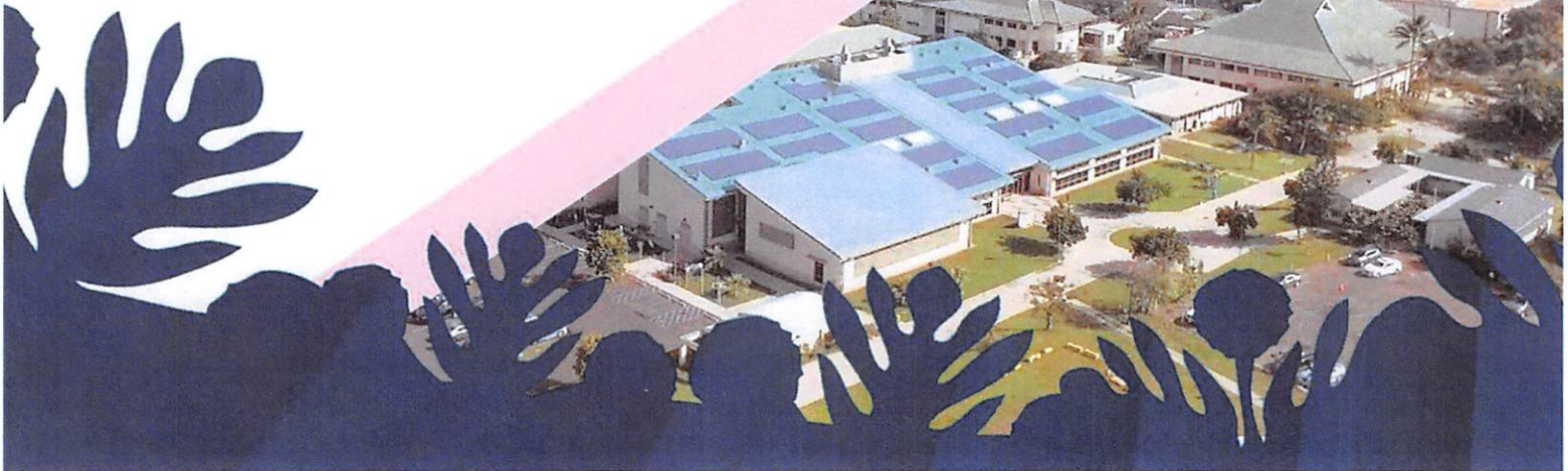




UNIVERSITY of HAWAII®  
**MAUI COLLEGE**

# Drug & Alcohol Abuse Prevention Program and Procedures

[maui.hawaii.edu/daapp](http://maui.hawaii.edu/daapp)



# University of Hawaii Maui College

## Drug and Alcohol Abuse Prevention Program and Procedures

- I. **Effective Date:** September 24, 2018
- II. **Office of Primary Responsibility:**  
UH Maui College (UHMC) – Chancellor’s Office
- III. **UHMC Position Assigned with Oversight:**  
Chancellor’s Executive Assistant
- IV. **Purpose**  
UHMC is committed to providing and maintaining a safe, healthy and productive environment for Students, Employees, and Visitors, free from hazards associated with Drug and Alcohol abuse in accordance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989. This program is also intended to ensure compliance with the University of Hawaii Executive Policy (EP 11.201, Illegal Drugs, Alcohol and Substance Abuse).

### *University of Hawaii Policy on Illegal Drugs and Alcohol Abuse*

*The University expects its employees and students to carry out their responsibilities free of intoxication by any illegal drugs or alcohol. Employees and students are not permitted to manufacture, distribute, possess, use, dispense or be under the influence of illegal drugs as prohibited by state and federal law, at University-sponsored or approved events or on University property or in buildings used by the University for education, research and recreational programs. The University expects lawful behavior by employees and students, during their presence on University premises and at University events. Within the constraints of its mission, the University encourages cooperation with law enforcement agencies in enforcing statutes regarding the use of illegal drugs.*

