



## **Biennial Review of Felician University Alcohol and Other Drug Abuse Prevention Program for Academic Years 2017-2018 & 2018-2019**

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**Felician University**  
**Drug-Free Schools and Campuses Regulations (EDGAR Part 86)**  
**Drug and Alcohol Abuse Prevention Certification**

The undersigned certifies that it has adopted and implemented an alcohol and other drug abuse prevention program for its students, faculty, and staff that at minimum include:

I. The distribution, annually, to each faculty and staff member, and to each student who is taking one or more classes for any kind of academic credit, excluding continuing education, regardless of the length of the student's program of study, of

- Standards of conduct that clearly prohibit the unlawful possession, use, or distribution of any illicit drugs and alcohol by students, faculty, and staff on its property or as part of any of its activities
- A description of the applicable legal sanctions under local, State, and Federal law for the unlawful possession, use, or distribution of any illicit drugs and alcohol
- A description of the health risks correlated with the use and/or abuse of any illicit drugs or alcohol
- A clear statement that the university will impose disciplinary sanctions on students, faculty, and staff, which are consistent with local, State, and Federal laws, a description of those sanctions, up to and including expulsion or termination, for violation of the standards of conduct

II. The use of a biennial review by the University of its alcohol and other drug abuse prevention program to –

- Determine its effectiveness and implement necessary changes to the alcohol and other drug abuse prevention program, policy, and procedure when needed
- Ensure that disciplinary sanctions are being enforced consistently

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Signature

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Date

## Table of Contents

Introduction	5
Biennial Review Process	6
Biennial Review Task Force	
Notification and Distribution Process	7
Compliance with the Drug-Free Schools and Communities Act	
Student Notification and Distribution	
Faculty and Staff Notification and Distribution	
Timeline	
Felician University Campus Resources	9
Websites that address Felician University Alcohol and Other Drug Policies	
Alcohol and Other Drug Prevention Programming	9
Counseling Center	
Membership Affiliation	
Alcohol and Other Drug Educational Presentations	
Office of Student Development and Engagement	
Mission Integration and Campus Ministry	
Intramural Sports	
Residence Life	
Policy and Enforcement of Disciplinary Sanctions	15
Violation and Sanction Data	20
Alcohol.edu and Haven/Alcohol.edu for Sanctions and Prescription Drug Abuse Prevention	21
Felician University Medical Amnesty Policy	22
Felician University Department of Athletics	22
Purpose	
Alcohol, Tobacco, and Other Drug Education	
Consent to Participate	
Alcohol Policy	
Tobacco Policy	
Other Prohibited Drugs/Substances	
Selected Types of Drug Testing	
Notifications and Reporting for Collections	
Specimen Collection Procedures	
Reporting Results	
Penalties	
Self-Referral Policy	
Appeal Process	
Confidentiality	
Additional Information	

New Jersey State and Local Laws Regarding Alcohol	30
State of New Jersey	
Borough of Lodi, New Jersey	
Borough of Rutherford, New Jersey	
New Jersey State and Federal Laws Drug Offenses and Penalties	32
State of New Jersey	
Federal Drug Offenses	
Overdose Prevention Act	34
9-1-1 Lifeline Legislation	
Health Risks Associated With the Use of Illicit Drugs and Alcohol	37
Strengths and Weaknesses of Felician University Alcohol and Other Drug Abuse Prevention Program	39
Strengths	
Weaknesses	
Recommendations for the Felician University Alcohol and Other Drug Abuse Prevention Program	40
Appendices	
Appendix A – Transition to Better Electronic Programming Calendars	41
Appendix B – University Task Force Survey Short Summary Results	42

## **Introduction**

The Drug-Free Schools and Campus Regulations CFR 34, Subtitle A, Part 86 of the Drug-Free Schools and Communities Act (DFSCA) require that institutions of higher education (IHE), such as Felician University, adopt, implement, and evaluate programs to prevent the misuse or abuse of alcohol and use or distribution of illicit drugs by university students, faculty, and staff 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, faculty, and staff:

- Standards of conduct that clearly prohibit the unlawful possession, use, or distribution of any illicit drugs and alcohol by students, faculty, and staff on its property or as part of any of its activities
- A description of the applicable legal sanctions under local, State, and Federal law for the unlawful possession, use, or distribution of any illicit drugs and alcohol
- A description of the health risks correlated with the use and/or abuse of any illicit drugs or alcohol
- A clear statement that the university will impose disciplinary sanctions on students, faculty, and staff, which are consistent with local, State, and Federal laws, a description of those sanctions, up to and including expulsion or termination, for violation of the standards of conduct

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

- Determine its effectiveness and implement necessary changes to the alcohol and other drug abuse prevention program, policy, and procedure when needed
- Ensure that disciplinary sanctions are being enforced consistently

The biennial review must also include a determination as to:

- The number of drug-related and alcohol-related violations and fatalities occurring on campus, or as part of their activities that are reported to campus officials
- The number and type of sanctions the institution impose on students, faculty, and staff as a result of such violations or fatalities

Felician University acknowledges its legal obligation to conduct a biennial review of compliance with the Drug-Free Schools and Communities Act. The intention of this document is to comply with the legal requirements as set forth by the DFSCA and to discuss prevention and education associated programs, initiatives, and activities related to the Felician University Alcohol and Other Drug Abuse Prevention Program for the 2017-2018 & 2018-2019 academic years.

## **Biennial Review Process**

Sharon McNulty, Director of the Counseling Center, and Maxine Tanzman Bock, Counselor/Outreach Coordinator, revived a previous Task Force to participate in the assessment of the 2017-2018 and 2018-2019 Felician University Biennial Review. The purpose of this Task Force was to address strengths and weaknesses of the Alcohol and Other Drug Abuse Prevention Program. All but one of the original members of the Task Force are no longer at the University. Her name is in bold below.

- **Laura Pierotti, Director of Residence Life**
- Sharon McNulty, Director, Counseling Center
- Maxine Tanzman Bock, Counselor/Outreach Coordinator, resigned 7/19
- Erica Anderson, Coordinator of Student Engagement
- Andrew Toriello, Assistant Director, Athletics
- Dr. Tara Brugnoli, Director, Community Rights and Responsibilities
- Andrew Fellows, Director of Campus Ministry
- Carolyn Lewis, Director, Center for Health

### **The Felician University Biennial Review was created using information and assistance provided by the following offices:**

Counseling Center

Office of the Vice President for Student Affairs

Community Rights and Responsibilities

Human Resources (The Director was invited to serve on the Task Force, but declined.)

Student Engagement

Residence Life

Department of Athletics

Campus Ministry

University Security

Health Center

### **The following documents and programs were considered when creating the Felician University Biennial Review:**

Biennial Review Task Force meeting minutes

Felician University Employee Handbook

Student Handbook

Department of Athletics Drug Testing Policy and Procedure

Student Conduct Data

Clery Act Information

### **The Biennial Review of Felician University Alcohol and Other Drug Abuse Prevention Program was examined and approved by the following:**

Dr. Anne Prisco, President

Dr. Ronald Gray, Vice President for Student Affairs

Francine Andrea, Vice President of Administration and Planning

### **The Biennial Review of the Felician University Alcohol and Other Drug Abuse Prevention Program is on file with:**

Dr. Ronald Gray, Vice President for Student Affairs

Student Center, Rutherford Campus

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The Castle, Rutherford Campus  
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### **Creation of the Biennial Review Task Force**

In our previous Biennial Review, we established a Task Force within the Office of the Vice President for Student Affairs to review guidelines, requirements, policy effectiveness and to implement changes when necessary. The membership changed almost entirely, with only one previous member remaining due to staff turnover. In the planning stage of the Task Force, it was determined that two meetings each semester would be a baseline goal, and that representation from various campus gatekeepers would be included so as to encourage greater campus collaboration and commitment. Again, all of the recommendations for revising the Alcohol and Other Drug Abuse Prevention Program were met with the exception of conducting the American University Health Association National University Health Assessment (ACHA-NCHA). Due to Felician University financial constraints and ACHA-NCHA cost, we were unable to implement this university-wide assessment. We found a financially feasible alternative through a grant given to Bergen County Prevention Coalition which they generously shared with us. We conducted the Student Substance Use Survey during the 2018-2019 academic year. There have been numerous discussions about how and when student participation within this Task Force would be appropriate. As student opinion is very important in understanding how best to provide critical information for our student population, it was decided to postpone their inclusion until the Task Force was further along in its development due to so many new members getting acclimated. Assessing our effectiveness will be forthcoming and part of our recommendations for the subsequent Biennial Review.

### **Notification and Distribution Process**

#### **Compliance with the Drug-Free Schools and Communities Act**

Felician University remains committed to working toward fulfillment of all requirements of the Drug-Free Schools and Communities Act and to maintain compliance. Timely and consistent distribution of university policy and procedure to all students, faculty, and staff are one aspect of this obligation.

Coordinated by the Counseling Center, the Felician University Alcohol and Other Drug Abuse Prevention Program is a wide-ranging program that incorporates harm reduction and evidenced-based practices designed to implement and evaluate campus and community-based strategies to reduce and prevent high-risk drinking behaviors and substance use and abuse among our university students, faculty, and staff. The Felician University Alcohol and Other Drug Abuse Prevention Program is a collaborative effort shared by the Counseling Center, Office of the Vice President for Student Affairs, Compliance, Residence Life, Athletics, Community Rights and Responsibilities, Student Engagement, Campus Ministry, and Human Resources.

#### **Student Notification and Distribution**

At the beginning of each semester, the Office of the Vice President of Administration, emails the link to the Felician University Student Handbook to every registered student. The Student Handbook includes our Code of Student Rights, Responsibilities, and Conduct, which explains policy violations and possible sanctions, the Student Substance Abuse Policy (which was totally rewritten in the summer of 2017 and is reviewed each summer), the Medical Amnesty Policy, campus resources, and a detailed description of students' rights and the conduct process.

Furthermore, the Student Substance Abuse Policy is included in the Annual Security and Fire Safety Report; the URL is emailed to every student, faculty, and staff member of the Felician University community annually, to prospective students and to each new student automatically upon enrollment.

We made our tracking and distribution procedure to all student, faculty, and staff members more consistent and timelier.

**Faculty and Staff Notification and Distribution**

Felician University distributes the Drug and Alcohol-Free Workforce Policy to all faculty and staff members upon their hiring at the university. New employees are required to sign a copy of this policy certifying that they agree to abide by the terms of this Drug and Alcohol-Free Workplace Policy. The signed certification letter must be returned to the Office of Human Resources within two weeks. The University acquired ADP and now distributes the policy each year on October 1. ADP tracks compliance. A reminder is sent to each employee the Monday morning prior to October 1 regarding the requirement to comply. The requirement is also posted on the website at [www.felician.edu/drug-and-alcohol-free-workplace-policy](http://www.felician.edu/drug-and-alcohol-free-workplace-policy).

We switched from using Workplace Answers and now use Everfi as our provider for online training. They now have available the two courses, namely, “Drugs and Alcohol at Work” and “Recognizing Drug and Alcohol Abuse.” We are rolling them out in the 2019-2020 academic year. Training is required to be completed by Mid-December.

This is a timeline of events for yearly distribution and on-line training for faculty and staff:

DATE	ACTION TAKEN
9/25/15- Present	Policies re-distributed to all employees annually.
10/1/18	Online AOD Training module customized to Felician University with <i>EverFi</i> completed, reviewed and tested.
10/13/15- Present	All existing employees registered by mid -October and ongoing as new employees were hired.
12/14/2015- Present	Training designated for completion by Mid-December.



9/25/17	Policy updated to note required drug testing for all bus drivers.
Upcoming Planning	Training this upcoming academic year is in place to include 2 parts: 1.) current online training (basic policy) will be transitioned to HRIS system and directly accessible to all employees; 2.) Two additional modules will be created, reviewed and available to employees prior to September 2018 through online training by EverFi (replacement for Workplace Answers): <i>Drugs and Alcohol at Work</i> and <i>Recognizing Drug and Alcohol Abuse</i> .

