under no circumstances may an individual under the age of 21 hold or drink an alcoholic beverage on the College's premises or work-related activity at another location.

- b. When the activity is hosted by A-B Tech, the College will arrange for alternate transportation to assist an impaired employee and/or guest in getting home safely when the need is brought to the attention of the A-B Tech employee in charge of the activity. In all situations, each employee and/or guest is responsible for their own behavior and any resulting consequences.
 - c. When chaperoning students during an off-site activity, the employee has an obligation to inform the students that the College's Drug and Alcohol policy is still in effect. Knowingly permitting a student to consume alcohol, except as specifically allowed by the Drug and Alcohol Policy, may result in disciplinary action or dismissal, depending on the College's interpretation of the circumstances and/or legal requirements.
6. Consequences for Violating Policy/Procedures
- a. Violations of this policy or procedures and/or a confirmed positive drug/alcohol screen may result, at A-B Tech's sole discretion, in disciplinary action and/or dismissal of any employee, depending on the College's interpretation of the circumstances and subject to Policy 509.02, Employee Due Process. Violations may also result in legal consequences, as A-B Tech will notify the appropriate authorities whenever warranted.
 - b. At its sole discretion, in lieu of or in addition to taking disciplinary action against an employee, the College may require the employee to satisfactorily complete a drug or alcohol abuse assistance or rehabilitation program. If an employee refuses to seek treatment when required, does not respond to treatment, and/or there are indications that the drug or alcohol dependency persists, the situation will be handled by the College like any other event which adversely affects job performance.
 - c. An employee who refuses to submit to a drug or alcohol screen that is consistent with the above criteria, adulterates or dilutes the specimen/sample, substitutes the specimen/sample with that from another person, sends an imposter, refuses to sign the required consent forms, and/or refuses to cooperate in the screening process in such a way that it prevents completion of the examination, will be dismissed subject to Policy 509.02, Employee Due Process, when applicable.

Requirements for A-B Tech and Third-Party Events when Alcohol is Sold or Served

At A-B Tech events, and events held on A-B Tech property by third parties, the following guidelines shall apply when alcohol is served:

- d. Alcoholic beverages may be served no more than one (1) hour before food for the main event is served.
- e. Once food has been served for the main event, only beer and wine may be served during the main event.
- f. Events at which alcoholic beverages are served may last no longer than three (3) hours.
- d. For events that do not precede a meal function, serving heavy hors d'oeuvres, with at least two (2) hot hors d'oeuvres, is required.
- e. Service of alcohol must be discontinued fifteen (15) minutes prior to the anticipated end of the event.
- f. When serving alcohol, a "Request to Serve Alcohol" application, provided by A-B Tech, must be completed, and returned ten (10) full business days prior to the event.

- g. In cases where only malt beverages or unfortified wine, are to be served, only the approved “Request to Serve Alcohol” is required. In addition, in cases where fortified wine or spirituous liquor (i.e. more than malt beverages and unfortified wine) are to be served, all entities, including A-B Tech internal events, must apply for, and be approved for, a “Limited Special Occasion Permit,” submitted to, and received from, the NC ABC Commission [Permits](#). This permit must be received by A-B Tech no later than five (5) full business days prior to the event date. Failure to obtain, or deliver, this permit will result in alcohol being banned from the event.

Finally, in cases where malt beverages, unfortified wine, fortified wine or spirituous liquor are to be sold, all entities, including A-B Tech internal events, must apply for, and be approved for, a “Special Occasion Permit,” submitted to, and received from, the NC ABC Commission (<http://abc.nc.gov/Permit/SpecialPermits>). This permit must be received by A-B Tech no later than five (5) full business days prior to the event date. Failure to obtain, or deliver, this permit will result in alcohol being banned from the event.

