

Hiwassee College Drug and Alcohol Abuse Prevention and Policy

Hiwassee College's people are its most valuable resource and their health and safety are matters of serious concern. The abuse of drugs and alcohol is potentially a grave danger to the college and its educational mission, and to the well being of the community as a whole. Because of our concern for the health and safety of our students and employees, our desire for an efficient and effective workforce, and our intent to comply with applicable federal, state, and local laws regarding substance abuse, the college has formulated the following policy.

Hiwassee College is committed to a drug-free environment in accordance with current statutory provisions. Unlawful manufacture, possession, distribution, dispensation, sale, or use of controlled substances (illegal drugs) on the campus is prohibited and will not be tolerated. Alcoholic beverages cannot be brought into or consumed on the premises. The possession, sale, use, or distribution of alcoholic beverages is prohibited. Under no circumstances are alcoholic beverages to be served to any students on campus or at campus-related functions. The college strictly enforces these policies. Violators are subject to dismissal and/or arrest.

Individuals who violate this policy shall be subject to discipline, termination, dismissal, arrest or citation as applicable. Additionally, employees or students who violate this policy may be required to participate satisfactorily in the appropriate education or counseling programs provided by the college.

Drug Free Work Place

As part of Public Law 100-690 the United States Congress passed the Drug Free Workplace Act of 1988 which became effective on March 18, 1989, as well as the Drug Free Schools Communities Act Amendment of 1989 (Public Law 101-226).

In accordance with said Law, the college hereby notifies all its students and employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the workplace and on the campus of Hiwassee College. Any violation of the above will be grounds for immediate dismissal from employment or expulsion from enrollment.

Appropriate disciplinary action shall be taken in all cases in which college employees or students are found guilty of controlled substance abuse. The circumstances surrounding the offense and the facts as determined by appropriate investigation will be fully reviewed prior to a decision on the action to be taken.

Sanctions may include any one or a combination of the following:

1. Recommended professional counseling
2. Letter of warning/admonition
3. Letter of probation
4. Mandatory participation in an organized drug treatment/rehabilitation program
5. Suspension from duty without pay
6. Termination from employment or enrollment

7. Other appropriate disciplinary action

The college will provide assistance, within the framework of existing policies to employees or students who elect to report an addiction to controlled substances and enter an approved treatment program. This offer of assistance is extended to all employees and students on a one-time basis. Repeated instances of addiction or abuse will be dealt with appropriately.

Hiwassee College has an agreement with a professional counseling program to provide short term counseling as needed for students or employees. Student referral will be made by the appropriate college administrator, generally the Dean of Students. Employee referral will be made by the appropriate supervisor. At the time of the referral, the student/employee will be assured of the strictest confidentiality, except in cases where the campus coordinator feels the student/employee is at risk of harming self or others. The student/employee will be informed that a threat of harm is information that cannot and must not be kept confidential. If at any time a student/employee is at risk of harming self or others, it is the responsibility of the professional counselor to notify the campus coordinator. A conference will be called immediately between the counselor, the campus coordinator, the Dean of Students or other appropriate administrator to determine the seriousness of the situation and what immediate action must be taken in the best interests of the student/employee and the college. Students and employees will be given access to a list of resources and contact information for assistance in matters of alcohol or drug abuse.

Students and employees are required by this Legislation to notify the Business Office or the Office of Student Development of any charges placed against them alleging controlled substance abuse. The college is required by law to notify federal grants or contact agencies of employee/student drug convictions within ten (10) days of notice of conviction. In addition the college offers drug education awareness through:

1. Courses within the curriculum
2. Residential programming
3. Educational programs provided through private or community organizations
4. Student athlete awareness and education

The most severe sanctions, loss of on-campus housing, suspension or expulsion, will be imposed for the most serious violations – offenses that are violent, dangerous, or repeated. If the Dean of Students sees justification for suspension or expulsion from the college, the Campus Judicial Board procedures as outlined in the *Student Handbook* will be followed. In the event of loss of residence, suspension, or expulsion, tuition and all other fees are non-refundable.