*The University of Hawaii Executive Policy (EP 11.201) recognizes that substance abuse is a complex problem that is not easily resolved solely by personal effort and may require professional assistance and/or treatment. Employees and students with substance abuse problems are encouraged to take advantage of available diagnostic, referral counseling and prevention services. Therefore, campus, community and drug and alcohol educational resources will be made available to students and employees.*

- V. **Goals**  
Through consistent enforcement of sanctions, awareness and prevention trainings, counseling, campus support services and referrals to community resources and services, UHMC will maintain a safe, healthy and productive environment for students, employees and visitors, free from hazards associated with drug and alcohol



abuse in an accordance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989 and the University of Hawaii Executive Policy EP 11.201. The target number of violations per year is ZERO, but no more than 1% of the total number of appropriated employees and students headcount for the Fall semester.

## **VI. Sanctions**

Employees and students who violate the policy will be subject to disciplinary sanctions, including, but not limited to, expulsion, or termination.

### **A. Sanctions for Students**

The UH Student Conduct Code may be found in the UH Executive Policy, EP 7.208. Sanctions which may be imposed on violators of the alcohol and drug-related sections of the UH Student Conduct Code include:

1. **Written Warning** - A notice in writing to the student that the student is violating or has violated institutional regulations and a copy of the warning letter is placed in the student's disciplinary file.
2. **Probation** - Probation is for a designated period of time (which may include the remainder of their enrollment at UHMC) and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period. This sanction may require the student to meet with the VCSA (or his or her designee) upon request.
3. **Loss of Privileges** - Denial of specified privileges for a designated period of time.
4. **Restitution** - Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
5. **Discretionary Sanctions** - Work assignments, essays, service to UHMC, Community Service or other related discretionary or educational related assignments.
6. **UHMC No Contact Orders** - No unnecessary contact between the Respondent and the Complainant, witnesses, or other individuals (when appropriate).
7. **Suspension** - Separation of the student from UHMC for a definite period of time (usually 1 year or less) after which the student is eligible to return. Conditions for readmission may be specified. Suspensions may be effective immediately or deferred.
8. **Dismissal** - Separation of the student from UHMC for more than 1 year. The student may be eligible for return. Conditions for readmission may be specified. Dismissals will be effective immediately unless otherwise stated.
9. **Expulsion** - Separation of the student from UHMC permanently. Expulsions will be effective immediately, unless otherwise stated.
10. **Revocation of Admission and/or Degree** - Admission to or a degree

awarded from UHMC may be revoked for fraud, misrepresentation, or other violation of UHMC standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

## B. Sanctions for Employees

The sanctions for employees in bargaining units 1 and 10 will be in accordance with the drug and alcohol testing provisions contained within the collective bargaining agreements. For all other employees, progressive discipline will be in accordance with the employee's applicable collective bargaining agreement: possible sanctions may include disciplinary action ranging from reprimand to termination, and may include suspension without pay, disciplinary reassignment, disciplinary transfer, and demotion.

## C. Federal Sanctions:

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	<b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.	5 kgs or more mixture	<b>First Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture	<b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	400 grams or more mixture	<b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.  <b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		100 gm or more pure or 1 kg or more mixture	
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<b>First Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual. <b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Flunitrazepam (Schedule IV)	1 gram			
Other Schedule III drugs	Any amount	<b>First Offense:</b> Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. <b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
All other Schedule IV drugs	Any amount			
Flunitrazepam (Schedule IV)	Other than 1 gram or more	<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. <b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.		
All Schedule V drugs	Any amount			

#### **D. State of Hawaii Sanctions:**

Under the Hawai'i Penal Code, crimes are of 3 grades according to their seriousness: felonies, misdemeanors and petty misdemeanors.

- Class A felony: fine not exceeding \$50,000 and/or an indeterminate term of imprisonment of 20 years without possibility of suspension of sentence or probation.
- Class B felony: fine not exceeding \$25,000 and/or imprisonment of not more than 10 years.
- Class C felony: fine not exceeding \$10,000 and/or imprisonment of not more than 5 years.
- Misdemeanor: fine not exceeding \$2,000 and/or imprisonment of not more than 1 year.
- Petty misdemeanor: fine not exceeding \$1,000 and/or imprisonment of not more than 30 days. §706-640,659,660,663, H.R.S.