## **Felician University Campus Resources**

- **Vice President for Student Affairs**.....201-559-3564
- **Counseling Center**.....201-559-3587, 3503
- **Human Resources**.....201-559-6055
- **Residence Life**..... 201-559-3505, 3506
- **Center for Health**.....201-559-3559, 3586
- **Athletics**.....201-559-3333
- **Security**.....201-559-3561

### **Websites that address Felician University Alcohol and Other Drug Policies**

Students, faculty, staff, and guests can find Felician University policies on the university’s Consumer Information webpage, as well as the following links:

Felician University Student Substance Abuse Policy

[http://felician.edu/sites/default/files/fc\\_student\\_substance\\_abuse\\_policy.pdf](http://felician.edu/sites/default/files/fc_student_substance_abuse_policy.pdf)

Felician University Medical Amnesty Policy

[http://felician.edu/sites/default/files/fc\\_medical\\_amnesty\\_policy.pdf](http://felician.edu/sites/default/files/fc_medical_amnesty_policy.pdf)

Felician University Drug and Alcohol Free Workplace Policy

[www.felician.edu/drug-and-alcohol-free-workplace-policy](http://www.felician.edu/drug-and-alcohol-free-workplace-policy)

Felician University Department of Athletics Alcohol, Tobacco, and Other Drug Education and Testing Policies

[https://www.felicianathletics.com/information/Athletic\\_Training/Athletics\\_Drug\\_Policy.pdf](https://www.felicianathletics.com/information/Athletic_Training/Athletics_Drug_Policy.pdf)

## **Alcohol and Other Drug Prevention Programming**

### **Counseling Center**

The Counseling Center at Felician University is dedicated to a proactive approach to the education and prevention of alcohol and other drug use among students. Awareness that the use and abuse of alcohol and other drugs are detrimental to the overall success of students has led to the implementation of an evolving program that strives to communicate the dangers and consequences of such use.

The Counseling Center provides assessment, treatment, and referrals for students with substance use/abuse concerns themselves, or to assist them in coping with loved ones who have substance use/abuse issues. On 10/17 our Counselor/AOD Coordinator, Ben Silverman, LPC, resigned, before writing the Biennial Review, a duty of his job description later his replacement the Counselor/Outreach Coordinator, Maxine Tanzman Bock, LCSW, with substance use/abuse clinical expertise also resigned on 7/19, before writing the Biennial Review as her job description required. This unfortunate staff turnover has led to difficulties with the ongoing data collection related to the report.

We offer brochures and on-line screenings on the website which are available to the entire Felician University community. These materials describe the health risks and dangers of alcohol, such as, binge drinking and driving while intoxicated, and marijuana use, opioid use, etc. The Counseling Center provides educational programs on many mental health topics on both campuses. We also present at all First Year Experience (FYE) classes. The Office of Community Rights and Responsibilities coordinates Alcohol.edu and Haven, on-line alcohol education and sexual assault prevention programs required of all students in FYE classes. Community Rights and Responsibilities also utilizes substance education through on-line programs Alcohol.edu for Sanctions and Prescription Drug Abuse Prevention, within the same platform for use in sanctioning for substance use cases. The Counseling Center has proposed requiring our on-line suicide prevention program, “Ask.Listen.Refer.” through the University of Missouri, at [www.asklisternrefer.org/felician](http://www.asklisternrefer.org/felician), to be mandatory for FYE classes as well.

The Counseling Center completed RA training and Orientation Leader and Athletic training sessions, as well as information tables in both dining halls. With the support of the Bergen County Prevention Coalition, through a generous grant, we also have co-sponsored events, such as speakers and interactive games. We have also held programs following alcohol theme weeks and months. The Counseling Center always includes substance education in all First-Year Experience classes. In total, the Counseling Center held 77 programs in 2017-2018 and 47 in 2018-2019. Outreach programming had to be reduced due to a 42% increase in demand for clinical services in 2018-2019 when the office was staffed with two clinicians without administrative support. The Counseling Center also includes substance education and/or programs each week on the Student Affairs Newsletter, which is emailed to the campus community.

### **Membership Affiliation**

Our Counselor/Outreach Coordinator is a member of the Bergen County Prevention Coalition, a subsidiary of The Center for Alcohol and Drug Resources of Bergen County. We are most grateful for this on-going active community partnership. This collaboration allows for constant dialogue with other addiction and counseling professionals on the latest empirical evidence and best practices. They conduct our student survey and provide incentives which we are most grateful for.

### **Alcohol and Other Drug Educational Presentations**

The Counseling Center, in collaboration with other campus departments and outside organizations, provides on-campus alcohol and other drug educational programming designed to inform the entire campus community on the most current information available. These include, but are not limited to, a presentation to all student-athletes on the dangers of alcohol and drugs in athletics, a panel of experts discussing the proposed legalization of recreational marijuana in NJ, promotional materials made available on both campuses, education pamphlets and resources made available on both campuses, a presentation to all resident assistants on current drug trends, Orientation Leader training, and partnerships with other university offices to offer alcohol and drug free events. We also educate about substance use and abuse issues through the promotion of information and events in the Student Affairs weekly newsletter.

Many programs offered by the Counseling Center had minimal to no student turnout. We started to co-partner with the events that Student Engagement offered that did have high attendance to increase ours. For example, at a mocktails social event before spring break, the Counseling Center brought “alcohol and pot goggles” for the students to try with their mocktails while we had a Brain Injury Alliance, off-campus partner, speak about head injuries sustained from drunk or impaired driving. It was a success! More collaborations such as this are being planned for the 2019-2020 year.

We also conducted an Outreach Survey to assess the best times, days of the week, and programming topics students were interested in. The responses were so diverse that no clear best times or days of the week were determined. Topics suggested by students were topics we already present programs on that students do not attend. Our students work numerous jobs to pay for college and this makes attendance at programs difficult for them.

### **Student Engagement**

Student Engagement (SE) facilitates programming for the entire student population to provide a co-curricular experience focused on retention and alcohol/drug alternative programming. Student Engagement, along with two student-run organizations, Campus Activities Board (CAB) and Student Government Association (SGA), hold approximately 400 programs during the academic year. Programming is held each day of the week to provide students an alternative activity to recreational alcohol consumption and drug use. Student Engagement has and will continue to poll students on their weekend programming interests, as well as, track attendance to verify alternative programming effectiveness. Polling takes place at the end of the semester and randomly throughout the semester.

During academic year 2017-2018, 215 programs were held and 715 students attended programs. During Fall 2018, 106 programs were held, however due to a software issue attendance was not recorded. During Spring 2019, 104 programs were held and 678 students attended the programs.

Students receive text messages with the events of the day. The following are a list of activities and events provided for the student body at no cost to them which provide alcohol and other drug free alternatives:

- Silent Disco
- Zumba every Tuesday
- Yoga every other Thursday
- Felician University athletic events
- Off Campus Trips: Hershey Park, Six Flags, Dorney Park, Broadway, Museums, Bowling, Major League games: Soccer and Baseball
- Midnight Meals during finals week
- Creativity events: Paint Night, DIY crafts
- Stress Relief programs like sand art, coloring, and meditation during mid-terms and finals
- Volunteer/Social Justice Programs

The University also joined a national leadership program, the National Society of Leadership and Success (NSLS). Students engage in a 6-8 week-long leadership education program where they learn core leadership skills and goal reaching skills. Once they are inducted at the end of the education program, they receive a certificate and continue to be part of the student organization that is dedicated to training more student leaders. There is a four student leadership board. They are

instructed as to what is expected of them as role models and supporting the code of conduct. Almost 400 students are participating in this program.

See Appendix A for improvements in programming calendars from paper to electronic.

### **Mission Integration and Campus Ministry**

Campus Ministry and its activities are offered to all students who are enrolled at Felician University. Students of all faith denominations or none are not only invited but encouraged to participate in our many activities as they provide a way to live out our core values in a non-judgmental atmosphere. Students from many diverse backgrounds work together in Campus Ministry for social justice causes and enjoy the camaraderie that is developed.

These many activities are created not only to teach and shape young adults but are an alternative to possible destructive behaviors such as alcohol and drug use. All of our events are alcohol and drug-free, and students learn that a good time can be had without using substances, in addition to learning valuable life lessons of helping those who are in need. Mission Integration and Campus Ministry is designed to help all our students develop in an atmosphere of acceptance and collegiality.

Faculty and staff join students for events and programming as part of the University's mission. Many of our events take place in the evenings as a way of giving students a positive and constructive alternative to using alcohol and drugs.

- \*Sunday evening Mass is offered weekly. 5 – 10 students participate each week.
- Multi-faith prayer spaces and chapels are available on each campus.
- \*Midnight Runs – Providing food, clothing and toiletries to the homeless in NYC –5 events were held, 54 students participated, 400 people were served
- \*Penn Station Runs – Providing food for the Homeless in Newark – 6 events – 49 participants, 400 served
- \*Food Collection for Rutherford Food Pantry – 3 events – 30 participants
- \*Interfaith Prayer Services – 3 events took place (9/11, Tree of Life, Spring Semester), 150 participants in total.
- \*RCIA Program – 2 students attended weekly RCIA meetings in preparation to celebrate full initiation into the Catholic Church. Both students were Confirmed in April 2019.
- \*Felician Gospel Choir – 12 students regularly participate in Felician Gospel Choir Activities. Practice is held every other Friday night. They performed at 6 different events (2 Masses, Veterans Day ceremony, Breakfast with Santa, Christmas Concert, and Commencement)
- Catholic Relief Services Student Ambassador meetings take place 5 times a semester with 5-10 students in attendance. They plan and prepare for social justice events such as our Hunger Banquet, Rice Bowl Lunch, and Human Trafficking Workshop.
- Kindness Rocks Event – Spreading kindness by decorating rocks with positive messages and displaying them outdoors around campus. 2 events took place, 30 people participated in each.
- Advent and Lent Reflections - Daily emails during Advent and Lent were sent out with reflections written by Felician community members based on the day's scripture readings. 39 people signed up for reflections during Advent, and 83 people signed up for reflections during Lent

\* Due to the departure of Campus Minister, Duncan Fischley, mid-semester of Fall 2018, data from 2017-2018 is missing or incomplete. All data reported is accurate for 2018-2019 only. All bullet points with asterisks can be assumed to have been identical or similar for 2017-2018.

### **Intramural Sports**

The Felician University Intramural Sports program offers events, athletic and non-athletic, that are free for all Felician University students, faculty, and staff members. The mission is to deliver a safe and entertaining environment where all are invited to participate and meet new individuals, while helping to promote a drug and alcohol-free lifestyle. The intramural events are offered Monday through Thursday evenings, and provide a needed healthy outlet from busy academic schedules. The Felician University Intramural Sports program is a great way for the entire University community to increase their support system on campus, divert their attention from pressures of the classroom, provide healthy competition, and an opportunity for physical exercise and fitness.

In 2017-18, Intramurals was overseen by Andrew Toriello and later by Kori Washington. Toriello offered a variety of activities throughout the week, which included soccer, basketball, Quidditch, flag football and dodgeball. When Washington was hired, she picked up where Toriello left off, also looking to incorporate tournaments and more of an open gym format. With help from organizations such as our Student Athletic Association Council (SAAC), as well as, student volunteers, we were able to continue with the success of intramurals under new guidance.

Intramurals consisted of sports that could be played indoor or outdoor, with some days having two sports options. For example, one could play either basketball or flag football because both were held either both in the gym or one inside and one outside. Tournaments and Open play were offered twice a month. There also was an increase in participation in both Spring semesters due to adjusting times and days to better suit student schedules.

Along with adjustments within the program, we also added more marketing measures to better attract students. Text alerts were sent out, as well as, flyers posted and emailed out to all students, faculty, and staff. We also held sign-ups on both campuses in the dining halls.

### **Residence Life**

The residence halls at Felician University are located on the Rutherford campus. Alcohol and other drugs are prohibited within the residence halls at Felician University. Residence Life employs 16 student resident assistants (RAs) and 5 On-Call Administrators (OCAs) professional staff who are tasked with enforcing the Felician University residence hall policies, including the Felician University Medical Amnesty Policy and the Felician University Student Substance Abuse Policy.

During the academic year 2017-18, the CARES programming model below was used. CARES is an acronym for Cultural, Awareness, Retention, Education, and Social.

- All RAs were required to complete five programs per semester.
- All RAs are required to attend training sessions, during the summer and winter breaks. Both trainings cover topics related to the RA job responsibilities and include drug and alcohol awareness and incident reporting.
- An alcohol and other drug awareness session was conducted during each summer and winter training and was facilitated by Maxine Tanzman Bock, Counselor/Outreach Coordinator, at Felician University.

- “Critical Policies & Ethical Standards” session as well as an “Incident Report Writing” session provided all RAs with information on how to properly write an incident report, including incidents that involve alcohol and other drugs. Both sessions were presented by the Director of Community Rights and Responsibilities
  - “Behind Closed Doors”, facilitated by Assistant Directors of Residence Life at Felician University, where all RAs were given scenarios that included various topics, including drug/alcohol policy violations, and had to provide a resolutions utilizing the student handbook as a guide, as well as, information given during the training sessions.
- As outlined in the CARES programming model, there was no requirement for drug/alcohol related programming or general Counseling Center mental health programming which we advocated to change to a requirement for 2018-19. RAs were encouraged to include an alcohol/drug free logo on all of their program flyers to help raise awareness about the Felician University alcohol and other drug policy.

