



NORTHEASTERN STATE UNIVERSITY

Drug-Free Schools and Communities Act Student Biennial Review 2022-2024

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1 INTRODUCTION/OVERVIEW

1.1 BACKGROUND ON DRUG-FREE SCHOOLS AND COMMUNITIES ACT

The Drug Free Schools and Campuses Regulations (34 CFR Part 86) of the Drug-Free Schools and Communities Act (DFSCA) require an institution of higher education (IHE) such as Northeastern State University to certify it has implemented programs to prevent the abuse of alcohol and use or distribution of illicit drugs by NSU students 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:

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

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

1. Determining the effectiveness of the policy and implementing changes to the alcohol and other drug programs if they are needed; and
2. To ensure that the sanctions developed are enforced consistently.

The biennial review must also include a determination as to:

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

1.2 TIME FRAME

The intention of this document is to meet the legal requirements of conducting a biennial review and also summarize the programs and activities related to alcohol and drug prevention on Northeastern State University campus during the 2022-2023 and 2023-2024 academic years.

1.3 BIENNIAL REVIEW PROCESS

The following campus departments provided information for the biennial report:

- Outreach and Prevention Services
- Student Conduct & Development
- HawkReach Counseling Services
- Athletics
- Housing and Residential Life
- University Police Department/Department of Public Safety

The following information was examined for the biennial review:

- Alcohol and drug information provided to students
- Athletic Policies related to drugs and alcohol
- Student Handbook policies related to drug and alcohol use on campus and the sanctions imposed for failure to comply
- Employee Handbook policies related to drug and alcohol use and assistance programs.

- Northeastern State University Catalog – specifically the section dealing with student life on campus and expectations related to student behavior
- Various resources available to students regarding drug and alcohol abuse
- Housing and Residence Life policies related to drugs and alcohol
- Incident reports in the Vice President’s Office related to any possible infractions of the drug and alcohol policy presented to students
- Local, State and Federal Mandates

1.4 BIENNIAL REVIEW REPORT(S)

Biennial Review reports are stored in the Vice President of Student Affairs office. They are available upon request.

2 ANNUAL POLICY NOTIFICATION PROCESS

2.1 ANNUAL POLICY NOTIFICATION PROCESS

Northeastern State University’s policy on alcohol and other drugs are distributed to all enrolled students as well as employees via email every Fall and Spring semester. This is performed after census date. The written policy is published on the NSU website, printed pamphlets, academic catalogs and presentation handouts. All new employees will receive this information at new hire orientation.

2.2 DRUG FREE CAMPUS AND COMMUNITY POLICY FROM STUDENT HANDBOOK

Drug Free Campus and Community

The Drug-Free Schools and Communities Act (DFSCA) of 1989 - also known as the Drug-Free Schools and Campuses Act - requires institutions of higher education to establish policies that address unlawful possession, use, or distribution of alcohol and illicit drugs. The DFSCA also requires the establishment of a drug and alcohol prevention program.

All members of the NSU Community are encouraged to review the information on the following pages. This information is distributed on an annual basis

Standards of Conduct: Drugs and Alcohol

Use of illegal drugs, and the illegal use of alcoholic beverages, is identified as "conduct which adversely affects the University community." University regulations prohibit any unlawful possession, use, distribution, or sale of alcohol and other drugs by University students, faculty, staff, visitors, or guests to the University, on University-owned property and at all University sponsored activities.

Northeastern State University students are also prohibited from the illegal use of drugs or alcohol whether on or off-campus.

The legal age for the consumption of alcohol is 21 years of age. Any underage student consuming alcohol is violating standards for student conduct. Additionally, excessive alcohol use can lead to additional violations, such as driving while intoxicated or public intoxication.

Northeastern State University is designated as a tobacco-free environment. Smoking and the use of all tobacco products

Sanctions

The penalties for misconduct range from a warning to expulsion. Typically, students who have violated the Student Code of Conduct in relation to drugs and/or alcohol will be referred for a substance use assessment and/or a related educational requirement. A Health and Substance Abuse Educator will meet with the student and complete an assessment covering alcohol and other drug use history, reason for referral, family and personal history, health concerns, safety issues, and the consequences associated with usage. The educator will also assess the student's readiness for change and establish behavior change goals.

Local, state, and federal laws provide for a variety of legal sanctions and penalties for the use, unlawful possession, or distribution of illicit drugs and alcohol. These sanctions include, but are not limited to, incarceration and monetary fines.

Health Risks

Specific serious health risks are associated with the use of alcohol and drugs. Some of the major risks are listed below. For more information, contact NEO Health located in the RiverHawks Wellness Center on Tahlequah campus, or by calling 918-444-2126.

Alcohol and Other Depressants (barbiturates, sedatives, and tranquilizers) – Abuse of alcohol and use of other depressant drugs can cause addiction, accidents as a result of impaired ability and judgment, alcohol poisoning, overdose when used with other depressants, damage to a developing fetus, and heart and liver damage.

Amphetamines/Stimulants – Amphetamines and stimulants (speed, uppers, crank, caffeine, etc.) can speed up the nervous system which can cause increased heart and breathing rates, higher blood pressure, decreased appetite, headaches, blurred vision, dizziness, sleepiness, anxiety, hallucinations, paranoia, depression, convulsions and death due to a stroke or heart failure.

Anabolic Steroids – Anabolic steroids can seriously affect the liver, cardiovascular, and reproductive systems. They can cause sterility in males and females, as well as impotency in males.