In addition, promoting (possessing, distributing and manufacturing) drugs (including marijuana) and intoxicating compounds can result in a Class A, B or C felony, misdemeanor or petty misdemeanor. §712-1241-1250, H.R.S.

Consuming or possessing intoxicating liquor while operating a motor vehicle or moped is fined not more than \$2,000 or imprisonment of not more than 30 days, or both. §291-3.1, H.R.S.

Consuming or possessing intoxicating liquor while a passenger in a motor vehicle is a petty misdemeanor. §291-3.2, H.R.S.

A person commits the offense of promoting intoxicating compounds if the person knowingly breathes, inhales or drinks any intoxicating compound or any other substance for the purpose of inducing a condition of intoxication, stupefaction, depression, giddiness, paralysis or irrational behavior, or in any manner changing, distorting or disturbing the auditory, visual or mental processes; or sells, offers, delivers or gives to any person under 18 years of age, unless upon written order of such person's parent or guardian, any intoxicating compound or any substance which will induce an intoxicated condition when the seller, offeror or deliveror knows or has reason to know that such compound is intended for use to induce such condition. This offense is a misdemeanor. §712-1250, H.R.S.

A person commits the offense of promoting intoxicating liquor to a person under the age of 21 if the person recklessly sells, offers, influences the sale, serves, delivers or gives a person under the age of 21 intoxicating liquor; or permits a person under the age of 21 to possess intoxicating liquor while on property under his control. This offense is a misdemeanor. §712-1250.5, H.R.S.

## **VII. Drug and Alcohol Testing**

**Employee Random Testing** - United Public Workers (UPW), Bargaining Unit 01 employees are subject to random alcohol and controlled substances testing. Test is intended to keep the workplace free from the hazards resulting from the use of alcohol and controlled substances.

1. Employees are notified of test, time, and location. Tests are conducted during work time.
2. Employee presents a picture identification card to test site, if employee does not have an identification, the supervisor or management will escort employee to the test site.

**Employee Reasonable Suspicion Testing** - UPW, Bargaining Unit 01 and HGEA, Bargaining Unit 03 & 04 employees are subject to reasonable suspicion alcohol and controlled substance testing. This alcohol and drug testing is intended to keep the workplace free from hazards of the use of alcohol and controlled substances.

1. Employees shall be subject to random testing, when a trained supervisor determines that reasonable suspicion exists. Supervisor shall have another witness observe the employee before directing employee to submit to an alcohol and or controlled substance test.

## **VIII. Campus Drug and Alcohol Awareness Campaign – Health Risks, Treatment and Resources**

**A. Health Risks:** See Appendix A

### **B. Drug and Alcohol Awareness Training:**

At least once a year and preferably during the Fall semester, UHMC will have a drug and/or alcohol prevention presentation open to all staff, faculty and students. This training will be organized by the UHMC Professional Development Coordinator in conjunction with the Vice Chancellor of Administrative Services Office. Documentation such as training materials and sign up lists will be archived for biennial review data and as evidence of the training.

### **C. Campus Resources:**

1. **UHMC Health Center:** The UHMC Health Center promotes an alcohol and drug free campus environment. Educational materials are available at the Campus Health Center for students and employees. In addition, testing and counseling services are available for alcohol and substance abuse.
2. **UHMC Counseling:** UHMC students dealing with drug and/or Alcohol problems are encouraged to seek help through their own resources. Individual counseling by UHMC counselors is also available for students who need assistance with substance & alcohol abuse issues or referral services.