The general rule for students who violate the **alcohol policy** is as follows:

For students, the **first offense** will require a semester of disciplinary probation, a fine of \$50, and counseling if deemed necessary. The **second offense** will require a minimum of immediate suspension for not less than one full semester.

The general rule for students who violate the **drug policy** is as follows:

For students, the **first offense** shall be one semester suspension. Evidence of substance abuse counseling may be required for readmission. The **second offense** will be grounds for expulsion with a minimum penalty or indefinite suspension. The selling,

manufacture, and/or distribution of illegal drugs (as indicated above) are considered more serious violations and the minimum penalty will be expulsion.

Federal Penalties:

Students and employees should be aware of the various federal penalties for drug-related convictions as outlined in the following documents:

- 21 U.S.C. 844(a)
- 21 U.S.C. 853(a)(2) and 881(a)(7)
- 21 U.S.C. 881(a)(4)
- 21 U.S.C. 884(a)
- 21 U.S.C. 883(a)
- 21 U.S.C. 922(g)
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Resources for Assistance:

All students and employees are encouraged to seek early help if they feel they have a problem with alcohol and/or other drugs, and to learn how to assist others with substance abuse problems. With early assistance it is less likely that serious consequences will result from an alcohol or other drug problem. There are many resources on campus and in the community for assistance.

College resources such as the agreement for off-campus counseling are free to students and employees for a designated number of sessions. Non-campus resources in the community are also available through hotlines and other medical facilities. These include:

- Alcoholics Anonymous - <http://www.aa.org>; 865-522-9667
- Al-Anon – <http://www.nycalanon.org>; 865-482-4949
- Narcotics Anonymous – 1-800-677-1462
- CONTACT – 423-337-3800
- Focus on Recovery Helpline (alcohol/drugs) – 1-800-374-2800 or 1-800-234-1253
- National Suicide Prevention Lifeline – 1-800-SUICIDE (784-2433)
- National Alliance for the Mentally Ill – 1-800-950-6264
- Department of Health and Human Services Drug and Alcohol Treatment Referral Routing Service – 1-800-662-4357
- Veterans – Locate the closest VAMC or VA Regional Office: 1-877-222-8387
- Sweetwater Drug Hotline – 423-337-6364

Health Risks and Effects:

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including domestic violence and date rape. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

The chart below lists some of the health risks associated with using/abusing various drugs. Dangers associated with substance abuse are not limited to these conditions.

Substance	Known Health Risks
Marijuana/Hashish	Impaired memory perception, interference with psychological maturation, possible damage to lungs and heart, psychological dependence.
Cocaine	Intense psychological dependence, sleeplessness and anxiety, nasal passage damage, lung damage, and death from overdose.
Stimulants	Loss of appetite, hallucinations, paranoia, convulsions, brain damage, cancers of the lung, throat, mouth, death from overdose.
Depressants	Infection, addiction, loss of appetite, death from overdose, nausea, and has severe interaction with alcohol.
Narcotics	Addiction with severe withdrawal symptoms, loss of appetite, death from overdose.
Hallucinogens	Anxiety, depression, impaired memory, emotional breakdown, death from overdose.
Inhalants	Drastic weight loss, brain damage, liver and bone marrow damage, high risk of sudden death.

Campus Crime and Security Policies

Hiwassee College strives to maintain a safe and secure atmosphere for the entire college community. It is the responsibility of members of the college community to act in a security-conscious manner and to avoid actions that jeopardize their security as well as the security of others. If situations that endanger security are encountered, members of the faculty, staff, and student body should report these situations to the Monroe County Sheriff's Department, City of Madisonville Police Department, Campus Security (423-519-2344), or the Office of Student Development.