Marijuana – Marijuana may impair short-term memory, thinking, and physical coordination. Marijuana can cause a panic reaction and increase the risk of lung cancer and emphysema. It can interfere with judgment, attention span, concentration, and overall intellectual performance. The use of marijuana impairs driving ability. The use of marijuana may cause psychological dependence and compromise the immune system.

Cocaine – The use of cocaine can cause addiction, cardiovascular system damage including heart attack, brain damage, seizures, lung damage, severe depression, paranoia, and psychosis. Similar risks are associated with other stimulants, such as speed and uppers.

Nicotine – Tobacco smoke contains thousands of chemical compounds, many of which are known to cause cancer. Nicotine, which is a central nervous system stimulant, produces an increase in heart and respiration rates, blood pressure, adrenaline production and metabolism. People can rapidly become physically and psychologically dependent on tobacco. Nicotine also compromises the immune system.

Inhalants - Inhalants are a diverse group of chemicals that easily evaporate and can cause intoxication when their vapors are inhaled. Most inhalants are central nervous system depressants. Use of these drugs slows down many body functions. High doses can cause severe breathing failure and sudden death. Chronic abuse of some of these chemicals can lead to irreversible liver damage and other health problems.

Prescription Drug Abuse - Prescription drug abuse can cause adverse reactions, dependency, withdrawal, and overdose.

Treatment Options and Educational Resources

A variety of resources exist for alcohol and other drug prevention education, counseling and referral. For detailed information concerning these resources available from the University and community agencies, students may contact Student Affairs at 918-444-2120 or HawkReach Counseling Services at 918-444-2042 located at Leoser Complex. Faculty and staff members may contact the Employee Assistance Program at 1-888-628-4824 or Human Resources at 918444-2230.

HawkReach Counseling Services – Provides counseling to help students cope with problems related to alcohol or drug abuse by self, a family member(s), and/or friend(s). Student Counseling Services is available through Student Affairs.

Residence Halls Staff – Provides advice and referral for counseling.

Alcohol and Other Drug Education Programs (AODEP) – Student Affairs coordinates AODEP. Campus-wide programs and customized group programs focused on effects of alcohol and other drug use/misuse are offered throughout the academic year to bring awareness, education, and outreach to the campus community.

It is the intent of Northeastern State University to expand current educational programs and services to decrease the risks to students resulting from alcohol and drug abuse.

The following toll free, hotline numbers may be of use to someone needing help or advice.

- National Institution on Drug Abuse Information and Referral, 1-800-662-HELP (4357), Monday-Friday, 8:30 a.m.-4:30 p.m.
- Safe & Drug-Free Schools, 1-800-624-0100, Monday-Friday, 8 a.m.-5 p.m.
- National Council on Alcoholism, 1-800-622-2255, 7 days a week, 24 hours a day
- American Council for Drug Education, 1-800-488-DRUG (3784)
- Cocaine Hotline, 1-888-633-3239
- Reach-Out Hotline, 1-800-522-9054 (alcohol, drug crisis intervention, mental health and referral)

2.3 DRUG FREE CAMPUS AND DRUG FREE WORKPLACE POLICY FROM EMPLOYEE HANDBOOK

Drug-Free Workplace Act

The Federal Drug-Free Workplace Act enacted into law in 1988 requires that any entity seeking to be considered to receive a grant from any federal agency, and any entity seeking to be awarded a contract for the procurement of any property or services of a value of \$25,000.00 or more from any federal agency, certify to the Federal granting or contracting agency that it will provide a drug-free workplace. The Board of Regents for (RUSO) Regional University System of Oklahoma, in support of this anti-drug abuse legislation, and recognizing that drug abuse in the workplace is a concern regardless of any connection with federal funds, hereby establishes the following Drug-Free Workplace Policy and requires each university under its governance to effectuate this policy immediately as to all university employees.

Establishment of Program

Each university under the governance of the Board of Regents for RUSO shall establish a drug free awareness program to inform employees about:

- a. the dangers of drug abuse in the workplace;
- b. the university's policy of maintaining a drug-free workplace;
- c. any available drug counseling, rehabilitation and employee assistance programs that are available either through the university or through any third-party assistance programs in the area; and
- d. the penalties that may be imposed upon employees for drug abuse violations.

Minimum Implementation Measures

At a minimum, each university under the governance of the Board of Regents for RUSO shall:

- a. Publish and post in each department of the university a written statement containing the following information:
 - i. a notification that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in all university areas;
 - ii. a description of the actions that will be taken against employees for violations of such prohibitions; and
 - iii. a notification that as a condition of employment employees will abide by the terms of the statement and notify the university of any state or federal drug statute conviction for a violation occurring in any university area no later than five days after such conviction;
- b. Require that each university employee be personally given a copy of the statement required in paragraph "a" of this section. Each such employee shall be required to acknowledge receipt of such statement by signing and returning a copy of same to the university;
- c. Designate appropriate supervisory and administrative personnel who will be responsible for identifying all university employees engaged in the performance of federal grants and contracts, for obtaining signed statements from all university employees, and for submitting those
- d. Designate appropriate supervisory and administrative personnel to have the responsibility to personally meet with and explain the university's drug-free workplace policy to all university employees.
- e. Designate appropriate supervisory and administrative personnel to be responsible for and who shall provide timely notification (within ten days of knowledge) to appropriate federal granting or contracting agencies when a university employee engaged in the performance of federal grants and contracts is convicted under any state or federal criminal drug statute for misconduct in the workplace.

f. Impose an appropriate administrative sanction (up to and including dismissal) on any employee so convicted, within thirty (30) days of knowledge of such conviction, or require the satisfactory participation in a drug abuse assistance or rehabilitation program approved for such purposes by the university.

g. Make a good faith and continuous effort to maintain a drug-free workplace by taking the steps enumerated for federal compliance certification of a university drug-free workplace.