Each RA was required to complete five programs:

- One Building/Campus Wide – Targets residential population and takes place in the halls. Put on by one or more RA. Planned in advance.
- One Co-Sponsored – Targets residential population and takes place in the halls or outside venue that is approved in advance. Put on by one or more RA and works with another campus department or group. Planned in advance.
- One Spontaneous – Targets residential population and takes place in the halls. Put on by one or more RA. Is not planned in advance. Not completed while on duty.
- One Weekend – Targets residential population and takes place in the halls. Put on by one or more RA. Planned in advance. Takes place on a Saturday or Sunday.
- One Optional – An additional program from the above criteria.

Then, of those five programs, each must fall into one of the five following criteria:

**C – Cultural** – A program that highlights cultural, educational, social, and gender diversity.

Anything that can relate to a cultural experience

**A – Awareness** – A program that highlights social issues such as, but not limited to, mental or physical disabilities, body image, global issues, human rights. Anything that makes students aware about a topic that they were not previously aware of.

**R – Retention** – A program that fosters school spirit. Anything that will make a student proud to be at Felician and want to come back next year.

**E – Educational** – A program that teaches something. Anything that will allow students to walk away with more knowledge than when they walked in.

**S – Social** – A program that makes the students happy. Anything that is social and fun.

During the academic year 2018-19, a new programming model was adopted.

- All RAs were required to do 4 programs a semester in one of each of the following areas:
  - Diversity and Inclusion /Social Justice
  - Health/Wellness
  - Academics
  - Student Engagement
- Each RA was required to do 2 passive programs within the 4 topics – info tables, bulletin boards, poster campaign, etc.
- Each RA was required to take students to 2 campus educational programs

In the academic year 2017-2018, Residence life had paper files to record programming data, and records were lost in a hiring transition. In the Fall of 2018, Residence Life adopted an electronic program, Adirondack, which tracks programming much better than in the past and will retain data despite staff turnover. One hundred fifty entire programs were held, and 30 other programs were hosted by others on campus and attended by RAs with resident students to boost student engagement at events overall. These programs will be in preparation for co-curricular transcript pilot year followed by full implementation in 2020-2021 through the electronic system, Presence, in collaboration with Student Engagement. Plans for next year also include each RAs implementing formalized one-on-one conversations with each student within each semester.

### **Recommendations**

A consistent method for data collection, tabulation and assessment for program effectiveness needs to be implemented that can endure staff turnover. Some departments moving from paper and to electronic data collection tools have helped. There remain concerns regarding financial resources as there exist a need for increased programming.

### **University Task Force Survey**

In collaboration with our local partner, Bergen County Prevention Coalition, we were able to design our own survey, approved by our Institutional Review Board. Gift cards provided by the Coalition grant monies were used as incentive. We had 403 participants last time and 355 this time. Our results helped us produce relevant programming to our student body. See short summary of results in Appendix B.

### **Policy and Enforcement of Disciplinary Sanctions**

The Felician University conduct policy is overseen by the Director of Community Rights and Responsibilities who reports to the Vice President for Student Affairs. The Director of Community Rights and Responsibilities is charged with monitoring policy, procedure, and timely administration of the conduct process, entailing the adjudication of all reported incidents, establishing educational outcomes, including sanctions and stipulations, for violators of policy.

A student charged with an alcohol or other drug violation has the right to meet with the Student Conduct Officer who is the Director of Community Rights and Responsibilities or the University Student Judicial Board.

If a student charged with an alcohol or other drug violation chooses to meet with the Student Conduct Officer, the student does not have a right to an appeal and must sign a Student Conduct Board waiver. However, if a student chooses to meet with the University Student Conduct Board, the student will have a right to appeal a decision, provided the student submits the appeal in writing within 5 business days, based upon four grounds:

1. To determine whether the original hearing was conducted fairly;
2. To determine whether the facts in the case were sufficient to establish that a violation of the Code of Conduct had occurred;
3. To determine whether the sanctions imposed were appropriate for the violation of the Code of Conduct that the student was found to have committed, or
4. To consider new evidence, sufficient to alter the decision or other relevant facts not brought out in the original hearing, because the person appealing did not know the evidence/facts at the time of the original hearing.

Student Conduct Board hearings include a combination of students, faculty, and staff members, with a student acting as the Judicial Board Chair. The Judicial Board Chair follows a script that allows for students to:

- A. Introduce an Advisor (A student may have an advisor present but only the student can participate in the hearing);
- B. Introduce the accused and the accuser so that they both have exercised their right to face each other in a fair, even field;
- C. Introduce the Board Members;
- D. Challenge the Board Members and give them a right to recuse themselves;
- E. Hear the charges filed against them;
- F. Hear their rights as to the process that will follow;
- G. Give a statement and hear statements of the accuser, accused, reporting staff and witnesses;
- H. Have ample time to ask and answer questions from all parties present;
- I. Wait for the board to deliberate and give a decision on responsibility as well as appropriate sanctioning;
- J. Hear the appeals process if necessary.

When a student violates the Felician University Substance Abuse Policy, the student will receive a packet which includes:

- a notice to appear, including a date, time and location of the meeting,
- a copy of the charges,
- a copy of the Student Code of Conduct highlighting what policy violation is in question and how the Student Conduct process works.

### **Rewritten Policy and Procedures:**

Over the summer of 2017, Felician University's Alcohol and Other Drug Policy in terms of its violations, offenses, and sanctions was revised. There now exists an improved sanctioning system that is strengthened and much more consistent. For each violation, there are 3 offenses, each offense carrying with it fines and levels of sanctions respectively. These policies appear in the Student Handbook and are presented to all incoming first year students.

### **FELICIAN UNIVERSITY ALCOHOL AND OTHER DRUG POLICY**

Alcoholic beverages are not permitted for students on the Felician University campus regardless of age. The Rutherford Campus residence halls are considered "Dry," defined as any alcoholic beverages or containers being prohibited.

Felician University students or guests of Felician University students, regardless of age, are forbidden to possess, consume or distribute alcoholic beverages on the Felician University campus.

Possession of full, partially full, or empty alcoholic beverage containers, including but not limited to, beer cans, kegs, liquor, wine and champagne bottles is prohibited.

Being in the presence or transportation of open or closed alcoholic beverages is prohibited.

Providing large quantities of alcohol to others puts the community and its members at risk. For this reason, possession of kegs of beer or beer containers over thirty-two ounces are considered serious policy violations.



As per the Alcohol Policy, staff has the right to inspect suspicious packages and coverings transported into the residence halls. Residence Life staff members also have the right to search a University issued hot/cold unit if there is any suspicion of an illegal substance inside.

Providing there is cause to believe that this policy is being violated within the residence halls, Felician Security, in the presence of Felician Staff, may search any belongings and seize prohibited substances as well as paraphernalia. Students found in violation of this policy will be subject to the process outlined in the Student Code of Conduct, Rights, and Responsibilities.

**NOTE: Felician University reserves the right to grant the below sanctions based on violations of the student conduct code. These sanctions are granted on a consistent basis, however, there may be some outstanding cases that warrant discretionary sanctions. The goal of the University is to grant appropriate correctives in order to promote a healthy and safe educational environment and the well-being of every student.**

#### **Specific Violations and Sanctions:**

1. Being in any room/area where alcohol is present.
  - a. 1<sup>st</sup> violation: \$50.00 fine and warning
  - b. 2<sup>nd</sup> violation: \$100.00 fine, clinical assessment, and Alcohol and Other Drug online program
  - c. 3<sup>rd</sup> violation: \$200.00 fine and probation
2. Transporting an open/closed container of alcohol across common spaces of the university (lounges, dining areas, hallways, courtyards, parking lots, etc.).
  - a. 1<sup>st</sup> violation: \$50.00 fine and warning
  - b. 2<sup>nd</sup> violation: \$100.00 fine, clinical assessment, and Alcohol and Other Drug online program
  - c. 3<sup>rd</sup> violation: \$200.00 fine and probation
3. Possession, consumption, or sale of alcohol (empty/partially full or full bottles, cans, containers, etc.) while on University grounds/property, which includes residential rooms. Alcoholic containers, including but not limited to empty or full beer cans or bottles, are not permitted as room decorations.
  - a. 1<sup>st</sup> violation: \$100.00 fine and Alcohol and Other Drug online program
  - b. 2<sup>nd</sup> violation: \$200.00 fine, probation and clinical assessment
  - c. 3<sup>rd</sup> violation: \$400.00 fine, suspension or Persona Non Grata from residence halls, and permitted to only attend campus for enrolled classes
4. Under the influence/public intoxication in a residence facility, common space, or on property.
  - a. 1<sup>st</sup> violation: \$100.00 fine and Alcohol and Other Drug online program
  - b. 2<sup>nd</sup> violation: \$200.00 fine, probation and clinical assessment
  - c. 3<sup>rd</sup> violation: \$400.00 fine, suspension or Persona Non Grata from residence halls, and permitted to only attend campus for enrolled classes

5. Hosting a party in a resident's room where alcohol, drugs, or drug paraphernalia are present.
  - a. 1<sup>st</sup> violation: \$100.00 fine and Alcohol and Other Drug online program
  - b. 2<sup>nd</sup> violation: \$200.00 fine, probation and clinical assessment
  - c. 3<sup>rd</sup> violation: \$400.00 fine, suspension or Persona Non Grata from residence halls, and permitted to only attend campus for enrolled classes
  
6. Purchasing or providing alcohol to minors.
  - a. 1<sup>st</sup> violation: \$100.00 fine and Alcohol and Other Drug online program
  - b. 2<sup>nd</sup> violation: \$200.00 fine, probation and clinical assessment
  - c. 3<sup>rd</sup> violation: \$400.00 fine, suspension or Persona Non Grata from residence halls, and permitted to only attend campus for enrolled classes
  
7. Sale, use, distribution, manufacture, dispensing or possession of illegal drugs and drug paraphernalia.
  - a. 1<sup>st</sup> violation: \$150.00 fine, probation and clinical assessment
  - b. 2<sup>nd</sup> violation: \$300.00 fine, suspension or Persona Non Grata from residence halls, and permitted to only attend campus for enrolled classes
  - c. 3<sup>rd</sup> violation: \$500.00 fine, residence hall and university expulsion

**Sanction definitions for Drug and Alcohol Policy:**

1. **Fines:** a specified amount of money owed by students if they have violated any policy that carries with it a monetary sanction.
  
2. **Online Education:** a student must complete certain sanctioned online alcohol and other drug programs, that are intended to educate the student on the effects of substance abuse.
  
3. **Clinical Assessment:** a student must meet with a licensed counselor after a violation has been identified to determine a course of action that is appropriate for each case.
  
4. **Warning:** a notice in writing to the student that the student has violated University regulations.
  
5. **Probation:** a written reprimand for a violation of a specified regulation. Probation is for a designated period of time and includes the probability of more severe sanctions if the student is found to be violating the University regulation(s) during the probationary period.
  
6. **Persona Non Grata List:** when a name is added to this list, students are not permitted on campus for a specified amount of time.
  
7. **Restitution:** Compensation for loss, damage, or injury. This may take the form of service and/or monetary or material replacement.

8. **Residence Hall Suspension:** Separation of the student from the residence halls with no visitation for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
9. **Residence Hall Expulsion:** Permanent separation of the student from the residence halls with no visitation.
10. **University Suspension:** Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
11. **University Expulsion:** Permanent separation of the student from the University.

As Felician University is dedicated to providing a safer campus, the sanctions that are imposed for underage possession or consumption are taken very seriously. Because alcohol is prohibited in the residence halls, students of legal drinking age can also be sanctioned for possession and consumption.

Sanctions for alcohol and other drug violations require online education. These programs designed by EverFi, and purchased for use by the university, aim to help students learn valuable information about substance abuse and their own use patterns. Meeting and consultation with the Felician University AOD Education Coordinator is also possible. For students who are not of legal drinking age, an online education program is given to students who have their first offense. For those who have their second offense, they are to complete an alcohol/drug assessment with the Counselor/AOD Education Coordinator. For students 21 years of age or older, consultation with the Counselor, AOD Education Coordinator is at the discretion of the hearing officer.

The following is a list of possible sanctions a student could receive for an Alcohol or Other Drug Violation:

- **Probation** – A written reprimand for a violation of a specified regulation. Probation is for a designated period of time and includes the probability of more severe sanctions if the student is found to be violating any University regulation(s) during the probationary period.
- **Online AOD Education Programs** – Programs are assigned to any student who violates an alcohol or drug policy.
- **Fines** – Appropriate fine may be imposed.
- **Restitution** – Compensation for loss, damage, or injury. This may take the form of service and/or monetary or material replacement.
- **Residence Hall Suspension** – Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
- **Residence Hall Expulsion** – Permanent separation of the student from the residence halls.
- **University Suspension** – Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
- **University Expulsion** – Permanent separation of the student from the University.
- **Interim Suspension** – In certain circumstances, the Vice President of Enrollment Management, Student Affairs, Compliance, or a designee, may impose a University or residence hall suspension prior to the hearing before a judicial body.