Hiwassee College employs Campus Safety Officer(s) to secure all buildings at night and to monitor all activities on campus and report all criminal activities to the Monroe County Sheriff's Department and the Dean of Students.

Residence Life staff members maintain security within their individual buildings by use of "on duty" resident assistants. Allison Hall students gain access to residence halls by keypad entry access at all times. In addition local law enforcement agencies work closely with the college to patrol, deter, and control criminal activity.

Reporting of a Crime on Campus:

Students, faculty and staff can and should report any crime that is observed or committed against them on campus. Criminal acts may be reported to:

- Campus Security
- Office of Student Development
- Residence Life Staff Member
- Any Faculty/Staff Member
- Monroe County Sheriff's Department
- City of Madisonville Police Department

If the crime is originally reported to someone other than the Dean of Students, that person is responsible for ultimately reporting the crime to the Dean of Students in a timely manner. Each report of criminal activity will be taken seriously and will be handled through either the campus judicial system and/or local law enforcement agencies, whichever is appropriate. All criminal activity is recorded by the Office of Student Development and reported to local, state, and federal agencies as is appropriate.

The college reserves the right to take disciplinary action for any violation of college, state, local or federal policies involving students on or off campus.

Campus Security Awareness/Education:

Students are made aware of security procedures and maintain their own security through the following means:

- New student orientation, held annually at the beginning of the fall and spring semesters

- Safety Awareness programs through required student assemblies
- Monthly residence hall meetings
- *Student Handbook* – available for public viewing in the Dean of Student's Office or by following the link provided below:
http://hiwassee.edu/wp-content/uploads/2012/08/student_handbook_120817.pdf
- College Studies 1000 – a course required of all new students
- Student Athlete awareness and education

Sexual Assault

Sexual assault, which for administrative purposes, is defined as any sexual contact/intrusion/penetration that is absent of or without consent by all parties. Examples include, but are not limited to: (a) touching another's genital/breast without consent (through clothing or skin to skin contact), (b) having sexual contact/intrusion/penetration with someone who is incapacitated (passed out) from alcohol/drug usage, (3) continuing sexual activity after either party has made it clear, either verbally or by conduct, that they do not wish to have physical contact, and (d) forcing, threatening to force, coercing, or deceiving another to engage in sexual activity.

Hiwassee College affirms the principle that all persons have the right to be free of discrimination from any member of the college community. Sexual harassment is any attempt to coerce an unwilling person into a sexual relationship, or to subject a person to unwanted sexual attention, or to punish a refusal to comply, or to create a sexually intimidating, hostile, or offensive working/educational environment. This may include a wide variety of behaviors – from actual coercion to the unwelcome emphasizing of sexual identity. This definition will be consistently interpreted and applied with acceptable standards of mature behavior, academic freedom, and freedom of expression.

Individuals who believe they have been sexually harassed may obtain redress through established informal and formal procedures of the college. Complaints will receive prompt and equitable attention. The rights of confidentiality will be respected, to the extent possible. The Academic Dean and Dean of Students are both available for advice on the procedures. Any person wishing to report a possible violation of this policy may contact the Office of Student Development, Campus Security, or the College Chaplain.

Administrative Hearing Procedures:

In all cases where a formal hearing is convened to consider an alleged violation of sexual assault, the following special procedures shall apply to the extent they are applicable.