Employee Responsibility

All university employees shall sign and return to the university the statement referred to in this policy and, if convicted under state or federal criminal drug statutes for misconduct in the workplace, as a condition of continued employment shall notify his/her immediate supervisor and, if applicable, federal grant or contract supervisor, of such conviction within five (5) days of the conviction.

Sanctions

- a. Refusal, failure or neglect by any university employee to sign and return the written statement referred to in this policy shall be deemed an act of insubordination and will subject the employee to appropriate disciplinary action.
- b. The administrative sanction for failure to timely report a workplace related state or federal criminal drug statute conviction by such an employee, or for a workplace related criminal drug statute conviction by an employee which has been timely reported to the university may include any sanction up to and including dismissal from employment.
- c. In all instances where a university employee is not dismissed from employment, and as a condition to continued employment, has been required to satisfactorily participate in a drug abuse assistance or rehabilitation program, such program must be approved by the university. Any such employee must provide to the university a signed statement attesting as to the employee's successful participation in the university-approved drug abuse assistance or rehabilitation program.
- d. With or without the existence of a workplace related state or federal criminal drug statute conviction, if an employee is found at any time to have violated the university drug-free workplace policy, he/she may be disciplined and/or referred for counseling and treatment as set forth in general university disciplinary policies.
- e. Administrative sanctions as set forth in this policy shall be imposed by the university within thirty (30) days of notification or awareness of the employee's workplace related criminal drug statute conviction.

HR 7.6 Definitions

- a. "Controlled Substance" means any controlled substance set forth in Schedules I through IV of Section 202 of the federal Controlled Substances Act (21 U.S.C. Sec. 812, as amended). Such controlled substances include, but are not limited to cocaine, marijuana, opiates, amphetamines and barbiturates.
- b. "Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of federal or state criminal drug statutes.
- c. "Criminal Drug Statute" means any criminal drug statute involving manufacture, distribution, dispensation, use or possession of any controlled substance.
- d. "Employee" means any person receiving pay through the university payroll system.
- d. "Employee" means any person receiving pay through the university payroll system.

In addition to the Drug Free Workplace policy, Northeastern State University is committed to providing a safe, healthy and efficient work environment for all employees through the implementation of drug testing procedures. Drug, chemical and alcohol abuse are serious social and economic problems. When any employee illegally or illicitly uses drugs, chemicals or alcohol in the workplace or is impaired due to the use of drugs, chemicals or alcohol, a safety and health risk is present. There is also a negative effect on standards of performance and conduct. Northeastern State University maintains its commitment to a safe and productive environment for employees, students and visitors by supporting educational programs and material for employees and management and helping through community programs, our health insurance plan, and the employee assistance program.

Testing Circumstances

Workplace Drug Testing Policy: is designed to balance a respect for individuals with the need to maintain a safe, productive, and drug-free environment. The multiple basis for testing under this policy shall include:

1. For Cause
 1. Drugs or alcohol on or about employee's person or vicinity,
 2. Employee conduct that suggests impairment or influence of drugs or alcohol,
 3. Report of drug or alcohol use while at work or on duty,
 4. Information that employee has tampered with drug or alcohol testing procedures at any time,
 5. Negative performance patterns, or
 6. Excessive or unexplained absenteeism or tardiness

2. Post-accident
 1. Employee suffers injury or causes another person injury while at work or on duty, or
 2. NSU property is damaged

3. Post-rehabilitation
 1. If within two years after employee returns to work following a positive test, or
 2. Following participation in a drug or alcohol treatment program.

Persons Subject to Alcohol and Drug Testing

All NSU faculty and staff are subject to for cause, post-accident and post-rehabilitation drug and alcohol testing. Student workers are exempted from this policy.

Testing Procedure

All testing will be coordinated through the Director of Human Resources or their designee. Supervisors will contact the Director of Human Resources for guidance. When one or more of the basis given in HR testing circumstances occurs NSU may request or require an employee to undergo testing. Employees suspected of being under the influence of illegal drugs or alcohol will be driven to the testing facility by a designated NSU employee and will be considered time worked.

In the event of a workplace or on duty accident, supervisors must immediately contact the Human Resources Office for referral to a testing facility. Employees involved in the accident will be required to submit to a drug, chemical and/or alcohol test as soon as reasonably, medically possible following the accident. Transportation will be provided to the testing facility.

In relation to all drug tests, an employee's refusal to undergo drug or alcohol testing within the time frame given may result in immediate suspension with pay pending an investigation and may result in further disciplinary action, up to and including discharge. Refusals include, but are not limited to: (a) failure to appear at the test collection site for the sample collection at the designated time; (b) failure to provide satisfactory identification to the person responsible for sample collection; (c) refusal to provide a specimen; (d) failure to remain at the testing site until the collection is completed; or, (e) tampering with or contaminating the urine specimen.

Disciplinary Action

A violation of policy is considered serious and will subject the employee to disciplinary action up to and including separation of employment. Disciplinary action may be taken for refusal to test or for a positive test. An employee may be placed on suspension pending test results. Employees discharged for a positive test or refusal to test will be treated as discharged for misconduct for purposes of unemployment compensation benefits. Employees testing positive or who refuse to submit to a post-accident test will not be eligible for Worker's Compensation benefits.

Referral and Information

For referral or information concerning an employee assistance program, contact the Director of Human Resources at (918) 444-2230 or the Health Advocate Employee Assistance Program (EAP) at (888) 293-6948. The employee assistance program will provide employee assistance including drug and alcohol dependency evaluation and referral services for substance abuse counseling, treatment or rehabilitation

Employee Assistance Program

No matter what the issue, we can help you 24/7 with confidential support, guidance and resources.