- 3. Employee Assistance Program:** UHMC employees dealing with drug and/or Alcohol problems are encouraged to seek help either through their own resources or through the University's Employee Assistance Program (EAP). This program provides confidential, short-term, professional counseling services to employees who may be experiencing personal problems that are affecting job performance. Eligible employees may receive up to a maximum of 3 hours of free counseling. All regular, temporary and exempt employees, casual hires and 89-day hires are eligible for EAP services. WorkLife Hawai'i has been contracted to provide EAP services through a voluntary program that permits employees to seek help on their own.  
<http://worklifehawaii.org>
- 4. UHMC Wellness Program:** UHMC Wellness Hui's mission is to transform our campus community into a better place to work and study. The Wellness Hui promotes and encourages employees and students to make small changes so they can enjoy healthy and happy lives.
- 5. UHMC Team Malama:** Team MALAMA is an interdisciplinary group of UHMC professionals that meet on a regular basis to discuss and implement proactive strategies for supporting individual students identified by their level of need. This forum enables the campus to support individual students in a more comprehensive and holistic manner. The team works to provide a coordinated and streamlined response to students who need access to services such as counseling, mental health support, and behavioral health support. This proactive approach to identify and address safety concerns on campus is based on recommendations for best practice by the American College Counseling Association.
- 6. UHMC ULifeLine:** ULifeline is a confidential online resource center where college students can seek help for all types of mental stress and depression, including alcoholism and drug addiction. ULifeline is a project of The Jed Foundation, a leading organization working to protect the emotional health of America's college students, and was developed with input from leading experts in mental health and higher education. <http://www.ulifeline.org/maui/>
- 7. Alcoholics Anonymous:** The UHMC Personal Support Counselor coordinates Alcoholics Anonymous (AA) meetings on campus twice per week. This resource is available for students, employees and members of the community.

### D. Community Resources:

Maui	Phone	Address and website
Al-Anon	242-0296	Wailuku Location(s) ( <a href="http://hi.al-anon.alateen.org">http://hi.al-anon.alateen.org</a> )
Alcoholics Anonymous (AA)	244-9673	70 Central Ave, Suite 1, Wailuku, HI 96793 ( <a href="http://www.aamaui.org">http://www.aamaui.org</a> )
Aloha House, Inc.	579-8414 ext. 8702	200 Ike Drive, Makawao, HI 96768 ( <a href="http://www.aloha-house.org">http://www.aloha-house.org</a> )
Malama Family Recovery Center (Women & Children)	877-7117	388 Ano Street, Kahului, HI 96732 ( <a href="http://www.malamafamilyrecovery.org">http://www.malamafamilyrecovery.org</a> )
Mental Health Kōkua	244-7405	105 N Market Street Suite 102, Wailuku, HI 96793 ( <a href="http://www.mentalhealthkokua.org">http://www.mentalhealthkokua.org</a> )
Lānaʻi	Phone	Address and website
Aloha House, Inc. Outpatient Program	565-9566	Old Dole Administration Building 730 Lānaʻi Ave, Suite 127, Lānaʻi City, HI 96763 ( <a href="http://www.aloha-house.org">http://www.aloha-house.org</a> )
Molokaʻi	Phone	Address and website
Ka Hale Pomaikaʻi, Inc.	558-8480	HC-01 Box 372 Kamehameha V. Highway, Kaunakakai, HI 96748 ( <a href="http://www.kahalepomaikai.org">http://www.kahalepomaikai.org</a> )



## **IX. Program Effectiveness**

The UHMC Drug and Alcohol Program will be assessed based on several evidence based metrics:

1. Employee disciplinary sanctions imposed
2. Student disciplinary sanctions imposed
3. Annual Clery Report statistics
4. Campus Security incidents
5. Referrals for counseling or treatment
6. Employee random drug and alcohol testing results
7. Number of students, staff and faculty attending the UHMC Drug and/or Alcohol training sessions
8. Number of approved campus events that alcohol will be served

## **X. Biennial Review**

On every even numbered year (eg. 2020, 2022), UHMC will conduct a biennial review to assess the effectiveness of its DAAPP and any changes needed will be implemented into the program. Another function of this review is to ensure the College is consistently enforcing the disciplinary sanctions for violating the standards of conduct.