Rights of Both the Victim and the Accused:

- To be free of intimidation, harassment, and retaliation
- To be notified of case status at any time
- To be notified of the hearing outcome in a timely manner
- To have the hearing conducted in a swift and timely manner
- To have a closed hearing

- To be present throughout the entire hearing process
- To be advised of the names of all witnesses requested to testify

Rights of the Victim specifically:

- To have an advocate, or person of his/her choice present throughout the hearing
- To make up academic work he/she has missed due to the assault or hearing process
- To have irrelevant past sexual history suppressed, consistent with criminal law procedures
- To be informed of any and all protection orders and resources available for ongoing assistance including academic/housing changes
- To provide a victim impact statement, either verbally or written, regarding how the assault has affected the victim's psychological, financial, academic, physical and social well being

Rights of the Accused specifically:

- To be provided with a full and complete explanation of the charges
- To be presumed innocent until/if proven otherwise
- To be provided with an explanation of the possible range of penalties/punishment
- To cross-examine witness and to testify on his/her own behalf
- To remain silent during hearing proceedings
- To present witnesses and documentary evidence, and an explanation or argument on his/her own behalf
- To receive, at his/her expense, a written or taped transcript of the hearing

Reporting and Notification Procedures:

Students who choose to report a sexual assault should contact the Office of Student Development or Campus Security (if the assault occurred on campus) or Monroe County Sheriff's Department (if the assault occurred off campus) as soon as possible. Valuable evidence may be lost by showering, changing, cleaning up or delaying reporting. When a rape/sexual offense is reported, the college will make every effort to see that the victim is offered both medical and psychological care as well as information about prosecuting the suspect through both criminal and college disciplinary channels.

Persons who become victims of sex offenses should do the following:

- Get to a safe place as soon as possible
- Try to preserve all physical evidence
- Seek medical attention (A medical examination will provide any necessary treatment and collect important evidence. Sweetwater Hospital can conduct a rape victim examination.
- Report the incident – to report an incident that has just occurred, or to report an incident at a later date, call the Monroe County Sheriff's Department at 911 or contact the College Chaplain, Dean of Students, Campus Security, or Residence Hall Directors.
- Seek counseling or other support – students who wish to speak to someone confidentially are encouraged to contact the College Chaplain, Dean of Students or CHOTA Community Health Services at 423-442-2622.
- If the suspect is a student, the victim is encouraged to contact the Campus Security Office at 423-519-2344.

The college seeks to be supportive of victims of sexual assault in as many ways as possible. In order to demonstrate this support, the college will change a victim's living and/or academic situations when such changes are reasonably available and are requested by the victim. Such requests should be made to the Dean of Students who will assist the victim to make these adjustments.

Judicial Procedures:

Part I. Hearing the Case

At the hearing, the accused student retains rights commonly held for Hiwassee College members. Witnesses may be questioned only by members of the judging body. The hearing will proceed in the following order:

- Case against the accused – the Chair of the Campus Judicial Board will present the results of the investigation, including evidence from witnesses.
- Defendant's case – the accused student will present his/her evidence and witnesses.
- Final statement – after all witnesses have spoken and been questioned, the accused student may make a final statement.

Part II. Deliberation/Verdict

At this point, the accused student and advocate will leave the room. In confidential session, the judging body will make a decision through a majority vote based upon the standard of "preponderance of the evidence." Preponderance of the evidence means that it is more likely that it did happen than it is likely it did not happen. Upon reaching a decision of responsible or not-responsible, the Chair of the Campus Judicial Board will call the involved parties back into the room and announce the decision. The Chair of the Campus Judicial Board will notify the Dean of Students who will in turn issue the verdict to the accused in writing as soon as possible following the hearing.

Part III. Sanctioning

Before passing sentence, the judging body will:

- Learn from the Campus Judicial Board Chair of any prior academic or social violations committed by the accused student.
- Hear the final statement of the accused student, if the student so chooses.
- Hear a final statement from the Chair of the Campus Judicial Board, if the Chair chooses.

Part IV. Penalties

The commitment of any act of sexual assault is considered very serious and would generally result in immediate expulsion from the college. The minimum penalty, depending on the severity of the act, would be one semester of academic probation; the maximum penalty would be permanent expulsion from the college. This would not prevent the victim from taking legal action outside of the college.