Your Health Advocate EAP can help you resolve a broad range of issues including:

- Marriage, Relationship and Family Problems
- Problems at Work
- Changes in Mood
- Legal and Financial Issues
- Stress and Anxiety
- Alcohol and Drug
- Dependency
- Identity Theft
- Health and Wellness Concerns

Click on the link to learn more about the [Health Advocate Program \(EAP\)](#).

HEALTH ADVOCATE BY PHONE: [888-293-6948](tel:888-293-6948)

BY EMAIL: ANSWERS@HEALTHADVOCATE.COM

The following hotline numbers are also available and are posted with the intent of providing them for use someone needing help or advice.

National Institution on Drug Abuse Information and Referral, 1-800-662-HELP, M-F, 8:30-4:30

- Safe & Drug-Free Schools, (850)245-0416
- National Council on Alcoholism, 1-800-622-4357, 7 days a week, 24 hours a day
- American Council for Drug Education, (646)505-2061
- Clearinghouse for Alcohol & Drug Information, (877)932-6301
- Cocaine Helpline, (800)662-4357
- Reach-Out Hotline, 1-800-522-9054 (alcohol, drug crisis intervention, mental health and referral)

Any questions regarding the rules, regulations, and policies set forth in this statement may be referred to Human Resources.

3 AOD PREVALENCE RATE, INCIDENCE RATE, NEEDS ASSESSMENT AND TREND DATA

The following data summarizes violations responded to by NSU Campus Police.

- “On Campus (other)” is defined as on campus location not located in campus housing.

Liquor Law Violations	2022			2023			2024		
	Housing	On Campus (other)	Public Property	Housing	On Campus (other)	Public Property	Housing	On Campus (other)	Public Property
Arrests	0	0	0	0	5	2	0	0	0
Referral	4	10	0	0	0	0	1	0	0

Drug Law Violations	2022			2023			2024		
	Housing	On Campus (other)	Public Property	Housing	On Campus (other)	Public Property	Housing	On Campus (other)	Public Property
Arrests	0	0	1	0	5	2	0	0	0
Referral	3	8	0	1	0	1	1	3	0

The following summarizes sanctions given by the Office of Students Rights and Responsibilities conduct stats regarding alcohol and other drug incidents in academic year **2022-2023**.

Alcohol Sanctions	Times Received	Drug Sanctions	Times Received
BASICS	12	Apology Letter	1
Community Service	4	BASICS	4
Conduct Probation	1	Community Service	3
Conduct Review	22	Conduct Review	14
Counseling	3	Counseling	5
Educational Requirements	6	Educational Requirements	6
HawkReach Drug and Alcohol Assessment	1	Loss of Privileges	1
Residence Hall Probation	1	Residence Hall Review	10
Residence Hall Review	18	Student Account Hold	1
Residence Hall Warning	2	University Warning	1
Student Account Hold	1	Additional Sanctions/Actions	8
Additional Sanctions/Action	7		

The following summarizes sanctions given by the Office of Students Rights and Responsibilities conduct stats regarding alcohol and other drug incidents in academic year **2023-2024**.

Alcohol Sanctions	Times Received	Drug Sanctions	Times Received
BASICS	1	Conduct Review	3
Conduct Review	1	Counseling	1
Educational Requirements	1	HawkReach Drug/Alcohol Assessment	1
Residence Hall Review	2	Residence Hall Probation	2
Residence Hall Warning	7	Residence Hall Review	1
University Suspension	1	University Suspension	1

4 AOD POLICY, ENFORCEMENT & COMPLIANCE INVENTORY & RELATED OUTCOMES

4.1 STUDENT HANDBOOK ALCOHOL AND DRUG POLICY

Standards of Conduct

The use, consumption, possession, manufacturing, distribution and/or being under the influence of any **controlled substance(s)** is prohibited, except as expressly permitted by law and/or University policy. Possession of drug paraphernalia and the inappropriate use or abuse of prescription or over-the-counter medications is also prohibited.

The use, possession, manufacturing, distribution, and/or being under the influence of **alcoholic** beverages is prohibited, except as expressly permitted by law and/or University policy. This includes, but is not limited to, having alcohol or being under the influence of alcohol in the residence halls. Being under the influence includes, but is not limited to: acting noticeably out of character, impaired motor skills, or otherwise disorderly or belligerent conduct.

University regulations prohibit any unlawful possession, use, distribution, or sale of alcohol and other drugs by University students, faculty, staff, visitors, or guests to the University, on University-owned property and at all University sponsored activities.

Northeastern State University students are also prohibited from the illegal use of drugs or alcohol whether on or off-campus.

The legal age for the consumption of alcohol is 21 years of age. Any underage student consuming alcohol is violating standards for student conduct. Additionally, excessive alcohol use can lead to additional violations, such as driving while intoxicated or public intoxication.

Northeastern State University is designated as a tobacco-free environment. Smoking and the use of all tobacco products are prohibited.

Sanctions

The penalties for misconduct range from warning to expulsion. Typically, students who have violated the Student Code of Conduct will be referred to Outreach & Prevention Services for assessment and HawkReach Services to complete an individualized education plan. A Health and Substance Abuse Educator will meet with the student and complete an assessment covering alcohol and other drug use history, reason for referral, family and personal history, health concerns, safety issues, and the consequences associated with use. The educator will also assess the student's readiness for change and establish behavior change goals.

Local, state, and federal laws provide for a variety of legal sanctions and penalties for the unlawful possession or distribution of illicit drugs and alcohol. These sanctions include, but are not limited to, incarceration and monetary fines.