- Interim suspension may be imposed only:
  - to ensure the safety and well-being of members of the University community or preservation of University property;
  - to ensure the student’s own physical or emotional safety and well-being;
  - if the student poses a definite threat of disruption of or interference with normal operations of the University.
- During the interim suspension, students shall be denied access to the residence halls and/or to the campus (including classes) and/or all other activities or privileges for which the student might otherwise be eligible, as the Vice President for Student Affairs, or designee, may determine to be appropriate.

The following sanctions may be imposed upon groups or organizations:

- **Any of the above sanctions**
- **Deactivation** – loss of privileges, including University recognition, for a specified period of time.

Note: More than one sanction may be imposed for any single violation. Other than University expulsion, disciplinary sanctions shall not be made part of the student’s permanent academic record, but shall become part of the student’s confidential record. Upon graduation, the student’s confidential record may be expunged of disciplinary action other than residence hall expulsion, University expulsion or suspension, upon application to the Vice Presidents of Enrollment Management, Student Affairs, or Compliance. Cases involving the imposition of sanctions other than residence hall expulsion, University suspension or expulsion shall be expunged from the student’s confidential record within five years after the final disposition of the case.

### **Violation and Sanction Data**

Below you will find statistical data of all of the incidents involving alcohol and other drugs for the academic years 2017-2018 and 2018-2019:

Academic Year	Alcohol Violations	Drug Violations
2017-2018	116	26
2018-2019	62	48

All of the above incidents are alleged. Two thirds of the total students involved in these incidents were either found responsible for possession or consumption. All numbers contain underage students and of-age students as Felician University residence halls are dry.

The following graph indicates the number and type of sanctions levied:

Sanction Type	Number of Sanctions
Alcohol Education Course	26
Counseling	33
Community Service	0
Loss of Privileges	5
Probation	70
Fines	202
Residence Hall Expulsion	7
University Expulsion	0

If a student fails to complete the sanctions that are levied by the University Conduct Officer, the student is charged with the following:

11. Abuse of the University Student Conduct System:

h. Failure to comply with the sanction(s) imposed under the Student Code

The result may include additional sanctions, suspension or eventual possible expulsion from the University.

### **Alcohol.edu/Prescription Drug Abuse Prevention**

Alcohol.edu is an on-line alcohol education program for entering first-year students that has been implemented in collaboration with First Year Experience faculty. Purchased from EverFi, the program's personalized approach provides students with an educational experience that impacts both their individual behavior and the campus culture. It offers students a learning experience that helps motivate safer decision-making and promotes student engagement for creating a healthier campus community. Alcohol.edu is a required program for all first-year students and is mandatory for the rest of the student population. Monitoring of student participation is maintained through Community Rights and Responsibilities.

The professors instructing the First Year Experience course include the completion of Alcohol.edu into their assessment for the course. Therefore, the professors are able to ensure that a majority of the students participated in and completed Alcohol.edu. Overall, 445 registered, and 353 students completed the Alcohol.edu course in 2018-2019.

Alcohol.edu for Sanctions and Prescription Drug Abuse Prevention are also on-line education courses designed to be used as educational sanctions for when students violate campus alcohol or other drug policies. They are individually customized lessons intended to facilitate personal student growth in the areas of understanding consequences, social norms, and strategies for a healthier lifestyle. Twelve students completed the Alcohol for Sanctions course in 2018-2019.

### **Felician University Medical Amnesty Policy**

At Felician University, the health, well-being, and overall safety of the student body is our utmost concern. Therefore, a Medical Amnesty Policy has been put in place to increase the possibility of timely and appropriate medical attention in an emergency situation where an individual may be experiencing either alcohol poisoning or a drug overdose. This policy allows students to contact Residence Life or emergency personnel, including campus security, local police, or ambulance, either for themselves or another student without fear of being charged with a violation of the Felician University Code of Conduct.

Amnesty would be granted only to the student who is intoxicated and the student who reports the incident to the proper authorities, and only if the appropriate course of action is followed. These instructions are as follows:

1. The student must be the first person to contact for help for the intoxicated student
2. The student must remain on the scene until and when help arrives
3. The student must provide answers to any questions honestly that would assist in providing help

This policy is in no way intended to protect students who continually violate Felician University, local, state, or federal law, and the specific guidelines must be followed in order for the policy to be in effect. This policy does not exempt students from local, state, and federal laws. Underage individuals are protected under the provisions of the 9-1-1 Lifeline Legislation, approved October 1, 2009, in cases of alcohol poisoning, and by the Overdose Prevention Act, approved May 2, 2013. By removing these barriers we hope to foster a practice of seeking medical attention when necessary to avoid serious health problems or even death.

### **Felician University Department of Athletics**

The Department of Athletics is an integral part of Felician University's goal of pursuing truth and preparing students for service. Our mission in Athletics is to serve and develop our student-athletes in three distinct areas: spiritually, intellectually, and physically. Our vision in Athletics seeks our surrounding and university communities positively influenced by the way we compete. As we strive to win championships, we endeavor to exemplify the mission of Saint Francis. Our sports programs are designed not only to develop student-athletes, but also to have an impact on those who observe us and share in our competition. Student-athletes are role models and ambassadors of Saint Francis on and off the playing field.

Substance abuse is one of the most important issues facing athletics and society today. The use of illegal drugs, misuse of legal drugs and supplements, use of performance-enhancing substances, misuse of alcohol and inappropriate use of tobacco are completely inconsistent with the standards

expected of student-athletes at Felician University. Because of this belief, the Department of Athletics chooses to take a strong and proactive stand against student use and/or involvement with alcohol, tobacco, performance enhancing and illicit drugs. Knowing the seriousness of drug and alcohol abuse and how detrimental it is to an individual's physical and mental wellbeing, the student-athlete's health, safety, and welfare are our first priority.

Every member of the athletic community is responsible for knowing the risks associated with substantive abuse. Medically and socially, the risks can seriously interfere with an individual's performance both as a student and as an athlete and can endanger the well-being of their teammates. Therefore, student-athletes, coaches, and staff are obligated to know the relevant university policies, federal, state, NCAA, and local laws and to conduct themselves in accordance with these policies and laws.

### **Purpose**

The purpose of the Department of Athletics Alcohol, Tobacco, and other Drug Education and Testing Policies is to prevent substance use and abuse by student-athletes through education, testing, and professional guidance:

- Education - Providing student-athletes and Department of Athletics staff members with accurate information about the problems associated with substance use in sports and promoting health and safety in sports.
- Testing - Analyzing biological specimens to detect prohibited substances student-athletes may introduce to their bodies and punitive consequences resulting from use.
- Professional referral- Facilitating appropriate treatment and rehabilitation of student-athletes.

### **Alcohol, Tobacco, and Other Drug Education**

Participants who are educated about substance use in athletics are more likely to make informed and intelligent decisions about usage. Therefore, all Felician University student-athletes are required to attend the Substance Abuse Seminar for Athletes. This program is designed to review individual team, Department of Athletics, institutional, conference, and NCAA alcohol, tobacco, and other drug policies. Appropriate educational materials have been made available to participants including the Department of Athletics Alcohol, Tobacco, and other Drug Education and Testing Policies along with a list of banned substances. All student-athletes and staff members are required to attend. Make-up sessions are available for participants who must miss a scheduled educational session for an approved reason.

In addition to educating all parties about the various policies, a review of the institutional drug-testing program requirements is conducted. Sessions include a review of NCAA alcohol, tobacco, and drug policies including the tobacco ban, list of banned drug classes and testing protocol. Nutritional supplements and their inherent risks are discussed. Time is allowed for questions from participants. Educational programs may be specially arranged to provide participants the opportunity to learn more about specific dangers of substance abuse.

### **Consent to Participate**

Conditional to participation in intercollegiate athletics at Felician University, each student-athlete is required to sign a consent form agreeing to undergo drug and alcohol testing and authorize release of test results in accordance with this policy (See Appendix D). Failure to consent to or to comply with the requirements of this policy may result in loss of scholarship, suspension from practice and/or competition, or termination of eligibility to participate in intercollegiate athletics at Felician University. Each student-athlete is provided with a copy of this policy and is required to

participate in an informative session describing the alcohol, tobacco, and other drug education and testing policies.

### **Alcohol Policy**

Felician University prohibits the use of alcohol. It is the responsibility of every member of the Felician University community to know the risks associated with alcohol use. This responsibility obligates student-athletes to know relevant university policies and federal, state, and local laws and to conduct themselves in accordance with these laws and policies. In addition, a “dry recruitment” policy exists. Prospective student-athletes visiting campus and socializing with current students are expected to participate in all activities without the influence of alcohol. Possession or consumption of alcoholic beverages by individuals under the age of 21 is a violation of state liquor laws.

Likewise, it is illegal for anyone to supply alcoholic beverages to persons under the age of 21. The discovery of a violation of the alcohol policy will result in disciplinary action.

### **Tobacco Policy**

All game personnel at Felician University (e.g. student-athletes, coaches, trainers, managers, and game officials) are prohibited from using tobacco products during practice and competition. The discovery of a violation of the Tobacco Policy will result in disciplinary action.

### **Other Prohibited Drugs/Substances**

The drug screening process may include analysis of, but is not limited to, the list of banned-drug classes, which can be found in Appendix A. Other prohibited substances that Felician University may screen for include alcohol, hallucinogens, opiates, barbiturates, tranquilizers, MDMA (Ecstasy) and flunitrazepam (Rohypnol). Felician University requires that all student-athletes keep the athletic training staff and/or team physician aware of any prescribed drugs that he/she may be taking. Student-athletes are encouraged to contact The National Center for Drug Free Sport for questions or concerns regarding banned substances, including nutritional supplements.

The Center’s web site is <http://www.drugfreesport.com>.

### **Selected Types of Drug Testing**

#### **A. Unannounced Random Testing**

All student-athletes who have signed the Institutional drug-testing consent form and are listed on the institutional squad list are subject to unannounced random testing. Student-athletes are selected from the official institutional squad list by using a computerized random number program when available or a random blind draw from a complete grouping of the athlete’s names.

#### **B. Reasonable Suspicion Screening**

A student-athlete may be subject to testing at any time when, in the judgment of the Director of Athletics or his/her designee determines there is a reasonable belief to suspect the participant is using a prohibited drug. Such reasonable suspicion may be based on information presented to the Director of Athletics or his/her designee by the Assistant Director of Athletics, Head Athletic Trainer, Assistant Athletic Trainer, Head Coach, Assistant Coach, or Team Physician. Reasonable suspicion may be found, but not limited to:

1. Observed possession or use of substances appearing to be prohibited drugs,
2. Arrest or conviction for a criminal offense related to the possession or transfer of prohibited drugs – not necessarily for profit,
3. Observed abnormal appearance, conduct or behavior that may cause someone to suspect use or abuse of a banned substance. Examples of such abnormal appearance or conduct or behavior may include, but is not limited to the following: decline in academic or athletic



performance, missing class, falling asleep in class, significant weight gain or weight loss, lethargy, agitation or nervousness, short temper, acts of violence, or loss of friendships.

If suspected, the Director of Athletics or his/her designee will meet with the student and provide the participant with the Notice of Drug Testing Based on Reasonable Suspicion Form (Appendix C). Once notified, the participant must stay with a member of their coaching staff, the athletics administration staff, or sports medicine staff, until an adequate specimen is produced.

**Note:** The possession and/or use of illegal substances may be determined by means other than urinalysis. When an individual is found to be in possession and/or using such substances, he/she will be subject to the same procedures that would be followed in the case of a positive urinalysis.

#### C. NCAA Qualifier Screening

Any participant qualifying for NCAA championship competition may be screened prior to participation in championship activities.

#### D. Re-entry Testing

A student-athlete who has had his/her eligibility to participate in intercollegiate athletics suspended may be required to undergo multiple re-entry drug and/or alcohol testing prior to regaining eligibility. The Director of Athletics or his/her designee shall arrange for re-entry testing after the counselor or specialist involved in the student-athlete's case indicates that re-entry into the intercollegiate athletics program is appropriate.

#### E. Follow-up Testing

A student-athlete who has returned to participation in intercollegiate athletics following a positive drug test under this policy may be subject to follow-up testing. Testing will be unannounced and will be required at a frequency determined by the Director of Athletics or his/her designee involved in the student-athlete's case.