- s. Alcoholic beverages must be served/consumed only in the area designated for the event. It is not permissible for individuals to take alcoholic beverages from that area.
- t. The service of alcohol is limited to invitation-only, private events. Alcohol may not be served at events open to the general public.
- u. Violation of this policy may lead to the termination of the event by an A-B Tech staff person and/or A-B Tech Police.
- v. Bartenders and/or Catering Services must be licensed to serve alcohol. They shall provide proof that their staff has been adequately trained to recognize the early signs of intoxication in patrons. Staff must also be trained to exercise adequate intervention techniques to reduce or stop patrons’ alcohol intake. Bartenders and/or Catering Services shall provide, in writing, intervention techniques, along with a copy of the liquor/serving license, appropriate insurance coverage, and a list of names, addresses, and ages of those who will distribute the alcohol. This documentation must be provided to A-B Tech Event Coordinator at least ten (10) business days prior to the event. Food and non-alcoholic beverages MUST be made available at all events where alcohol is distributed. Events held on the Victoria Road campus under the provisions of the Mission Health/A-B Tech Conference Center Memorandum of Understanding are exempt from guideline seven. Servers must be at least eighteen (18) years of age.
- w. No one under the age of twenty-one (21) will be allowed to consume alcohol at an A-B Tech event or event held on A-B Tech campuses. Sponsoring group will need to provide the A-B Tech Event Coordinator with detailed procedures to be followed to prevent service to minors (this is submitted with the “Request to Serve Alcohol” application).
- x. A-B Tech Police must be notified at least ten (10) days in advance of the date and time of all events at which alcohol service is to be served. A-B Tech Police will provide security coverage. The sponsoring organization will be responsible for any additional costs associated with that coverage.
- y. If requested, guests must provide photo identification for proof of age before being served.
- z. No one under the age of twenty-one (21) may sign a Facilities Usage Agreement for an event where alcohol will be served.
- aa. At an event, if anyone is found to have provided an alcoholic beverage to an underage person, A-B Tech Police will respond, and local police may be called.
- bb. All parties involved in coordinating food service or catering an event at A-B Tech must sign a "Notice of Sale or Distribution of Alcoholic Beverages on A-B Tech Property" indicating their

agreement and understanding of the above policy guidelines and agree to adhere to them at all times. Any member of the College community found to be in violation of the College alcohol policy shall be subject to disciplinary actions by the appropriate College office. A-B Tech departments require the approval and signature of the College President if students are to be present at the event.

- cc. Refer to Policy 308, Use of Facilities, for more information regarding third party events on College property

Reviewed by College Attorney: July 25, 2018

Approved by ELT: September 15, 2015, April 12, 2017, July 19, 2017, August 30, 2017, and September 12, 2018

Owners: Executive Director for Human Resources and Organizational Development and Vice President for Student Services

[Request to Serve Alcohol on Campus](#)

[Request to Host Event with Alcohol on Campus](#)

Appendix C

Procedure 804: Code of Student Conduct

A-B Tech strives to maintain a safe, nurturing, and orderly learning environment that supports the students, faculty, and staff. Therefore, there are behavioral expectations that outline the responsibilities and proper practices for all students at the College. When, in the judgment of College officials, the student's conduct disrupts or threatens to disrupt the College community, appropriate disciplinary action will be administered. Students have the rights of Due Process when accused of a violation of the Code of Student Conduct (please reference policy 823). All matters related to alleged sexual misconduct shall be referred to the College's Title IX Coordinator and governed pursuant to the Sexual Misconduct Policy 112. For matters regarding alleged discrimination and harassment, please refer to the Non-Discrimination and Harassment Policy 111.

A student who is in possible violation of the Code of Student Conduct will be referred to the Vice President for Student Services or designee. If the Vice President of Student Services or designee determines the student's alleged actions are egregious and/or potentially threatening to the learning environment or to campus safety, the student may be immediately suspended for up to ten College business days, pending a due process hearing or Threat Assessment review.