The DAAPP biennial review will be conducted by a committee comprised of a broad representation of campus constituents that have a stake in promoting the health and safety of the campus community. This biennial review will assess the current UHMC Drug and Alcohol Abuse Prevention Program and Procedures and identify strengths, weaknesses and strategies for continuous improvement.

### **A. Committee Membership**

The Biennial Review Committee is composed of the following members:

- Special Assistant to the Chancellor
- Vice Chancellor for Administrative Services
- Vice Chancellor for Student Affairs
- Vice Chancellor for Academic Affairs
- Compliance Coordinator
- Chief of Security
- Health Center Director
- Student Life Coordinator
- Human Resources Director
- Counseling Department
- Representative of Maui Drug Court
- Representative of Aloha House

### **B. Materials Reviewed**

- Official Notice to Employees and Students Regarding Drug-Free Workplace Policies
- UHMC General Catalog policies related to drug and alcohol use on

- campus and the sanctions imposed for failure to comply
- UH Executive Policy 11.201 – “Illegal Drugs, Alcohol and Substance Abuse”
- 2017 Annual Security Report
- UHMC website
- Employee Handbook policies related to drug and alcohol use by UHMC employees and the sanctions imposed for failure to comply
- Various resources available to students and employees regarding drug and alcohol abuse
- Incident reports related to possible infractions of the drug and alcohol policy
- Federal, state and local law

The EDGAR Part 86 publication, “Complying with the Drug-Free Schools and Campuses Regulations” was used as a resource guide for the biennial review.

#### **XI. Distribution of the UH Official Notice to Employees and Students Regarding Drug-Free and Alcohol-Free Workplace Policies and the UHMC DAAPP Procedures**

The following procedure was developed to ensure UHMC is compliant with the DFSCA distribution requirement. This procedure ensures active delivery of UH Annual Notice and the DAAPP disclosure materials to every member of the campus community. Delivery will be made to all students who enroll for academic credit and to all employees, regardless of when they are enrolled or hired, and irrespective of the duration of enrollment or employment. The distribution includes both the UHMC DAAPP and the UH Official Notice to Employees and Students Regarding Drug-Free and Alcohol-Free Workplace Policies.

##### **1. Campus website**

- <http://maui.hawaii.edu/daapp/>

##### **2. UH Broadcast Email**

- The UH Official Notice to Employees and Students Regarding Drug-Free and Alcohol-Free Workplace Policies sent annually to all current faculty, staff and students by UH System Office on or around October 1st. In addition, the UHMC DAAPP will be sent to all faculty and staff by the UHMC Human Resource Director and to all students by the UHMC Registrar on or around October 2<sup>nd</sup>. A copy of the emails will be archived for evidence of distribution.
- The UH Official Notice and the UHMC DAAPP will be sent two additional times a year to all students by the UHMC Registrar after the census date of the spring and summer terms. A copy of the email will be archived for evidence of distribution.

##### **3. New employee orientation email**

- The UH Official Notice and the UHMC DAAPP will be sent by the UHMC Human Resource Director to all new faculty and staff on the date of appointment. A copy of the email will be archived for evidence

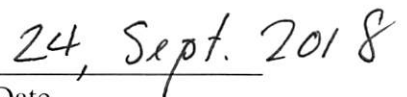
of distribution.

**4. Printed copies**

- All new employees will receive printed copies of the UH Annual Notice and the UHMC DAAPP which will be included in all new hire packets.
- Employees may request printed copies from the UHMC Human Resource Office by contacting (808) 984-3204 or email [martinsh@hawaii.edu](mailto:martinsh@hawaii.edu).
- Students may request printed copies from the Office of the Vice Chancellor of Student Affairs by contacting (808) 984-3267 or email [uhmcar@hawaii.edu](mailto:uhmcar@hawaii.edu)

**XII. Approvals**

  
\_\_\_\_\_  
UH Maui College Chancellor

  
\_\_\_\_\_  
Date