### **Notifications and Reporting for Collections**

Drug testing may occur at any time throughout the academic year. The student-athlete will be notified of and scheduled for testing by the institution. The Director of Athletics or his/her designee will notify the student-athlete of the date and time to report to the collection station and will have the student-athlete read and sign the Student-Athlete Notification of Drug Testing Form.

The Director of Athletics or his/her designee must be in the collection station to certify the identity of the student-athletes selected. The Director of Athletics or his/her designee must remain in the collection station until all student-athletes have completed the collection process.

Student-athletes shall provide picture identification when entering the drug-testing station.

### **Specimen Collection Procedures**

Felician University has two (2) alternatives to collecting specimen samples. The first alternative is an In-House Screen Testing which will be administered by Felician University personnel authorized by and including the Director of Athletics or his/her designee and the Head Athletic Trainer. The second alternative is testing administered by an Approved Collector through The National Center for Drug Free Sport.

### Approved Collector Testing

Only the Director of Athletics or his/her designee and those persons authorized by the approved collector will be allowed in the collection station.

- The approved collector may release a sick or injured student-athlete from the collection station or may release a student-athlete to return to competition or to meet academic obligations only after appropriate arrangements for having the student-athlete tested have been made and documented on the Student-Athlete Notification Form.
- Upon entering the collection station, the Director of Athletics or his/her designee will identify the student-athlete. When ready to urinate, the student-athlete will wash their hands and select a sealed beaker from a supply of such and will record his/her initials on the beaker's lid. A trained approved collector will monitor the furnishing of the specimen by observation in order to assure the integrity of the specimen until a specimen of at least 85 mL is provided.
- Once a specimen of at least 85 mL is provided, the student-athlete is responsible for keeping the collection beaker closed and controlled.
- Fluids and foods given student-athletes who have difficulty voiding must be from sealed containers (certified by the approved collector) that are opened and consumed in the collection station. These must be free of any banned substances.
- If the specimen is incomplete, the student-athlete must remain in the collection station until the sample is completed. During this period, the student-athlete is responsible for keeping the collection beaker closed and controlled.
- The laboratory will make final determination of specimen adequacy.
- If the laboratory determines that a student-athlete's specimen is inadequate for analysis, at the institution's discretion, another specimen may be collected.
- If a student-athlete is suspected of manipulating specimens (e.g., via dilution, adulteration, substitution), the participant will be deemed to have refused to submit to testing and treated as if the test were positive for a banned substance. Felician University will have the authority to perform additional tests on the student-athlete.
- Once a specimen has been provided, the student-athlete will select a specimen collection kit and a uniquely numbered Student-Athlete Signature Form from a supply of such.
- The approved collector who monitored the furnishing of the specimen by observation will sign the Student-Athlete Signature Form.
- The student-athlete will pour approximately 60 mL of the specimen into the "A" vial and the remaining amount (approximately 25 mL) into the "B" vial.
- The student-athlete will place the cap on each vial; the approved collector will then seal each vial in the required manner under the observation of the student-athlete and witness (if present).
- The laboratory's copy of the Student-Athlete Signature Form shall not contain the name of the student-athlete.
- All sealed specimens will be secured in a shipping case. The approved collector will put the laboratory copy of the Student-Athlete Signature Form in the case, and prepare the case for forwarding.
- The student-athlete and witness (if present) will sign the Student-Athlete Signature Form, certifying that the procedures were followed as described in the protocol. Any deviation from the procedures must be described and recorded on the Student-Athlete Signature Form at that time. If deviations are alleged, the student-athlete will be required to provide another specimen.

- The approved collector will sign the Student-Athlete Signature Form, give the student-athlete or a designee a copy and secure all remaining copies. The compiled Student-Athlete Signature Forms constitute the “Master Code” for that drug testing.
- After the collection has been completed, the specimens will be forwarded to the laboratory and all copies of all forms forwarded to the designated persons.
- Failure to sign the Student-Athlete Notification Form or the Student-Athlete Signature Form, arrive at the collection station at the designated time without justification, or provide a urine specimen according to protocol is cause for the same action(s) as evidence of use of a banned substance. The Director of Athletics or his/her designee will inform the student-athlete of these implications (in the presence of witnesses) and record such on the Student-Athlete Notification Form. If the student-athlete is not available, he/she will be considered to have withdrawn consent and will be ineligible on that basis.
- When an approved collector from The National Center for Drug Free Sport administers the drug testing, Felician University will follow their guidelines and procedures for testing. Therefore, the above description is subject to change based on their protocol.

### In-House Screen Testing

The procedures for the Approved Collector Testing will be followed with the following exceptions:

- When ready to urinate, the student-athlete will select a sealed screen test from a supply of such and will follow the instructions on the screen test in recording initials and/or identification.
- The amount of specimen needed will correlate to the amount specified on the screen test.
- Fluids and food given student-athletes who have difficulty voiding must be from sealed containers (certified by the Director of Athletics and/or Head Athletic Trainer) that are opened and consumed in the station. These items must be free of banned substances.
- Once a specimen is provided, the student-athlete will follow instructions from the screen test and close the lid with the required test strips in place.
- Once the specimen is given to the Director of Athletics and/or Head Athletic Trainer, the student-athlete will select a Student-Athlete Signature Form from a supply of such.
- The student-athlete will sign the Student-Athlete Signature Form, certifying that the procedures were followed as described in the protocol. Any deviation from the procedures must be described and recorded on the Student-Athlete Signature Form at that time. If deviations are alleged, the student-athlete will be required to provide another specimen.
- After the collection has been completed, the specimen will be sent to an approved laboratory by The National Center for Drug Free Sport and evaluated.
- The Director of Athletics and/or the Head Athletic Trainer who monitored the furnishing of the specimen will sign the Student-Athlete Signature Form. The Director of Athletics will then secure the Student-Athlete Signature Form.
- Failure to sign the Student-Athlete Notification Form or the Student-Athlete Signature Form, arrive at the collection station at the designated time without justification, or provide a urine specimen according to the screen test protocol is cause for the same action(s) as evidence of use of a banned substance. If the student-athlete is not available, he/she will be considered to have withdrawn consent and will be ineligible on that basis

### **Reporting Results**

Urine samples will be collected and sent to an independent laboratory approved by The National Center for Drug Free Sport for analysis. Each sample will be tested to determine if banned drugs are present. In the event of a positive drug test, the results will be made available to the Director of

Athletics, Head Athletic Trainer or his/her designee (e.g., institutional team physician, medical review official – MRO).

A test result confirmed as positive by the laboratory does not automatically identify the student-athlete as having engaged in prohibited drug or alcohol use. Each positive test result will therefore be reviewed by the MRO who will determine if there is an acceptable explanation for the test result.

If the laboratory reports a specimen as substituted or adulterated, the student-athlete will be deemed to have refused to submit to testing.

All positive tests which are verified by the MRO and all reports of specimen adulteration or substitution shall be reported to the Director of Athletics and/or his/her designee, the Head Athletic Trainer, the student-athlete's coach, and a substance abuse counselor.

### **Penalties**

Refusal to sign a Consent Form, Notice of Drug Testing Form, and the Student-Athlete Signature Form prohibits a student-athlete from participating in any intercollegiate sport at Felician University. Any athletic scholarship aid will be revoked at the earliest possible moment consistent with Felician University and conference rules.

Any student-athlete who is found guilty of serious criminal misconduct (e.g., drug trafficking, driving while impaired) will not be permitted to participate in any intercollegiate sport at Felician University. Any athletic scholarship aid will be revoked at the earliest possible moment consistent with university and conference rules.

Any student-athlete who tests positive for a banned substance, fails to arrive or leaves before a specimen is given, or who refuses to submit to a required drug test as described in this policy is subject to the following sanctions:

#### First Offense

- The student-athlete will be immediately suspended from participation (conditioning, weight training, practice, and competition) in any and all intercollegiate athletics at Felician University for a period of time up to and not exceeding one year from the date of testing.
- The student-athlete will be required to attend a confidential meeting with the Director of Athletics and the student-athlete's head coach. The student-athlete will be asked to discuss the nature and extent of his/her involvement with prohibited drugs and/or alcohol.
- The student-athlete will be required to attend a confidential meeting with the Director of Athletics and the Vice-President for Student Affairs after the student-athlete tests positive for a banned substance.
- The student-athlete will be required to see a counselor who shall determine the appropriate form(s) of intervention and rehabilitation needed by the student-athlete, based on the circumstances of the case.
- The student-athlete will not be permitted to return to participation in intercollegiate athletics until he/she has complied with the counselor's directions for treatment and has had a negative result on a re-entry drug and/or alcohol test.
- If the student-athlete regains his/her eligibility to participate in intercollegiate athletics, he/she will be required to undergo unannounced follow-up testing(s).
- Failing to comply with the counselor's directions for treatment, having a positive result on a re-entry drug or alcohol test will be deemed as an additional offense for purposes of determining sanctions under this policy.

### Second Offense

- Upon a second positive test result, the student-athlete will be dismissed from the Felician University Department of Athletics program indefinitely and all existing Athletics financial aid will be terminated immediately.

### **Self-Referral Policy**

A student-athlete who has engaged in prohibited drug or alcohol use is encouraged to seek assistance from the Department of Athletics by voluntarily disclosing his/her use.

If the student-athlete seeks assistance *prior* to being identified as having violated this policy or being notified that he/she must undergo testing, the impermissible use will not be deemed an offense for purposes of determining sanctions under this policy; however, the student-athlete will be ineligible to participate (conditioning, weight training, practice, and competition) in intercollegiate athletics pending an evaluation. A student-athlete is permitted to use the Self-Referral Policy only once during his/her intercollegiate athletics career at Felician University.

1. The student-athlete will be required to undergo an evaluation by a substance abuse counselor. The counselor shall determine the appropriate form(s) of intervention and rehabilitation needed by the student-athlete, based on the circumstances of the case. The counselor will provide a summary of his/her findings and recommendations to the Director of Athletics.
2. The student-athlete will not be permitted to return to participation in intercollegiate athletics until the counselor has interviewed the student-athlete following the conclusion of the recommended treatment (or stage of treatment, as applicable). The student-athlete will be required to undergo drug and/or alcohol testing as part of the re-entry evaluation.
3. Failing to complete the treatment recommended by the counselor or having a positive result on a re-entry drug or alcohol test will be deemed a second offense under this policy.
4. If the student-athlete regains his/her eligibility to participate in intercollegiate athletics, he/she may be required to undergo unannounced follow-up tests at the discretion of the Director of Athletics.

### **Appeal Process**

Once the Director of Athletics or his/her designee has made the determination of the outcome of the drug test or the participant's non-compliance with the institution's policy, the participant will be notified in writing of such by the Director of Athletics or his/her designee. The participant may request an appeal of the sanctions imposed. The request for an appeal must be placed in writing to the Director of Athletics within 72 hours of the written notification from the Director of Athletics or his/her designee and it must include specific reasons for an appeal. If an appeal is granted, a meeting will involve the participant with the Director of Athletics, Vice-President of Administration, the participant's head coach, and the Head Athletic Trainer. A final decision will be made available in writing to the participant from the Director of Athletics or his/her designee within 72 hours of the appeal.

### **Confidentiality**

Every effort will be made to maintain the confidentiality of the student-athlete. The program has been designed for the protection of all our participants as well as others associated with the athletics program. Felician University is not a governmental/law enforcement agency. However, the occasion could arise when Felician University is required, or asked, to cooperate with law enforcement agencies in legal action. Under appropriate circumstances, these requests will be honored.

### **Additional Information**

If you have any questions regarding this program, please contact the Head Athletic Trainer:

Abbey Fallon, ATC  
Head Athletic Trainer  
Felician University  
One Felician Way  
Rutherford, NJ 07070  
(201) 559-3502 (office)  
(201) 559-3553 (fax)  
fallona@felician.edu

### **Drug Screenings Data**

The Department of Athletics increased the number of random drug screenings to 20% of the roster of each intercollegiate athletic team's roster in the 2017-18 fall semester. We implemented our previous recommendation for improvement by holding drug and alcohol education sessions twice during the academic year.

Any student-athlete that tested positive was sent to the University's Counseling Center to facilitate the athlete meeting with a licensed clinician as is NCAA best practices. The student-athlete, per the Department of Athletics drug and alcohol policy first offence, received a 50% suspension from regularly scheduled contests. The student-athlete was then given a re-entry drug test one week prior to the return to participation. Approximately 10 students tested positive from 2017-2019 academic years.

### **New Jersey State and Local Laws Regarding Alcohol Offenses and Penalties**

#### **State of New Jersey**

The purchase and consumption of alcohol is a right extended by the State of New Jersey. The legal age to purchase and consume alcoholic beverages in the State of New Jersey is twenty-one. (N.J.S.A. 9:17b-1)

#### **Possession or Consumption of Alcoholic Beverages in Public Places by persons under legal age (N.J.S.A. 2C:33-15)**

Any person under the legal age to purchase alcoholic beverages who knowingly possesses without legal authority or who knowingly consumes any alcoholic beverage in any school, public conveyance, public place, place of public assembly, or motor vehicle is guilty of a disorderly person's offense and shall be fined not less than \$500.