Students who have been found responsible of a violation of the Code of Student Conduct may be assigned consequences based upon the seriousness of the offense. Sanctions for violations may include but not be limited to verbal warning, written warning, a failing grade for an assignment, examination, or course, administrative withdrawal from courses or academic program, restitution for damages, probation including mandatory periodic progress reports, consequences adapted to the specific violation, suspension, or expulsion. The President shall have final approval in the expulsion of a student.

Violations of any federal, state, or local laws occurring while on campus may lead to legal actions as well as campus discipline. Violations of federal, state, or local laws occurring off campus may result in disciplinary action if the student's continued presence on campus constitutes a threat to the safety and order of the campus.

Violations for which disciplinary proceedings may be initiated are as follows:

1. **Academic Dishonesty:** Academic Dishonesty includes submitting someone else's work as one's own; using notes or other material without permission from the faculty on an exam, homework, or other assignments; receiving information from another student during an exam; obtaining a copy of an exam or questions from an exam prior to taking the exam; or having someone else take one's exam and submitting it as his or her own. Academic dishonesty includes Distance and Online students and/or any student who has someone else use an account and password for the purpose of submitting work as one's own.
2. **Aiding Acts of Academic Dishonesty:** Providing information to another student with the awareness that the student intends to use it for deceptive purposes.
3. **Alcoholic Beverages:** Students may not possess or use alcoholic beverages on campus. Students may not be under the influence of alcoholic beverages on campus or at College-affiliated activities or events (please reference Policy 501.05).
4. **Animals:** Students may not have an animal of any kind on campus, or at any College affiliated activities, sites or events. This includes animals left within a vehicle. Limited exceptions to this code may be found in the Animals on Campus Procedure (please reference Policy 802).

5. **Assault:** Students may not assault or threaten to assault another person for any reason whatsoever. Assault may include a demonstration of force, unlawful physical touching, or striking.
6. **Bullying:** Students may not intimidate or threaten with harm any other individual. Bullying is defined as “any pattern of gestures or written, electronic or verbal communications, or any physical act or any threatening communication that takes place on College premises or at any College sponsored function that: (a) places a person in actual and reasonable fear of harm to his or her person or damage to his or her property; or (b) creates or is certain to create a hostile environment by substantially interfering with or impairing a student’s educational performance, opportunities or benefits, or a College employee’s ability to perform the essential functions of his or her job.”
7. **Communicating Threats:** Students may not verbally, in writing, through a third party, or by any other means threaten to physically injure another person or that person’s child, sibling, spouse, or dependent or willfully threaten to damage the property of another.
8. **Copyright Infringement and Peer-to-Peer File Sharing:** Students may not violate the College’s Copyright Infringement and Peer-to-Peer File Sharing Policy through the act of violating, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement (please reference Policy 215 and Policy 1006).
9. **Damage to Property:** Students may not damage property of the College or of any other person working at or attending the College.
10. **Disobedience:** Students may not disobey the reasonable directions of College employees, including administrators, faculty members, A-B Tech Police and security officers, and other staff employees.
11. **Disorderly Conduct:** Students may not conduct themselves in a way which will interrupt the academic mission of the College or which will disturb the peace of the College.
12. **Disrespect:** Students are expected to treat all College employees with respect and courtesy, particularly when and if disagreements arise.
13. **Disruption:** Students may not disrupt the normal activities of the College by physically or verbally interfering with instruction, meetings, traffic, or scheduled administrative functions.
14. **Drugs:** Students may not possess, use, or be under the influence of any narcotic or illegal drugs on campus or at any College-affiliated activities or event. This is in violation of the laws of the state of North Carolina of the United States (please reference Policy 501.05).
15. **Failure to Comply:** Students must comply with the directives of College officials or law enforcement officers during the performance of their duties. Students must identify themselves to these persons when requested to do so. Failure to respond to notifications of conduct charges is also prohibited.
16. **False Information:** Students may not present to the College or its employees’ false information; neither may they knowingly withhold information which may have an effect on their enrollment or their status in the institution and which is properly and legally requested by the College.
17. **Gambling:** Students may not gamble on campus or at any College-affiliated activities or events.