Reporting

Any individual who has experienced, witnessed, or knows about alcohol/drug violations is encouraged to seek help and report the incident. Incidents or complaints may be reported online, or by contacting one of the central reporting offices listed below:

NSU University Police Department Tahlequah Administration Building (lower level), bell02@nsuok.edu 918-444-2468

NSU Office of Conduct & Development Tahlequah John Vaughn Library, Office 103, conduct@nsuok.edu 918-444-2260

NSU Student Affairs Administrative Office Tahlequah Administration Building, Office 209, selfsj@nsuok.edu 918-444-2120

NSU Human Resources Tahlequah Administration Building, Office 115, humanresources@nsuok.edu 918-444-2230

Hawk Reach Counseling Services Tahlequah Leoser Center, HawkReach@nsuok.edu 918- 444-2042

Office of Outreach & Prevention Tahlequah John Vaughn Library, Office 108, 918-444-4735

Types of Sanctions

One or more of the following sanctions may be imposed upon any student(s) or organization(s) found to have violated the Student Conduct Code. Sanctions include but may not be limited to:

- a. Warning – A warning is a written reprimand indicating a violation of the Student Conduct Code has occurred. (RUSO Student Policy 4.4.5)

- b. Conduct Review – Conduct Review is severe enough in nature to warrant the monitoring of behavior for a specified (consecutive) amount of time. Conduct review rises to the level of conduct probation; however, is slightly less due to mitigating circumstances. If there is a finding of responsibility for subsequent violations of the Student Conduct Code during this period of time, more severe sanctions may be administered. A student or organization on Conduct Review remains in good standing with the University.
- c. Conduct Probation – Conduct Probation is for a designated (consecutive) period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional policies during the probation period.
 - a. A student on Conduct Probation is not in good standing with the University. An individual not in good standing: (RUSO Student Policy 4.4.5)
 - i. may not officially represent the University in any University sponsored event,
 - ii. may not hold any leadership position in any University recognized organization, and/or
 - iii. may affect receipt of institutional scholarships and/or financial aid.
 - b. An organization on Conduct Probation is not in good standing with the University. An organization not in good standing may be restricted in their ability to represent the university or receive benefits afforded to registered student organizations.
- d. Student Account Hold – A hold may be placed on a student’s account as part of the outcome of a conduct conference. This may be done as a result of failure to complete additional sanctions or as a sanction on its own.
- e. Loss of Privileges – Loss of privileges is denial of specified benefits for a designated (consecutive) period of time. For organizations this includes being put on limited operations.
- f. Restitution – Restitution is the compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- g. Educational Requirements – The imposing of educational sanctions includes, but is not limited to: letter of apology, presentation of a workshop, preparation of a research paper or project, community restitution, counseling, assessment, or evaluation. (RUSO Student Policy 4.4.5)
- h. Residence Hall Review- Residence Hall Review is notice to the resident that their behavior is unbecoming of a resident and NSU student. If the resident is found responsible for another Residence Life Policy violation, then previous conduct will be taken into consideration at the time of sanctioning.
- i. Residence Hall Probation- Residence Hall probation serves as written notification that a behavior was unacceptable. In addition, the resident is ineligible to hold an elected or appointed office in any affiliated residence hall organization, though involvement is encouraged. Future violations of the University or Residence Hall policies could likely result in removal from housing with penalties.
- j. Residence Hall Suspension – Residence Hall Suspension is the separation of the student from the residence halls for a designated (consecutive) period of time, after which the student is eligible to return. Conditions for readmission may be specified.
- k. Residence Hall Expulsion – Residence Hall Expulsion is the permanent separation of the student from the residence halls.
- l. Residence Hall Transfer – Administrative room reassignment for a determined or indefinite period of time.
- m. University Suspension (Student) – University Suspension is the separation of the student from the University for a designated (consecutive) period of time, after which the student is eligible to return. Conditions for readmission may be specified. A suspension hold will be placed on the transcript during the period of suspension. (RUSO Student Policy 4.4.5)

- n. University Suspension (Organization) – University Suspension is the separation of the organization from the University for a designated (consecutive) period of time after which the organization may be able to return. Conditions for readmission may be specified.
- o. University Expulsion – University Expulsion is the permanent separation of the student from the University. When a student is expelled, a record of this action will be made a part of the student’s permanent record. (RUSO Student Policy 4.4.5)
- p. Determination or Reduction of Grade(s) – Grade(s) for a specific course, assignment, paper, project, or other academic work, may be determined, or reduced should a student be found responsible for academic or other misconduct.
- q. Removal from Class(es) or Program(s) – May be permanent or for a designated (consecutive) period of time.
- r. Revocation of course credit – Credits awarded for a specific course or courses may be rescinded.
- s. Revocation of Admission and/or Degree – Admission to the university or its programs and/or degree(s) awarded by the University may be revoked for fraud, misrepresentation, or other violations of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation. (RUSO Student Policy 4.4.5)
- t. Withholding Degree – The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any.
- u. Parental Notification – When students, who are under the age of 21, are found responsible for violating the Student Conduct Code, or local, state, and federal laws in regards to alcohol and/or controlled substances the University reserves the right to notify a parent or legal guardian.
- v. No Contact Order – Any and all communications between two or more parties may be imposed in order to establish and maintain the safety of the campus community and its individuals. This includes using third parties to facilitate communication.
- w. Deferred Residence Hall and/or University Suspension – University Suspensions and/or Residence Hall Suspensions may be deferred for a pre-determined period of time, however, the suspension may be automatically enforced for any subsequent violations of university policy and/or law.