#### **Purchase of Alcohol by/for the under aged (N.J.S.A. 33:1-81)**

An under aged person who purchases or attempts to purchase alcohol, or who misstates his/her age, or a person of legal age who purchases alcohol for an under aged person faces a conviction of a disorderly persons offense, which incurs a fine of not less than \$500 and loss of license for six months. In addition, under aged persons may be required to participate in a state-sponsored alcohol education program.

#### **Offering Alcoholic Beverages to Underage Person (N.J.S.A. 2C:33-17)**

Anyone who purposely or knowingly offers or serves or makes available an alcoholic beverage to a person under the legal age for consuming alcoholic beverages or entices that person to drink an

alcoholic beverage is a disorderly person. This provision does not apply to certain close relatives, certain activities confined to the home, or if the consumption is part of a religious observance.

#### **Transfer of ID (N.J.S.A. 33:1-81.7)**

Someone who is under aged and uses another person's ID card to obtain alcohol, or someone of legal age who gives his/her ID card to an under aged person so that he/she can obtain alcohol, faces a fine of up to \$300 or up to 60 days in jail.

#### **False ID (N.J.S.A. 2C:21-2.1 1d)**

A person who knowingly possesses a document or other writing which falsely purports to be a driver's license or other document issued by a governmental agency and which could be used as a means of verifying a person's identity or age or any other personal identifying information is guilty of a crime in the fourth degree.

#### **Host/Hostess Liability**

Under a 1984 New Jersey Supreme Court decision, Kelly vs. Gwinnell, a host or hostess who serves alcoholic beverages to a guest, knowing that the guest is intoxicated and will soon be driving, can be held liable for injuries inflicted on a third party if that guest is involved in a motor vehicle accident.

#### **Driving While Intoxicated**

##### **Operating Motor Vehicles While Under the Influence of Intoxicants (N.J.S.A. 39:4-50)**

A person is said to be legally drunk in New Jersey if his/her blood alcohol concentration is at or above .08%.

Penalties: All persons convicted of DWI must pay an insurance surcharge of \$1,000 per year for three years. In addition:

- For the first offense, there are additional fines and charges of at least \$470 (bringing the total minimum charges for a first offense to \$3,470); loss of license for 7-12 months; and a requirement to spend 12-48 hours in an Intoxicated Driver Resource Center. A first-time offender also faces a possible 30-day jail term.
- For a second offense, there are additional fines and charges of at least \$720; loss of license for two years; a requirement to perform 30 days of community service and to spend 48 hours in an Intoxicated Driver Resource Center or jail. Also, there is a possible 90-day jail term.
- For a third offense, additional fines and charges of at least \$1,220; loss of license for 10 years; and a 180-day jail term. The insurance surcharge for a third-time offender is \$1,500 per year for three years. These fines and charges do not include court and legal fees.

##### **Driving While License is Suspended Due to DWI (N.J.S.A. 39.3- 40)**

If a person is found driving while his/her license is suspended due to a conviction for Driving While Intoxicated, that person upon conviction again shall be fined \$500, shall have his license to operate a motor vehicle suspended for an additional period of not less than one year nor more than two years, and may be imprisoned in the county jail for not more than 90 days.

##### **Refusal to Take the Breathalyzer Test (N.J.S.A. 39:4-50.4a)**

Refusal to take the breathalyzer test where there is probable cause for arrest for DWI will result in up to 10 year loss of license, a fine of \$300-\$1000, and an obligation to satisfy the requirements of an alcohol education or rehabilitation program. A person can also be convicted of DWI without the results of a breathalyzer test. In that case, s/he will suffer all the additional fines and penalties specified for the DWI conviction.

#### **Borough of Lodi, New Jersey**

## **ORDINACE NO. 78-10**

An ordinance prohibiting the consumption of alcoholic beverages in public and other places and providing penalties for the violation thereof. Be it ordained, by the Municipal council of the Borough of Lodi, in the county of Bergen and State of New Jersey as follows:

**SECTION 1:** No person shall consume, drink, or imbibe or offer to another for consumption, drinking or imbibing, any alcoholic beverages in or upon

**(d)** Any private property not his or her own, without the express permission of the owner or other person having authority to grant such permission

**SECTION 3:** For violation of any provision of this Ordinance, the maximum penalty shall, upon conviction of a violation, be a fine not exceeding Five Hundred (\$500.00) Dollars, or imprisonment in the County Jail for a period not exceeding ninety (90) days or both, at the discretion of the court.

## **Borough of Rutherford, New Jersey**

### **7-8. Consumption; possession of open containers.**

**A.** No person shall drink or have in his possession any open container of alcoholic beverage in any public or quasi-public place or while in or on a public street or thoroughfare or while in a parked vehicle on any street or public thoroughfare in the Borough of Rutherford.

**B.** Every person who drinks or has in his possession an open container or any alcoholic beverages in any public or quasi-public place or on a public street or thoroughfare in the Borough of Rutherford shall, upon conviction, be subject to a fine of \$50 for the first offense or violation and, in default of payment thereof, be imprisoned in the county jail for a period not exceeding 30 days, in the discretion of the court.

**C.** Every person who drinks or has in his possession an open container or any alcoholic beverages in any public place or quasi-public place or on a public street or thoroughfare in the Borough of Rutherford shall, upon conviction, be subject to a fine of \$100 for the second and each subsequent offense or violation and, in default of payment thereof, be imprisoned in the county jail for a period not exceeding 30 days, in the discretion of the court.

### **7-9. Prohibited transfers to minors.**

**A.** It shall be unlawful for any person to sell, distribute, transfer, give or by any other means supply any beer, wine, alcohol or alcoholic beverage to any person under the legal age to purchase alcoholic beverages in any public or quasi-public place or while in or on a public street or thoroughfare or while in a parked vehicle on any street or public thoroughfare in the Borough of Rutherford, except such transfers between a parent and his minor child.

**B.** Every person who violates the provisions of Subsection A above shall, upon conviction thereof, be subject to a fine in an amount not exceeding \$500 for each offense or violation or be imprisoned in the county jail for a period not exceeding 30 days in the discretion of the court.

### **7-21. Restrictions on minors.**

**A.** Persons under the legal age for purchasing alcoholic beverages shall not be allowed in any room in which any bar is located unless accompanied by a parent or guardian.

**B.** No sale of alcoholic beverage for consumption on the licensed premises shall be made to any person under the legal age for purchasing alcoholic beverages.

## **New Jersey State and Federal Laws and Vocabulary Regarding Drug Offenses and Penalties**

### **State of New Jersey**

**N.J.S.A. 2C:35-3, Leader of Narcotics Trafficking Network:** provides penalties for a person found to have acted as an organizer, supervisor, manager or financier of a scheme distributing any Schedule I or II drug.



**N.J.S.A. 2C:35-4, Maintaining or Operating a Controlled Dangerous Substance (CDS)**

**Production Facility:** provides that such conduct is a first degree crime punishable by imprisonment and fines.

**N.J.S.A. 2C:35-5, Manufacturing, Distributing, or Dispensing:** provides that such conduct results in imprisonment and fines.

**N.J.S.A. 2C:35-6, Employing a Juvenile in a Drug Distribution Scheme:** provides that such conduct is a second degree crime punishable by imprisonment and fines.

**N.J.S.A. 2C:35-9, Strict Liability for Drug-Induced Death:** provides that such a situation is a first degree crime, same as murder, but no intent need be shown, only that death resulted as a result of the use of a drug supplied by the defendant.

**N.J.S.A. 2C:35-10, Possession, Use or Being Under the Influence, or Failure to Make Lawful Disposition:** provides that such conduct carries penalties of imprisonment and fines.

**N.J.S.A. 2C:35-11, Imitation Controlled Dangerous Substance (CDS); Distribution, Possession, Manufacture, etc.; Penalties:** provides that dispensing or distributing a substance falsely purported to be a CDS is a third degree crime, and can carry a fine up to \$200,000.

**Possession of anabolic steroids is a third degree crime.**

**Paraphernalia:** Drug paraphernalia is defined “ ...all equipment, products, and materials of any kind which are used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, ingesting, inhaling, or otherwise introducing into the human body a controlled dangerous substance... including... roach clips... bongs... pipes...”

**N.J.S.A. 2C:36-2, Use or Possession with Intent to Use, Disorderly Persons Offense:** provides that such conduct carries a disorderly persons offense.

**N.J.S.A. 2C:36-3, Distribute, Dispense, Possess with Intent to Distribute or Manufacture, Crime of Fourth Degree:** provides that such conduct is a fourth degree crime.

**N.J.S.A. 2C:36-5, Delivering Paraphernalia to Person Under Eighteen Years of Age, Crime of Third Degree:** provides that such conduct constitutes a third degree crime.

**N.J.S.A. 2C:36-6, Possession or Distribution of Hypodermic Syringe or Needle:** provides that such conduct constitutes a disorderly persons offense.

**Federal Drug Offenses**

The criminal offenses most commonly charged under the Federal Controlled Substances Act are the knowing, intentional and unauthorized manufacture, distribution or dispensing of any controlled substance or the possession of any controlled substance with the intent to manufacture, distribute or dispense. Federal law also prohibits the knowing, intentional and unauthorized creation, distribution, dispensing or possession with the intent to distribute or dispense a “counterfeit substance.” Simple possession without necessarily an intent to distribute is also forbidden by

Federal law and carries a penalty of imprisonment. Attempts and/or conspiracies to distribute or possess with intent to distribute a controlled substance are crimes under Federal law.

**Specific drug crimes that may carry greater penalties include the following:**

- The distribution of narcotics to persons under 21;
- The distribution or manufacturing of narcotics near schools and universities;
- The employment of juveniles under the age of 18 in drug trafficking operations;
- The distribution of controlled substances to pregnant women.

**The penalties for violating Federal narcotics statutes vary. The penalties may be more severe based upon two principal factors:**

- The type of drug involved; and
- The quantity of the drug involved.

With the exception of simple possession charges which result in up to one year imprisonment, maximum penalties for narcotic violations range from 20 years to life in prison. Certain violations carry mandatory minimum prison sentences of either five years or ten years. Harsher penalties will be imposed if a firearm is used in the commission of a drug offense. If a drug offense results in death or serious bodily injury to an individual who uses the drug involved, the penalties are harsher.

Anabolic steroids are controlled substances and distribution or possession with intent to distribute carries a sentence of up to five years and a \$250,000 fine.

### **Overdose Prevention Act**

An Act concerning opioid antidotes and overdose prevention, and supplementing Title 24 of the Revised Statutes and Title 2C of the New Jersey Statutes.

Be It Enacted by the Senate and General Assembly of the State of New Jersey:

**C.24:6J-1 Short title.**

1. This act shall be known and may be cited as the “Overdose Prevention Act.”

**C.24:6J-3 Definitions relative to overdose prevention.**

3. As used in this act:

“Commissioner” means the Commissioner of Human Services.

“Drug overdose” means an acute condition including, but not limited to, physical illness, coma, mania, hysteria, or death resulting from the consumption or use of a controlled dangerous substance or another substance with which a controlled dangerous substance was combined and that a layperson would reasonably believe to require medical assistance.

“Medical assistance” means professional medical services that are provided to a person experiencing a drug overdose by a health care professional, acting within the scope of his or her lawful practice, including professional medical services that are mobilized through telephone contact with the 911 telephone emergency service.

“Opioid antidote” means naloxone hydrochloride or any other similarly acting drug approved by the United States Food and Drug Administration for the treatment of an opioid overdose.

“Health care professional” means a physician, physician assistant, advanced practice nurse, or other individual who is licensed or whose professional practice is otherwise regulated pursuant to Title 45 of the Revised Statutes, other than a pharmacist, and who, based upon the accepted scope of professional authority, prescribes or dispenses an opioid antidote.

“Patient” includes a person who is not at risk of an opioid overdose but who, in the judgment of a physician, may be in a position to assist another individual during an overdose and who has received patient overdose information as required by section 5 of this act on the indications for and administration of an opioid antidote.