18. **Internet and Campus Network Acceptable Use:** The College has an extensive policy for appropriate use of the Internet. Users of the College computers acknowledge the policy whenever they sign on. Students may not use the College's access to the Internet for access to sexually explicit material or for downloading music. Email accounts are provided for student use; however, no right of privacy exists for use of email (please reference Policy 1003). Students may not share their account and password, nor may they access another student's account.
19. **Plagiarism:** The intentional theft or unacknowledged use of another's words or ideas. Plagiarism includes but is not limited to paraphrasing or summarizing another's words or works without proper acknowledgement; using direct quotes of material without proper acknowledgement; or purchasing or using a paper or presentation written or produced by another. If a student is uncertain about what constitutes plagiarism, he or she should discuss this with the class instructor.
20. **Possession of Weapons:** Students may not have a weapon of any kind, including a knife, stun gun, or any firearm in their possession on campus or at any College-affiliated activities or events except handguns as allowed by NC GS §14-269.2(k). Handguns are permitted under these circumstances:
- The person has a concealed handgun permit that is lawfully issued.
 - The handgun is in a closed compartment or container within the person's locked vehicle.
 - The handgun is in a locked container securely affixed to the person's vehicle.
 - A person may unlock the vehicle to enter or exit the vehicle provided the handgun remains in the closed compartment at all times.
 - The vehicle is locked immediately following the entrance or exit.
- Law enforcement officers are exempt from this prohibition. This includes facsimiles of weapons (please reference Policy 305).
21. **Public Laws:** Violations of any federal, state or local laws occurring while on campus may lead to legal actions as well as campus discipline. Violations of federal, state or local laws occurring off campus may result in disciplinary action if the student's continued presence on campus constitutes a threat to the safety and order of the campus.
22. **Retaliation:** Retaliation against any person submitting a report of possible violation(s) of the Code of Student Conduct against another person is strictly prohibited. Retaliation includes, but is not limited to, any form of intimidation, punitive actions from authority figure or peers, reprisal (acts of vengeance) or harassment. Retaliation is a serious violation and should be reported immediately. The College will take appropriate disciplinary action against students found to have retaliated against another.
23. **Skateboards, Hover Boards, and Roller Skates:** Skateboards, hover boards, and roller skates are not permitted to be used on campus.
24. **Theft:** Students may not steal the property of another individual or of the College. Students who are caught stealing will be required to make restitution and may be eligible for civil or criminal prosecution as well as College discipline.
25. **Threats:** Students may not engage in any behavior that constitutes a clear and present danger to the physical and/or emotion well-being of the student and/or other students, faculty, and staff.
26. **Trespass:** Students are trespassing if in an unauthorized area of the College campus or remain on the College campus after having been directed to leave by a College official.

27. **Tobacco, E-cigarettes, and Vaping:** Students may not use tobacco of any form, use e-cigarettes, or vaporizing devices on campus or at any College-affiliated activity, sites, or events (please reference Policy 306).
28. **Unauthorized Access to Records:** Students may not access, view, copy or change official College records without official authorization to do so.
29. **Use of Social Media:** Students should obey their social media platforms terms of use. Students may not make, or cause to be made, communications (including electronically or through social media) to another person in any manner likely to seriously annoy or cause alarm. Social media may not be used to breach privacy, discriminate, or harass. Students may not make, transmit, or attempt to transmit audio or video of any person(s) on College property where there is an explicit expectation of privacy. Any posts or tweets deemed inappropriate on an A-B Tech social web site or blog will be deleted immediately and may result in having access to the site blocked permanently.
30. **Violations of Expected Classroom or Learning Environment Behaviors:** May include, but not limited to, being disobedient, disrespectful, disruptive to the classroom or learning environment, or not abiding by professional conduct standards.