Accused Students Have the Right to:

Northeastern State University views the student conduct process as an educational experience. Participation in the process can promote growth and understanding of one's role as a member of the University; therefore, the following rights are afforded to accused students and alleged victims (when applicable).

- a. A written notice of the alleged violation(s) – sent to the student’s official university address (electronic or physical);
- b. Waive written notice of the alleged violations;
- c. Reasonable access to the review the contents of the individual case file;
- d. Have no student rule violation assumed until proven through the student conduct process;
- e. Say nothing with the knowledge and understanding that no assumption of responsibility is made solely as a result;

- f. Be accompanied by one advisor/counselor (may be an attorney at the student's expense) so long as the availability of the advisor does not hamper the timeliness of the conference. The selected advisor and/or counselor may not be an individual and/or student that is and/or may be charged as a result of the same or similar fact pattern. The advisor is limited to advising the student and may not present the case, question relevant parties, or make statements during the proceedings. The mere presence of a University attorney does not indicate representation;
- g. Question his/her accuser - directly or indirectly - at the discretion of the Student Conduct Administrator or Student Conduct Administration body;
- h. Question witnesses - either directly or indirectly - at the discretion of the Student Conduct Administrator or Student Conduct Administration body;
- i. Present material witnesses - those with first-hand knowledge of the incident (character witness information may only be submitted in written form);
- j. Written notification of the outcome of the student conduct conference – sent to the student's official university address (electronic or physical) - such information may not be shared with any individual or entity;
- k. Have an avenue to appeal the decision of the Student Conduct Administrator of Student Conduct Administration body.

General Rights:

- a. The focus and purpose of any student conduct proceeding is to determine whether a violation of university rules has/has not occurred. All student conduct proceedings are to be considered informal in nature. The rules and procedures associated with the criminal and/or civil courts need not apply. Deviations from outlined procedures will not necessarily invalidate a student conduct conference or subsequent decision unless such a deviation results in a significant prejudice to the student or university;
- b. Student conduct conferences shall be conducted in private. The accused student and/or the alleged victim of sexual misconduct or a crime of violence (as defined by FERPA 1974) may request an open student conduct conference. Such a request shall be considered with the final decision at the sole discretion on the Student Conduct Administrator.
- c. In a student conduct conference, the burden of proof shall rest with the Accused Student and is based on whether a preponderance of the evidence (more likely than not) indicates that the Accused Student violated the Student Conduct Code.
- d. The contents of a student conduct file and any related written or oral correspondence are considered a part of a student's educational record; therefore, the release of said information will only occur in accordance with the Family Educational Rights and Privacy Act of 1974. Information released cannot be re-disclosed unless the student conduct conference has been declared and documented as open.

4.2 UNIVERSITY POLICY REGARDING ALCOHOL, DRUGS AND TOBACCO USAGE

Alcohol and Drugs

Northeastern State University complies with both the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendment of 1989. NSU recognizes that it is in the best interest of the University, its employees, and its students, to promote a healthy and productive environment.

We also believe that providing education and assistance about dangers of the use of illegal drugs and the abuse of alcohol. With this in mind, NSU strictly prohibits the illegal use, possession, producing, dispensing, distributing of illegal drugs, controlled substances, beer or alcoholic beverages in the work place, or its premises, University housing, or as a part of any University-sponsored activity.

Sanctions for violation of this policy include, but are not limited to, probation, suspension, expulsion, termination of employment, referral for prosecution and/or completion, at the individual's expense, of an appropriate rehabilitation program. All action will be in accordance with NSU policy.

Tobacco Free Campus - University Policy and State Law

The Oklahoma Smoking in Public Places and Indoor Workplaces Act, 63 O.S. 2003, SS 1247; 1-1523; 1-1523; 1-1525, et. Seq., requires Northeastern State University to adopt policies regulating smoking in facilities owned, leased, or under the control of the University. The Act prohibits the possession of lighted tobacco in any indoor place used by or open to public, public transportation, or any indoor workplace, except where specifically allowed by law and allowed educational facilities to adopt more restrictive policies regarding smoking and the use of other tobacco products in the buildings or on the ground of the facilities. These Policy and Procedures are adopted to implement that requirement.

- It is intent of Northeastern State University to promote the health, well-being and safety of all students, faculty, staff and visitors. As such, effective January 1, 2011, Northeastern State University is designated as a tobacco-free environment. Smoking and the use of all tobacco products are prohibited.
- This policy applies to all non-leased buildings and grounds owned or under the control of Northeastern State University on the Tahlequah, Muskogee, and Broken Arrow campuses, including any housing or residential facility owned, operated, or managed by the University.
- Tobacco "use" is prohibited in personal vehicles and all vehicles owned, leased, or under the control of Northeastern State University, the State of Oklahoma and all its agencies and instrumentalities including those that provide public transportation. Possession of tobacco products does not constitute "use".
- Tobacco use includes, but is not limited to, the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device or the use of smokeless tobacco including snuff, chewing tobacco, smokeless pouches, or any other form of loose-leaf, smokeless tobacco and electronic nicotine delivery devices.
- Northeastern State University will not accept donations, gifts, money, or materials intended to promote the use of tobacco nor participate in any type of services that promote the use of tobacco.
- Appropriate signage will be posted by the NSU Physical Plant as necessary to inform employees, students and visitors of policy provisions.

"Breathe Easy" signs will be placed on all campus buildings.

“Tobacco Free Campus” will be clearly posted at all main campus entrances.