**C.2C:35-30 Immunity from liability, certain circumstances, for persons seeking medical assistance for someone experiencing a drug overdose.**

7. a. A person who, in good faith, seeks medical assistance for someone experiencing a drug overdose shall not be:

(1) arrested, charged, prosecuted, or convicted for obtaining, possessing, using, being under the influence of, or failing to make lawful disposition of, a controlled dangerous substance or controlled substance analog pursuant to subsection a., b., or c. of N.J.S.2C:35-10;

(2) arrested, charged, prosecuted, or convicted for inhaling the fumes of or possessing any toxic chemical pursuant to subsection b. of section 7 of P.L.1999, c.90 (C.2C:35-10.4);

(3) arrested, charged, prosecuted, or convicted for using, obtaining, attempting to obtain, or possessing any prescription legend drug or stramonium preparation pursuant to subsection b., d., or e. of section 8 of P.L.1999, c.90 (C.2C:35-10.5);

(4) arrested, charged, prosecuted, or convicted for acquiring or obtaining possession of a controlled dangerous substance or controlled substance analog by fraud pursuant to N.J.S.2C:35-13;

(5) arrested, charged, prosecuted, or convicted for unlawfully possessing a controlled dangerous substance that was lawfully prescribed or dispensed pursuant to P.L.1998, c.90 (C.2C:35-24);

(6) arrested, charged, prosecuted, or convicted for using or possessing with intent to use drug paraphernalia pursuant to N.J.S.2C:36-2 or for having under his control or possessing a hypodermic syringe, hypodermic needle, or any other instrument adapted for the use of a controlled dangerous substance or a controlled substance analog pursuant to subsection a. of N.J.S.2C:36-6;

(7) subject to revocation of parole or probation based only upon a violation of offenses described in subsection a. (1) through (6) of this section, provided, however, this circumstance may be considered in establishing or modifying the conditions of parole or probation supervision.

b. The provisions of subsection a. of this section shall only apply if:

(1) the person seeks medical assistance for another person who is experiencing a drug overdose and is in need of medical assistance; and

(2) the evidence for an arrest, charge, prosecution, conviction, or revocation was obtained as a result of the seeking of medical assistance.

c. Nothing in this section shall be construed to limit the admissibility of any evidence in connection with the investigation or prosecution of a crime with regard to a defendant who does not qualify for the protections of this act or with regard to other crimes committed by a person who otherwise qualifies for protection pursuant to this act. Nothing in this section shall be construed to limit any seizure of evidence or contraband otherwise permitted by law. Nothing herein shall be construed to limit or abridge the authority of a law enforcement officer to detain or take into custody a person in the course of an investigation or to effectuate an arrest for any offense except as provided in subsection a. of this section. Nothing in this section shall be construed to limit, modify or remove any immunity from liability currently available to public entities or public employees by law.

**C.2C:35-31 Protections for certain persons experiencing a drug overdose.**

8. a. A person who experiences a drug overdose and who seeks medical assistance or is the subject of a good faith request for medical assistance pursuant to section 4 of this act shall not be:

(1) arrested, charged, prosecuted, or convicted for obtaining, possessing, using, being under the influence of, or failing to make lawful disposition of, a controlled dangerous substance or controlled substance analog pursuant to subsection a., b., or c. of N.J.S.2C:35-10;

(2) arrested, charged, prosecuted, or convicted for inhaling the fumes of or possessing any toxic chemical pursuant to subsection b. of section 7 of P.L.1999, c.90 (C.2C:35-10.4);

(3) arrested, charged, prosecuted, or convicted for using, obtaining, attempting to obtain, or possessing any prescription legend drug or stramonium preparation pursuant to subsection b., d., or e. of section 8 of P.L.1999, c.90 (C.2C:35-10.5);

(4) arrested, charged, prosecuted, or convicted for acquiring or obtaining possession of a controlled dangerous substance or controlled substance analog by fraud pursuant to N.J.S.2C:35-13;

(5) arrested, charged, prosecuted, or convicted for unlawfully possessing a controlled dangerous substance that was lawfully prescribed or dispensed pursuant to P.L.1998, c.90 (C.2C:35-24);

(6) arrested, charged, prosecuted, or convicted for using or possessing with intent to use drug paraphernalia pursuant to N.J.S.2C:36-2 or for having under his control or possessing a hypodermic syringe, hypodermic needle, or any other instrument adapted for the use of a controlled dangerous substance or a controlled substance analog pursuant to subsection a. of N.J.S.2C:36-6;

(7) subject to revocation of parole or probation based only upon a violation of offenses described in subsection a. (1) through (6) of this section, provided, however, that this circumstance may be considered in establishing or modifying the conditions of parole or probation supervision.

b. The provisions of subsection a. of this section shall only apply if the evidence for an arrest, charge, prosecution, conviction or revocation was obtained as a result of the seeking of medical assistance.

c. Nothing in this section shall be construed to limit the admissibility of any evidence in connection with the investigation or prosecution of a crime with regard to a defendant who does not qualify for the protections of this act or with regard to other crimes committed by a person who otherwise qualifies for protection pursuant to this act. Nothing in this section shall be construed to limit any seizure of evidence or contraband otherwise permitted by law. Nothing herein shall be construed to limit or abridge the authority of a law enforcement officer to detain or take into custody a person in the course of an investigation or to effectuate an arrest for any offense except as provided in subsection a. of this section. Nothing in this section shall be construed to limit, modify or remove any immunity from liability currently available to public entities or public employees by law.

L.2013, c.46, s.8.

## **9-1-1 Lifeline Legislation**

AN ACT concerning persons under the legal age to possess and consume alcoholic beverages, amending P.L.1979, c.264, and supplementing P.L.2000, c.33.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

### **C.40:48-1.2a Immunity from prosecution; certain circumstances.**

2. a. An underage person and one or two other persons shall be immune from prosecution under an ordinance authorized by section 1 of P.L.2000, c.33 (C.40:48-1.2) prohibiting any person under the legal age who, without legal authority, knowingly possesses or knowingly consumes an alcoholic beverage on private property if:

(1) one of the underage persons called 9-1-1 and reported that another underage person was in need of medical assistance due to alcohol consumption;

(2) the underage person who called 9-1-1 and, if applicable, one or two other persons acting in concert with the underage person who called 9-1-1 provided each of their names to the 9-1-1 operator;

(3) the underage person was the first person to make the 9-1-1 report; and

(4) the underage person and, if applicable, one or two other persons acting in concert with the underage person who made the 9-1-1 call remained on the scene with the person under the legal age

in need of medical assistance until assistance arrived and cooperated with medical assistance and law enforcement personnel on the scene.

b. The underage person who received medical assistance as provided in subsection a. of this section also shall be immune from prosecution under an ordinance authorized by section 1 of P.L.2000, c.33 (C.40:48-1.2).

3. This act shall take effect immediately.

Approved October 1, 2009.

## **Health Risks Associated With the Use of Illicit Drugs and Alcohol**

These brief summaries are an overview of the major health risks associated with the use of illicit drugs and alcohol. Abuse of alcohol and other drugs can lead to chemical dependency, increased tolerance, deterioration of relationships with family, friends, and co-workers, and can be harmful during pregnancy.

### **Alcohol**

- Alcohol is a depressant that decreases the responses of the central nervous system;
- Excessive drinking can cause liver damage and psychotic behavior;
- As little as two beers or drinks can impair coordination and thinking;
- Alcohol continues to be the most frequently abused substance among young adults.
- Risk of injury or death as a result of accident or violence;
- Impaired vision and motor coordination, memory defects, hallucinations, blackouts, and seizures;
- Long-term use can result in permanent damage to the brain, elevated blood pressure and heart rate, risk of stroke, heart failure, increased risk of mouth and throat cancer, impaired judgment and verbal ability, and inability to concentrate.

Alcohol is an especially dangerous drug for pregnant women. Drinking during pregnancy raises the risk of low-birth weight babies and intrauterine growth retardation, increasing the danger of infection, feeding difficulties, and long-term developmental problems.

### **Marijuana**

**Also known as: Pot, Grass, Joints, Roaches, Reefer, Weed, Mary Jane**

- Marijuana may cause impaired short-term memory, a shortened attention span and delayed reflexes;
- During pregnancy, marijuana may cause birth defect;
- Marijuana may cause increased heart rate and pulse, breathing problems, relaxed inhibitions, and disoriented behavior;
- Increased risk of mouth, throat, and lung cancer;
- Long-term use has been linked to increased anxiety, panic attacks, paranoia, and hallucinations;
- Contains THC (delta-9-tetrahydrocannabinol), the main active chemical in marijuana, as well as 400 other chemicals;
- THC content of marijuana has been increasing since the 1970s.

### **Cocaine**

**Also known as: Coke, Dust, Snow, Flake, Blow, Girl**

- Cocaine has a high risk of addiction and dependence;

- Cocaine use may cause severe "mood swings" and irritability, paranoia, anxiety, depression, delusions, and psychosis;
- Cocaine increases your blood pressure and heart rate, and can lead to respiratory failure, lung disorders, irregular heartbeat, heart attack, and strokes;
- Fetal cocaine effects include premature separation of the placenta, spontaneous abortion, premature labor, low birth weight, greater chance of visual impairment, mental retardation, and developmental problems;
- For intravenous (IV) cocaine users, there is increased risk of hepatitis, HIV infection, and endocarditis.

### **Crack cocaine**

#### **Also known as: Freebase rocks, Rock**

- Crack is almost instantly addictive, and one use could cause fatal heart attack;
- Repeated use may cause insomnia, hallucinations, seizures, paranoia, and psychosis;
- There are more hospitalizations per year resulting from crack and cocaine use than any other illicit substance.

### **Barbiturates**

- Barbiturates are central nervous system depressants;
- Use may cause poor muscle control, slurred speech, appear drowsy or drunk, confusion, irritability, inattentive or slowed reactions, staggering gait, and altered perception;
- Doses taken in combination with other central nervous system depressants (e.g., alcohol) cause respiratory depression, coma and sometimes death.

### **Methamphetamine**

#### **Also known as: Meth, Crystal, Crank, Ice**

- Methamphetamine is extremely addictive even after only one use;
- Can cause convulsions, heart irregularities, high blood pressure, depression, restlessness, tremors, severe fatigue;
- Prolonged use can lead to skin ulcerations and infection, paranoia, irritability, anxiety, blood vessel constriction, heart attack, and stroke;
- Use while pregnant can cause premature labor, detachment of the placenta, low birth weight, and possible neurological damage;
- Intravenous (IV) users are at high risk of AIDS/HIV, hepatitis, infections and sores at the injection site, and infection of the heart lining and valves (endocarditis).

### **Hallucinogens**

#### **Types Include: PCP, LSD, Mescaline, Peyote, Psilocybin**

- One use of LSD or PCP can cause multiple and dramatic behavioral changes;
- Hallucinogens can result in increased body temperature and blood pressure, sleeplessness, appetite loss, and tremors;
- Prolonged use has been shown to cause anxiety, depression, panic attacks, paranoia, and psychotic behavior;
- Large doses of hallucinogens may cause convulsions, ruptured blood vessels in the brain and irreversible brain damage;
- Many hallucinogens cause unpleasant and potentially dangerous "flashbacks," long after the drug was used.

### **MDMA (3-4-Methylenedioxymethamphetamine)**

#### **Also known as: Ecstasy, E, X, XTC, Molly (in powder form)**

- Synthetic chemical drug with effects similar to those of amphetamines and hallucinogens;

- Short-term effects include psychological difficulties including confusion, depression, sleep problems, severe anxiety, and paranoia, which occur during and even weeks after use;
- Physical problems that can occur are muscle tension, involuntary teeth clenching, nausea, blurred vision, rapid eye movement, fever, chills or sweating;
- Long Term Effects have been found to include memory loss and serotonin depletion which is a chemical in the brain that regulates mood, sleep habits, thought and behavior process, sexual function, and sensitivity to pain.

### **Opioids and Opiates**

#### **Types Include: Heroin, Codeine, Morphine, Opium, Fentanyl, Oxycodone**

- Opiates are naturally occurring organic compounds while opioids are synthetically created;
- Very high level of physical and psychological dependence, where the body needs the narcotic to achieve a level of homeostasis or there is an overwhelming feeling to use the drug;
- Side effects include nausea, sedation, itching, chest pain, and can result in death
- Physical withdrawal from both opioids and opiates include severe back, abdominal, and joint pain, nausea, vomiting, intense drug craving, insomnia, extreme anxiety, and depression which can last an average of seven days
- Overdose can lead to blood clots, stroke, heart attack, respiratory paralysis, and death.

