

Bergen Community College
Board of Trustees
Section (STU)

Policy #: STU: 006-002.2022

Effective Date: September 23, 2022

Responsible Official:

Vice President of Student Affairs

Drug-Free Schools and Communities Act

Reason for Policy

To establish guidance and procedures for institutional compliance with the Drug Free Schools and Communities Act, including development, implementation, and distribution of the Drug and Alcohol Abuse Prevention Program (DAAPP) and Biennial Report.

Affected by this Policy

Students, Faculty, Staff

Policy Statement

It is the policy of Bergen Community College to comply with the *Drug-Free Schools and Communities (Campuses) Act of 1989*, as articulated in the *Education Department General Administrative Regulations (EDGAR) Part 86*.

In accordance with our mission, Bergen Community College is committed to protecting the safety, health, and well-being of all students, employees, and members of our community. As a pillar of the Bergen community, the College has made a strong commitment to ensure the campus is free of alcohol and illegal drugs. Recognizing that alcohol abuse and illegal drug use pose a threat to our educational mission, the College has established policies and programs that balance respect for the individual and concern for the community.

The Drug-Free Schools and Communities Act (DFSCA) requires an institution of higher education to certify that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees.

Procedures

Compliance with the Federal Drug-Free Schools and Communities Act of 1989

Pursuant to the Drug Free Schools and Communities Act, Bergen Community College will:

- A. Adopt and implement a drug and alcohol abuse prevention program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by all students and employees on school premises or as part of any of its activities;
- B. Provide a written certification that it has adopted and implemented the drug prevention program;
- C. Annually distribute in writing to each employee and to each student who is taking one or more classes for any type of academic credit, regardless of the length of the student's program of study:
 1. standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities;
 2. a description of the applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;
 3. a description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
 4. a description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students; and
 5. a clear statement that the campus will impose disciplinary sanctions on students and employees (consistent with local, state, and federal law), 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.

Annual distribution of the DAAPP shall occur via e-mail to all faculty, staff and students at the start of each term. Paper copies of the DAAPP shall be available to all faculty, staff, and students upon request. A copy of the email template used to distribute the DAAPP is included as Appendix A.

The full DAAPP will also be posted on the College website.

- D. Conduct a Biennial Review by October 1 of even number years of its program to:
 1. ascertain its effectiveness and implement changes to the program if they are needed; and
 2. ensure disciplinary sanctions are consistently enforced:
 - a. A committee composed of representatives from Student Life and Conduct, the Center for Student Success, the Center for Health, Wellness and Personal Counseling, Human Resources, Athletics, Public Safety and the Bergen County Sheriff's Department shall meet semi-annually to conduct the Biennial Review process and issue a report summarizing the findings. Representatives to the Biennial Review Committee shall be selected by the Vice President for Student Affairs.

E. Retain records pertaining to its programs for at least three years following the fiscal year in which they are produced. A copy of these records shall be made available, upon request, to the U.S. Secretary of the Department of Education, and the public. Such records shall include at minimum:

1. the items described in section (C) of this policy;
2. any other records reasonably related to the College's compliance with the drug prevention program certification;
3. if any litigation, claim, negotiation, audit, review, or other action involving the records has been started before expiration of the three-year period, the College shall retain the records until completion of the action and resolution of all issues that arise from it, or until the end of the regular three-year period, whichever is later.
4. the text of the information distributed annually in compliance with the Drug Free School and Communities Act;
5. a record of the scope and method of the annual dissemination of this information;
6. personnel disciplinary records pertaining to violations of the drug and alcohol policy;
7. student disciplinary records pertaining to violation of the drug and alcohol policy, consistent with the Family Educational Rights and Privacy Act;
8. a record of the results of the biennial review of the program; and
9. a certification of the biennial review.

These records will be maintained by the Office of the Vice President for Student Affairs.

Related Documents/Policies

[Student Code of Conduct](#)

Employee Code of Conduct

[Drug and Alcohol Abuse Prevention Program \(DAAPP\)](#)

Biennial Review

Employee Drug and Alcohol Policy

Student Drug and Alcohol Policy

Policy History: (adopted/amended)

Approved: 3/6/19

Revised: 9/23/22 (non-substantive change – added hyperlink to current DAAPP and Student Code of Conduct documents.

Adopted in part from the U.S. Department of Education reference material; complying with the Drug-Free Schools and Campuses Regulations EDGAR Part 86: A Guide for University and College Administrators.

Appendix A

Email notice of the availability of the DAAPP.

Dear Students, Faculty and Staff:

As we begin a new academic term, I write to remind you of important policies and resources available to you at Bergen Community College related to drug and alcohol abuse prevention.

Bergen Community College complies with the Drug-Free Schools and Campuses Regulations by notifying annually all community members of the College's Drug and Alcohol Prevention Program (DAAPP.) The DAAPP includes Bergen's policies regarding the use of alcohol and other drugs, resources for drug and alcohol abuse prevention, important information about state and federal laws pertaining to the use of drugs and alcohol, and Bergen's most recent Biennial Review. Each member of the community is expected to be familiar and comply with Bergen's policies. All college policies can be found online at <https://bergen.edu/about-us/college-policies/>.

I hope you find these resources helpful and I look forward to a healthy and safe year together. You can request a hard copy of the DAAPP by contacting the Office of Student Life and Conduct and/or the Office of Human Resources. You can also print copies from the webpage above.

Sincerely,