- It is prohibited to sell tobacco products or advertise the sale of tobacco products on University property.
- Littering the campus with the remains of tobacco products or other disposable products is prohibited.
- Organizers and attendees at events (meetings, conferences, lectures, cultural events and sporting events) using NSU facilities are required to abide by the policy. Organizers of such events are responsible for communicating the policy to attendees and for enforcing this policy.
- Courtesy and consideration will be exercised when informing others unaware of and/or in disregard of this policy. No retaliation will occur to any person for doing so.
- Compliance with this policy by all students, faculty and staff is expected based on NSU’s commitment to a healthy culture, free of tobacco, and should be a cooperative effort, encouraged by all students, faculty and staff.
- A complaint against an offender, who fails to respond to a request by another, may be referred to a dean, director, or other manager. Appropriate disciplinary action will be taken for an offender against whom multiple complaints have been received.

Students – NSU students shall be directed to and handled by the Office of Conduct & Development. Violations occurring within University Housing shall be directed to and handled by the Housing Office. University Housing may refer complaints to the Office of Conduct & Development.

Faculty – NSU faculty shall be directed to and handled by the department chair and/or college dean, as deemed appropriate by Academic Affairs and Human Resources policies.

Staff – NSU staff shall be directed to and handled by immediate supervisor or director, as deemed appropriate by Human Resources policies.

Visitors – Visitors shall be directed to and handled by the University Police department. The visitor may be asked to leave university premises for failure to comply.

Fines – University Police may issue a misdemeanor citation to violators. Upon conviction, the fine range is \$10 to \$100. (Oklahoma Statute Title 21, Chapter 50, Section 1247)

4.3 RESIDENCE LIFE POLICY

Drugs and Paraphernalia

The use, consumption, possession, manufacturing, distribution and/or being under the influence of any controlled substances, except as expressly permitted by law and/or University policy, is prohibited. Possession of drug paraphernalia and the inappropriate use or abuse of prescription or over-the-counter medications is also prohibited.

Alcohol

The use, possession, manufacturing, distribution and/or being under the influence of alcoholic beverages except as expressly permitted by law and/or University policy. This includes, but is not limited to, having alcohol or being under the influence of alcohol in the residence halls. Being under the influence includes but is not limited to: acting noticeably out of character, impaired motor skills, or otherwise disorderly or belligerent conduct. Possession of alcohol paraphernalia (including but not limited to empty alcohol containers or decorated alcohol containers) is not permitted in the residence halls.

Alcohol Paraphernalia

Possession of alcohol paraphernalia (including, but not limited to, empty alcohol containers or decorated alcohol containers) is not permitted in the residence halls.

Tobacco

It is intent of Northeastern State University to promote the health, well-being and safety of all students, faculty, staff and visitors. As such, effective January 1, 2011, Northeastern State University is designated as a tobacco-free environment. Smoking and the use of all tobacco products are prohibited.

This policy applies to all non-leased buildings and grounds owned or under the control of Northeastern State University on the Tahlequah, Muskogee, and Broken Arrow campuses, including any housing or residential facility owned, operated, or managed by the University.

Tobacco “use” is prohibited in personal vehicles and all vehicles owned, leased, or under the control of Northeastern State University, the State of Oklahoma and all its agencies and instrumentalities including those that provide public transportation. Possession of tobacco products does not constitute “use”.

Tobacco use includes, but is not limited to, the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device or the use of smokeless tobacco including snuff, chewing tobacco, smokeless pouches, or any other form of loose-leaf, smokeless tobacco and electronic nicotine delivery devices.

4.4 ALCOHOL, TOBACCO, AND DRUG POLICIES FOR ATHLETICS

The Department of Athletics recognizes the stressful nature of intercollegiate athletics participation. The use of controlled substances (narcotics, marijuana, stimulants, etc.), and the abuse of alcohol by student-athletes, will adversely affect their academic performance, athletic achievements and personal well-being. Student-athletes who abuse controlled substances put themselves, their teammates and the program at risk.

For these reasons, the Department of Athletics does not tolerate substance abuse, the use of any substance banned by the National Collegiate Athletic Association (NCAA), underage drinking or the inappropriate use of alcohol. Participation in intercollegiate athletics at university is optional; however, student-athletes who refuse to consent to drug screening under this policy will not be eligible to participate in intercollegiate athletics at the university.

The use of tobacco products by student-athletes, coaches, athletic trainers or other game personnel is prohibited during practice and competition per NCAA. Further, from the time of departure from the campus until the time of return to the campus for purpose of competition away from the campus no student-athlete regardless of age may consume alcoholic beverages. In addition, student-athletes are prohibited from using illegal drugs. Student-athletes are expected to follow local, state, and federal laws. Student-athletes who are in violation of these mandates may result in immediate dismissal from the team and forwarding of evidence of the matter to the appropriate university official(s).

5 AOD COMPREHENSIVE PROGRAM/INTERVENTION INVENTORY & RELATED PROCESS AND OUTCOMES

Northeastern State University offers a range of programs designed to promote education and awareness regarding collegiate alcohol and other drugs. The following summarizes those programs:

5.1 OUTREACH & PREVENTION SERVICES

Outreach & Prevention Services offers a variety of programs to educate students on alcohol and drug issues. Coordinator gives presentations educating students on how to make responsible decisions regarding alcohol and drugs. These presentations are given to residence halls, student organizations and academic classes.

Outreach & Prevention Services also collaborates with other departments on national campus initiatives.