## **Strengths and Weaknesses of Felician University Alcohol and Other Drug Abuse Prevention Program**

### **Strengths**

- Since the last Biennial Review, extensive revisions with University substance policies have been adopted and successfully implemented to ensure compliance and consistency
- Methods for notification and distribution of policy and procedures and on-line education for faculty/ staff and students were implemented consistently
- We switched our on-line education platforms from Workplace Answers for employees and AlcoholWise for students to Everfi, Alcohol.edu and Haven
- Campus-wide programming for drug and alcohol abuse prevention has increases with focused collaboration amongst University partners and off-campus partners
- University Task Force survey was implemented and the results are used to plan new relevant programming.
- Revised the Student Handbook to include an extended section on the Felician University Alcohol and Other Drug Abuse Prevention Program containing health risks associated with alcohol and other drug use and local, State, and Federal Laws
- Implemented stronger programming on Thursday evenings throughout each semester to provide students with alternative activities to recreational alcohol consumption and drug use.
- Increased drug and alcohol education sessions twice during the academic year within athletics and mandate each intercollegiate team perform community service programs on this subject matter
- Seek to expand funding to further support our efforts with the Felician University Alcohol and Other Drug Abuse Prevention Program through collaboration with community partners
- Continued maintenance of Felician University websites
- Substance Education embedded in Orientation, FYE Classes, Athletics, and Student Leader Trainings are incorporated into our campus culture
- Residence Life's new programming model requires wellness programs.
- The Felician University Department of Athletics has improved implementation and enforcement of policies, procedures and reporting

- Increased electronic record keeping for data collection and consistency
- More electronic and social media publicity of events

### **Weaknesses**

- Financial constraints continue to be problematic with personnel being stretched to do more with less by fewer staff
- Task Force membership for the Biennial Review has not been consistent with several leaving the University, and new staff coming on board with limited knowledge of what has been done or been effective in the past. Staff turnover led to inconsistent implementation and missing data.
- Assessment of effectiveness of programming efforts needs to be regularly and consistently assessed.
- Ventilation problems in the residence halls make enforcement of smoking violations difficult as Residence Life struggles to identify which residents in which rooms/suites are the violators.

### **Recommendations for the Felician University Alcohol and Other Drug Abuse Prevention Program**

**It is recommended that the following be addressed for the subsequent review period:**

- Further examine the implications on our campus of the possibility of the legalization of the recreational use of marijuana in New Jersey which we anticipate will come to pass soon
- Investigate how other campuses successfully navigate ventilation systems in residence halls deferring enforcement of policies as this seems to be a common struggle at many colleges and universities
- Evaluation of the Felician University Alcohol and Other Drug Abuse Prevention Program and all its individual programs to verify effectiveness
- More robust Task Force involvement from across the campus
- Education programming by Human Resources for the faculty and staff to increase awareness
- Implementation of student focus groups to gain greater understanding about the needs/concerns of our student body
- Track programming outcomes assessment data consistently
- To have exiting employees who resign from the University to submit their portions of Biennial Review data and programming information prior to departure.

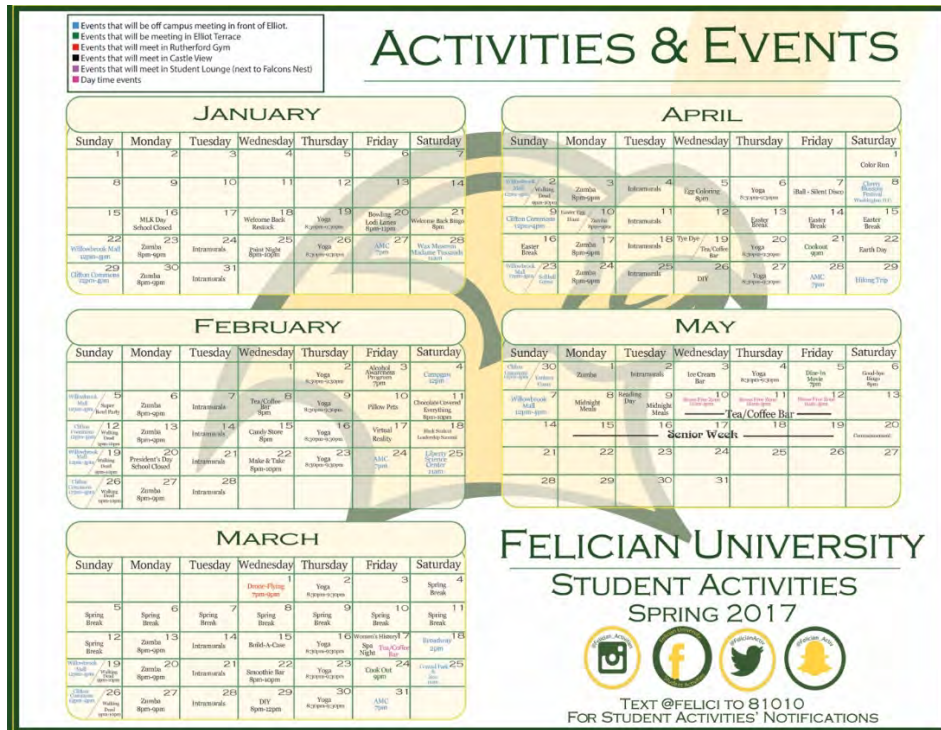


Appendix A – Transition to Better Electronic Programming Calendars

Newer - Monthly e-Calendar of Student Engagement Events Marketing



Older - Semester Poster Calendar of Student Engagement Events Marketing



## Appendix B - University Task Force Survey Summary

School: Felician University

Survey Date: Spring 2019

Participants: 355

### ***I. Demographics:***

#### Gender

Male	16.67%	58
Female	82.47%	287
Non-binary	0	0
Prefer not to say	0.86%	3
Prefer to self-describe	0	0
<b>Total Respondents</b>	<b>98.00%</b>	<b>348</b>

#### Ethnicity

Caucasian/White	41.45%	143
Hispanic	28.99%	100
Black/African American	22.03%	76
Asian	7.54%	26
Bi-Racial	2.61%	9
Native Hawaiian/ Pacific Islander	2.61%	9
Other	2.03%	7
Native American/Alaskan	1.45%	5
Middle Eastern	0.58%	2
<b>Total Respondents</b>	<b>97.18%</b>	<b>345</b>

#### Age

18-20 years old	40.35%	140
21-25 years old	37.46%	130
Older than 25	22.19%	77
<b>Total Respondents</b>	<b>97.74%</b>	<b>399</b>

#### Enrollment Status

Full time (12 + credits)	87.66%	348
Part Time (<12 credits)	12.34%	49
<b>Total Respondents</b>	<b>98.51%</b>	<b>397</b>

#### Enrollment Level

Freshman	22.29%	78
Sophomore	20.00%	70
Junior	21.14%	74
Senior	20.86%	73
Graduate Student	12.29%	43
Other	3.43%	12
<b>Total Respondents</b>	<b>98.59%</b>	<b>350</b>

## **II. Alcohol Attitudes and Behaviors**

Out of the 332 participants that answered about experiencing the negative consequences of drinking, 199 participants (about 60%) admitted that they drank. 16.58% (38) of participants admitted to blacking out after drinking, a decrease since 2016 (30%). 22.1% of participants reported driving with an impaired driver or driving after drinking.

There continues to be risky behaviors and negative consequences around sexual health and alcohol. 14.07% of participants admitted to engaging in unprotected sex and 6% of the respondents reported being sexually assaulted or being the victim of sexual contact that was unwanted or forced on occasion where they drank alcohol.

The majority of Participants continue to report that they most often drink alcohol at home (66.50%; at bars/restaurants/clubs (72.08%), and at other college campuses (14.21%). The responses demonstrated a decrease of participants reporting drinking in on campus housing (6.60%) and drinking in off campus housing (8.12%).

The majority of respondents (63.45%) reported being of legal age to purchase alcohol themselves and 34.01% reported getting alcohol at social functions/parties or 21.32% reported having a friend buy it for them.

Binge drinking continues to be an area of concern. 23.32% of the participants reported drinking 4-5/or more drinks over the time period of 2-3 hours and 26.42% of the participants reported drinking 4-5 drinks in under 2 hours. Out of the participants that answered this question 49.74% of the participants have met the criteria for binge drinking. *Note: Binge drinking is defined as 4 drinks for women and 5 drinks for men—in about 2 hours.*

The majority of the participants (70.98%) report not drinking on a weekly basis. Out of the weekly drinkers, 11.92% report drinking once per week and 17.07% of participants drink 2 or more nights a week. This is consistent with the previous survey. The most popular nights for drinking were Friday (74.47%) and Saturday (93.09%).

The three most common types of alcoholic beverages consumed were: Wine (64.06%) – previously #2, Liquor (62.50%) – previously #1, and beer (46.88%).

97.35% of participants report engaging in harm reduction behavior (such as alternate drinks with water, eat before drinking, limit how fast you drink, limit how much you drink, using a designated driver, etc.) when they drink. 93.16 %report doing this always or often.

When asked about perception of harm, 81.58% of the participants reported being at a very low risk of harming themselves due to the way they drink alcohol. (i.e. drunk drinking, accidents, body injury, liver damage, etc.)

When asked about their beliefs about drinking alcohol most participants (41.43%) reported that drinking is alright, but a person should never get drunk and 39.56% of participants report that occasionally getting drunk is okay.

When asked about how many Felician students drink, 58.57% believed most students drink and 24.92% of students believed about half. Only 12.98% believed a few or none drink. Respondents

answered that they believe about half (33.23%) of Felician students drink to the point of getting drunk and 30.41% of students believe about half drink to that point. Students believe that is not difficult for someone under 21 to purchase alcohol near the school (71.74%).

Most participants (66.35%) believed that it there was a moderate to good chance that someone under the age of 21 would get in trouble for consumption or possession of alcohol.

### **III. Tobacco and Nicotine Products**

When asked about tobacco usage, 13.97% of participants reported using tobacco and 10.79% of participants reported using electronic nicotine delivery systems (ENDs) over the past month. When asked about annual use, 19.05% reported using tobacco and 11.75% reported using ENDs.

The majority of ENDs users reported using Juul devices (77.42%) followed by Mods/tanks (12.90%). Most of these devices were purchased from convenience stores/bodegas (62.07%) or Vape Shops (27.59%).

The top reasons for use of these devices were: alternative to tobacco products (28.57%), to enjoy the different flavors (28.57%), and cessation of traditional products (25%).

### **IV. Marijuana Legalization**

Out of those who responded, 32.68% of students believe that occasionally using marijuana is okay, 31.05% believe medical use is the only okay way to use marijuana, and 27.45% believe that using marijuana is never a good thing.

Regarding the legalization of marijuana, 45.90% believe that it should be legalized for both recreational and medical use, 37.38% believe it should be medical use only, and 14.10% believe that it should not be legalized.

### **V. Marijuana Use and Beliefs**

84.82% of students report not using marijuana in the last month. Out of those who do use marijuana, 45.83% reported using it once per day, 31.25% reported using it twice per day, and 14.58% report using it more than 3 times per day. While student's using is only 15.18%, students believe that half to most students use marijuana (65.54%).

The majority of users (70.83%) report using marijuana with friends. This was followed by 16.67% of users stating that they used marijuana by themselves. Marijuana is was reported being used traditionally 86.96% of the time, through e-joints 50% of the time, and through edibles 36.96% of the time.

The primary reasons for using marijuana were: to relax (78.26%), recreation/fun (60.87%), anxiety (50%), and pain management (23.91%).

Only 5 participants (10.87%) report purchasing their marijuana from a medical dispensary.

Vb. Cannabidiol (CBD – no THC) Use

When asked about CBD use, 7.62% of participants responded that they use it. The reasons for using it were: anxiety (62.50%), to sleep (62.50%), to relax (62.50%), menstrual cramps (58.33%), pain management (41.67%), stomach/digestive issues (33.33%), better focus (20.83%), and recreational purposes (12.50%).

**VI. Prescription Drug Attitudes and Behaviors**

When asked about prescription misuse, 2.53% of respondents reported using a prescription drug without a prescription in the last month and 6.03% reported using in the last year. The most misused prescriptions were opioids followed by benzodiazepines. No one reported using heroin.

93.69% of respondents reported that using prescription drugs without a prescription is never okay. Out of the participants that reported using prescription drugs without a prescription, 73% reported that they got them from friends and 40% reported that they get them from a parents’/guardians/friends stash.

4.67% of the participants report that they believe getting high by using prescription drugs is safer than using illegal drugs to get high.

**VII. Drug Attitudes and Beliefs**

Preference of drugs or alcohol when hanging out with friends: 63.33% answered no, 31.00% answered it doesn’t matter.

Preference of drugs or alcohol at parties: 31.56% answered no, 29.90% answered it doesn’t matter, and 29.24% do not attend parties.

People who use drugs or drink have more fun: 92.69% believe that is false

I can have just as much fun or more fun when not using: 91.95% stated true

I would support a friend who chose not to use drugs or alcohol: 99% stated true

**VII. Law and Policy**

Awareness of:

911 Lifeline: 59.87% (increase)

Overdose Prevention Act: 52.19% (increase)

Good Samaritan Policy/Medical Amnesty Policy: 50.85% (increase)

Who to contact at this school for information to educate yourself or other about alcohol or substance abuse: 76.35% (increase)

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