Threat Assessment

A-B Tech is committed to providing a safe learning and working environment. As such, the College utilizes a threat assessment process to determine whether or not a student's behavior constitutes a potential safety risk to the individual or others. Matters that rise to the level of a potential threat will be handled solely under the Threat Assessment Policy. If the potential violation of this procedure includes other behaviors or conduct that may also violate the Code of Student Conduct, the violations will also be handled through the Threat Assessment procedure.

Student Rights of Due Process Policy (please reference Policy 823)

Threat Assessment Policy (please reference Policy 819)

Definitions:

Professional Conduct: Some curricula have specific codes of professional conduct for which students may be held accountable. This information is provided in course syllabi provided to students enrolled in these curricula.

Suspension: Complete withdraw from the College with option for future re-enrollment after a specified period.

Pursuant to Board policy, Chapter 800, Section 804, this procedure must be followed when addressing issues associated with the Code of Student Conduct.

Owner: Vice President Student Services

Updated: September 26, 2019

Appendix D

Procedure 823: Student Rights of Due Process

Students have the following rights of due process when an allegation has been brought against them regarding violations of the Code of Student Conduct (except, for issues involving sex and gender-based discrimination, harassment, and violence, see Sexual Misconduct Policy 112):

Students have a right to a Written Notice:

1. Upon receipt of an incident report to the Office of the Vice President of Student Services, the student in question will be sent a written notice to inform him or her of the allegations regarding the possible violation(s) of the Code of Student Conduct.

Students have a right to an Administrative Conference:

1. The student will be advised of the date, time, and location of the Administrative Conference with the Vice President for Student Services or designee to discuss and attempt to resolve the issue.
 - a. If the student's alleged actions are considered egregious or disruptive to the teaching and learning environment or to campus safety, the Vice President for Student Services or designee may suspend the student for up to ten College business days. The matter may be moved directly to a Student Due Process Hearing or referred to a Threat Assessment Team for review.
2. Outcome of Administrative Conference:
 - a. If the student admits responsibility for a violation(s) of the Code of Student Conduct, sanctions will be administered during the Administrative Conference process and this matter will be considered closed. The student will receive a written notice of all actions taken.
 - b. If the student disagrees with the proposed resolution or denies responsibility for any offense, the matter will move to a Student Due Process Hearing which will be conducted by the Vice President of Student Services or designee.
3. If the student fails to attend the scheduled conference, then the matter will be moved to a Student Due Process Hearing.

Students have a right to a Student Due Process Hearing:

1. The hearing will be scheduled as soon as practical after receipt of an incident report of allegations deemed to be egregious in nature or after the conclusion of the Administrative Conference.
2. Prior to the hearing, the student has the right to review all evidence, including written statements made against him or her. Strict rules of evidence do not apply in the hearing.
3. A written hearing notice including the date, time, and location of the hearing will be sent to the student.
4. At the hearing, all parties involved in the incident will attend and be given the opportunity to provide evidence. All pertinent parties have a right to speak and be questioned by the Vice

President of Student Services or designee during the hearing. Cross-examination between parties is not permitted during the hearing.

5. The student is allowed to be accompanied by an advocate. The advocate may not present on behalf of the student unless otherwise instructed to do so by the Vice President for Student Services or designee. If the student chooses to have an advocate who is an attorney, the student must provide notification to the Office of the Vice President for Student Services at least three College business days prior to the hearing date. In this case, the College Attorney will be present also.
6. The student has a right to a recording of the hearing.
7. The student has a right to a written notice of the hearing outcome.

Students have a right to a final appeal:

1. The student has the right to appeal the outcome of the Student Due Process Hearing to the College President.
2. Upon receipt of the hearing decision, the student has five College business days to submit a notice requesting an appeal. This notice must be submitted in writing to the Office of the Vice President for Student Services.
3. The President's document review does not include a new hearing but shall consist of evidence presented at the hearing along with a recording of the proceeding.
4. The President will affirm, modify, or reject the decision of the Vice President or designee. The President's decision will be final, and notification of the decision will be sent directly from the President's office to the student.