Part V. Appeals

The Appeal Process is outlined in Policy Directive 8103 in the *Policy Directive Manual*. The appeal must be in writing and submitted within five (5) academic days after being informed of the verdict. The written appeal is sent to the Dean of Students and the Appeals Board of the college. Appeals can be based upon: (1) violation of hearing

procedures; (b) violation of the accused student's rights; (c) excessive penalty; and/or (d) introduction of significant new evidence that was not available at the original hearing before the judging body. Mere dissatisfaction with the finding is not sufficient grounds for an appeal. Within five (5) days of receiving the appeal, the Dean of Students must notify the student of one of the following decisions:

- The Appeals Board finds no grounds for appeal and the appeal is therefore denied.
- The Board has granted an appeal.

If the Board rules on an appeal, it may:

- Overturn the finding of responsibility by the judging body.
- Uphold the finding of responsibility and keep/reduce the sanction.
- Not increase sanctions.

Missing Student Notification/Action Policy

In compliance with the Missing Student Notification Policy (20 USC 1092 C-Section 488 of the Higher Education Opportunity Act of 2008), it is policy of the Office of Student Development to actively investigate any report of a missing student currently enrolled at the college. Students have the option to provide an emergency person/number to be contacted if they are believed to be (a) missing for more than 24 hours and/or (b) in potential danger. This information will be entered in the "Emergency Contact" section of the student's records. This information will only be available to authorized campus officials and law enforcement officers in furtherance of resolving the missing student's investigation/emergency situation. Anyone who believes that a student has gone missing should report his/her concern to a member of the Residence Life Staff, Office of Student Development, or Campus Security Staff. The official receiving the report should:

- Collect and document the name, campus address, physical description (including last known clothing), vehicle information, and any contact information relative to the student;
- The last time and location the missing student was seen;
- The circumstances leading to the belief the student has gone missing;
- The name and contact information of the individual filing the report.

The official receiving the report will contact the appropriate member of the Office of Student Development and/or Campus Security. An investigation will be initiated surrounding the circumstances that lead to the concern to determine the threat level to the involved missing student to include as necessary:

- Initiating a search on campus for the missing student;
- Attempting to contact the involved missing student directly through cell phones or email/social networking venues;
- Contacting known associates of the missing student;
- Checking the involved missing student's campus email and phone for recent usage. Class schedules and instructors should also be consulted to determine the latest attendance;
- Making contact with the involved missing student's emergency contact number if the threat level determines it to be necessary and/or if the student has been

- missing for more than 24 hours. If the student is under the age of 18 and is not emancipated, the student's parents/guardians must be notified;
- Local law enforcement will be notified if the threat level determines it necessary.

Campus Fire Safety

Hiwassee College has three residence halls open to students and staff on campus – Tom Black Hall, Allison Hall, and Brock Hall. All residence halls are monitored by Campus Safety and Security and each Residence Hall Staff. In the event of an alarm, Campus Safety and Security or the Residence Hall Staff on duty are notified that the alarm has been activated. At this time the evacuation procedures will be enacted and the Monroe County Fire Department will be dispatched.

The college holds a minimum of one fire drill, per building, per semester. If student response is not favorable, the college will schedule additional drills as deemed appropriate.

Policies on portable electrical appliances, smoking, and open flames:

The college prohibits all forms of cooking appliances in student rooms with the exception of microwaves. Smoking is not permitted in any of the buildings on campus.

Policies and Procedures on Evacuations and Education:

Each semester, the Residence Life staff holds building meetings to discuss college policies and procedures. One of the topics discussed is fire safety and procedures. Students are informed of the evacuation routes in the building and the designated gathering spot for their building in the event of a fire. Fire drills are held each semester. In the event of a fire, students should do the following:

- Activate the building alarm if not already activated;
- Evacuate the building according to the procedures in place;
- Call 911 and have the Monroe County Fire Department dispatched;
- Contact Campus Safety and Security;
- Campus Safety and/or Residence Director(s) will notify the Dean of Students.