- Welcome Week Presentations - Presentations to incoming freshman class during the extended orientation session. These discussions are entered on "Making good choices" in college. Everything from Alcohol Use, Drugs, Sex, Study habits, Bystander Intervention and Nutrition is discussed.
- #ResponsibleHawks - Multi-dimensional program designed to increase collaboration across campus. This helps us bring students the message of bystander intervention. Program is designed to educate the students on making responsible decisions in their own lives.
- BASICS (Brief Alcohol Screening and Intervention for College Students) - BASICS was adopted to aid students who experienced alcohol or other drug related issues or problems. Often students found responsible for alcohol or other drug policy violations are required to complete this program. Students may also self-identify or be referred by a counselor to participate. Depending on the student, each student experiences counseling and evaluation by a professional health educator, peer to peer education and conversation, general topic specific education through other presentation, videos, on-line tutorials, and/or reading.
- National Hazing Week - Panel format event discussing the topics surrounding college hazing including alcohol, drugs, and other harmful behavior. This week also include tabling events to discuss bystander intervention and what you can do to report hazing.
- National Collegiate Alcohol Awareness Week - Throughout the week nationally recognized as National Collegiate Alcohol Awareness Week (fall semester), student groups across campus divide the week and coordinate and sponsor programs that center on alcohol awareness. Topics include, but are not limited to Topsy Trikes, Alcohol Addiction, and Alcohol & Sexual Assaults.
- Victim Impact Panel - The Victim Impact Panel is a program designed to provide a realistic view of personal implications resulting from alcohol and other drug abuse. A panel of individuals provides personal testimony on the effects of alcohol and other drug abuse. The target audience is all students.
- Prevention: Domestic Violence and Sexual Assault Tabling - Providing information to students via an interactive table event in conjunction with HawkReach and Title IX.
- Safe Spring Break - Occurring the week prior to spring break (occurring during the spring semester), students and administrators come together to provide a week-long series of active and passive programs and information to students on a variety of health-related topics. One of the primary topics addressed is alcohol and other drug use, decision making, and alternatives. Programs include, but are not limited to drinking/driving simulation, alcohol and sex, and a variety of information tables, The individual programs listed as a part of the week-long efforts are often times provided on multiple occasions throughout the semester.

5.2 RESIDENCE LIFE

Residence Life offers a variety of programs to educate students on alcohol and drug issues through their floor/building meetings. Residence Life staff is given training at the start of every semester regarding alcohol/drug problems as well as holding monthly in-services to address current happenings in the residence halls. These trainings are provided by Student Affairs Staff as well as Campus Police.

Fall 2022

- Res Life Training- Alcohol and Drugs Standards of Procedure
- Res Life Training- First Aid, CPR, & Narcan with Cherokee Nation
- Res Life Training- Early Alerts on Student Behavior (Alcohol, Drugs, Illegal Substances, etc.)
- Res Life Training- Outreach & Prevention- Resources, Training, Programming Options for Educational Programs on Sex Ed, Safe Sex, Alcohol and Drug Use
- Res Life Training- Rotation Session- Alcohol Standards of Procedure review, Drugs & Paraphernalia Standards of Procedure review
- October Program- Rocky Horror at the Suites- Seminary Suites- engaging students on safe partying and socializing practices around the holiday with rock painting and movies

Spring 2023

- Res Life Training- Alcohol and Drugs Standards of Procedure
- February Program- Food, Fun and First Aid- Leoser- optional Narcan training for residents interested
- April Program- Alcohol Awareness- Seminary Suites- negative impacts of alcohol use as a coping mechanism

Fall 2023

- Res Life Training- Alcohol and Drugs Standards of Procedure
- Res Life Training- First Aid, CPR, & Narcan with Cherokee Nation
- Res Life Training- Early Alerts on Student Behavior (Alcohol, Drugs, Illegal Substances, etc.) Res Life Training- Rotation Session- Alcohol Standards of Procedure review, Drugs & Paraphernalia Standards of Procedure review

Spring 2024

- Res Life Training- Alcohol and Drugs Standards of Procedure
- February Program- Mocktail Mayhem- Cobb Hall- responsible drinking tips
- March Program- Safe Spring Break- Student Affairs
- April Program- How to TeaStress- Cobb Hall- positive stress coping skills and resources

5.3 ATHLETICS

Northeastern State Department of Athletics provides the following trainings once every academic year:

- NCAA DII Student-Athlete Statement (Form 20-3b, Part IV): Information regarding positive drug test results.
- NCAA DII Drug-Testing Consent (Form 22-3e): Information regarding drug testing policies, including consent form and consequence

- NCAA Banned Substances List
- NCAA DII Student-Athlete Regulations Meeting: held by compliance and academic staff at the beginning of every academic year to inform students of key NCAA regulations, including Drug Testing

5.4 STUDENT COUNSELING SERVICES

HawkReach Student Services provides short-term counseling and crisis intervention services to NSU students, including those suffering from alcohol and drug use, provides treatment recommendations for students who need substance abuse treatment, and offers counseling for a wide range of issues often correlated with problem drinking and other forms of substance abuse.

5.5 UNIVERSITY POLICE DEPARTMENT

University Police Department partners with many community groups to offer Narcan and medication lock boxes to students. A medication disposal box is located in the lobby of the University Police Department, students are able to utilize this as needed. Students are able to go to the dispatcher and request one or both of these.

- National Drug Take Back Day – Hosted by University Police Department and Tahlequah BEST community group. This event is held at Northeastern Health Systems Hospital parking lot. This is a drive through event. 3 events were held, each event included lock box, Narcan and Deterra dispersal
- Narcan Training – Training on the proper use of Narcan is available to students/Faculty & Staff and all campus organizations. To schedule training reach out to the Director of Public Safety, Chief James Bell. 4 trainings held each fall and spring of 2023.
- Drug & Alcohol Education – Presentations in the Fall for fraternities and sororities.