The procedure above is in effect for all students. All meetings and/or hearings for distance learners will be arranged using email, fax, conference calls, or other agreed upon electronic means.

Definitions:

Administrative Conference: A meeting with the student and the Vice President for Student Services or designee to discuss and attempt to resolve the issue.

Pertinent Parties: Include students, witnesses, faculty, staff, and other College Officials involved in the incident.

Student Due Process Hearing: A formal proceeding involving all parties involved where evidence is presented to the Vice President for Student Services or designee.

Written Notice: Documentation sent to the student via postal service and/or student email.

Pursuant to Board policy, Chapter 800, Section 823, this procedure must be followed in all situations involving the rights of student due process.

Owner: Vice President for Student Services

Updated: May 22, 2019

Appendix E

New Employee Orientation (NEO)
Welcome to Asheville-Buncombe Technical Community College

Live Presentation	Topics	Presenter	Time
Welcome and Overview	<ul style="list-style-type: none"> • Welcome • Introduction • Overview of NEO • College Vision, Mission, Values • Strategic Plan • About the HR/OD Division • Organizational Structure • College Operations & Locations • RISE (Respect, Integrity and Support for Everyone) 	<p>Darryl Rhymes Associate Director, Human Resources & Special Assistant to the President for Equity and Compliance</p>	1:00 - 1:30
Highlights of College Policies & Procedures	<p style="text-align: center;">Electronic Policy & Procedure Manual on A-B Tech's Portal</p> <ul style="list-style-type: none"> • Non-Discrimination and Harassment Policy (111) • Sexual Misconduct-Title IX (113) • Diversity & Inclusion Chat • Drug & Alcohol Policy (501.05) • At-Will Employment & Introductory Period (510.01) • Secondary Employment (503.06) • Grievance and Reporting Procedures (509.03) • Student Access to Secure Information Policy /FERPA (514) • Internet & Campus Network Acceptable Use (1003) 	<p>Darryl Rhymes Associate Director, Human Resources & Special Assistant to the President for Equity and Compliance</p>	1:30 - 2:15
Safety, Security, and Emergency Services	<ul style="list-style-type: none"> • Safety/Security Overview • Emergency Notification System • Workplace Violence Prevention Policy • Accident Reporting Process 	<p>Scott Early Deputy Chief</p>	2:15 – 2:40
BREAK			2:40 – 2:50
Time & Payroll	<ul style="list-style-type: none"> • Pay dates, First Check & Direct Deposit • Web Advisor & Check Stubs • Compensatory Time for Nonexempt Employees • Leave Requests • Completing the Time Sheet & Record of Leave 	<p>Kristina Kirchner Compensation & Data Management Analyst</p>	2:50 – 3:10
Performance Management	<ul style="list-style-type: none"> • Performance Management Policy • NEDGOV Performance Enhancement Process • Core and Job Specific Competencies 	<p>Kristina Kirchner Compensation & Data Management Analyst</p>	3:10 – 3:35

ACKNOWLEDGMENT

I, _____

_____ An applicant for employment with A-B Tech, and as a condition of employment.

_____ An employee of A-B Tech.

Hereby certify that I have received a copy of the College's drug and alcohol-free workplace policy. I agree to abide by the policy and recognizes that violation of this policy can subject me to disciplinary action up to and including termination. I agree to notify the College within 5 days after conviction of any criminal drug status where such violation occurred on the College campus or on official businesses, or as a part of any official business, or as a part of any official College activity. I further realize that federal law mandates that the College communicate this conviction to the federal agencies granting funding to the College, and I hereby waive any and all claims that may arise for conveying this information to the federal agency.

Signed

Date

Appendix F

Examples of the invitation emails, brochures and program assessments/results are located in [Appendix F](#) with the hard copy of this report in the Vice President for Student Services office.

Appendix G

Incident Reports and Code of Student Conduct Violations are available in hard copy only and located in the Vice President of Student Services Office.