



UNIVERSITY of HAWAI'I®

MAUI COLLEGE

**Drug & Alcohol Abuse Prevention Program
Biennial Review
Academic Years 2018-2019 & 2019-2020**

Prepared in compliance with the Drug-Free Schools and Communities Act Amendments of 1989, the Drug-Free Workplace Act of 1988, and 34 CFR 86 - Drug and Alcohol Abuse Prevention.

INTRODUCTION AND COMPLIANCE STATEMENT

University of Hawai'i Maui College (UHMC) is committed to maintaining a drug free learning environment and workplace for our campus community. The use of illegal drugs and unauthorized consumption of alcohol at our main campus and outreach centers interferes with this mission and is strictly prohibited. Federal and state laws and regulations applicable to students and employees of UHMC include the Drug-Free Schools and Communities Act Amendments of 1989, the Drug-Free Workplace Act of 1988, and 34 CFR 86 - Drug and Alcohol Abuse Prevention. UHMC also complies with University of Hawai'i Executive Policy EP 11.201, Illegal Drugs, Alcohol and Substance Abuse.

The Drug-Free Schools and Communities Act (DFSCA) requires institutions that receive federal financial assistance to establish a Drug and Alcohol Abuse Prevention Program (DAAPP) for students and employees. In compliance with this mandate, UHMC has adopted a DAAPP to prohibit the possession, use and distribution of illegal drugs and alcohol by students and employees. Notifications of the UHMC DAAPP and drug and alcohol policy are distributed to all students and employees via the campus website, UH Broadcast Email, and new employee orientation email.

BIENNIAL REVIEW

In accordance with the DFSCA and the UHMC DAAPP, UHMC conducted a biennial review to determine the effectiveness of the DAAPP and to implement needed changes to the program if needed. The biennial review was also conducted to ensure that UHMC is consistently enforcing disciplinary sanctions for violations of the standards of conduct. The EDGAR Part 86 publication, "Complying with the Drug-Free Schools and Campuses Regulations", was used as a resource guide for the biennial review.

Committee Membership

The UHMC DAAPP specifies the membership of the Biennial Review Committee as follows:

- 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, Inc.

Biennial Review Committee Meeting

The Biennial Review Committee convened on March 19, 2021. An agenda was prepared and distributed to Committee members prior to the meeting. Due to the COVID-19 pandemic, the meeting was conducted via video conference. The following individuals were present:

- Vice Chancellor for Administrative Affairs David Tamanaha
- Vice Chancellor for Student Affairs Debra Nakama
- Dean of Arts and Sciences Kahele Dukelow¹
- Dean of Career and Technical Education Laura Nagle
- Chief of Security (Excused)
- Interim Title IX Coordinator (Excused)
- Health Center Director/Associate Professor Kathleen Hagan
- Student Life Coordinator Albert Paschoal
- Human Resources Manager Susan Tokunaga
- Counseling Department, Associate Professor Shane Payba
- Financial Aid Office Director Davileigh “Kahea” Nae’ole
- Representative of Aloha House, Inc., Chief Operating Officer Nicole Hokoana
- Representative of Maui Drug Court, Administrator Dean Ishihara, LSW ACSW
- Special Assistant to the Chancellor Brian Moto

After the meeting, the Committee communicated further via email to share additional information and comments and to complete Committee minutes and this final report.

Purpose of Committee

The Committee reviewed the following purpose statements from Section X of the DAAPP, at page 9:

On every even numbered year (e.g., 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.

¹ As of the meeting date, the position of Vice Chancellor of Academic Affairs was vacant. The Dean of Arts and Sciences and the Dean of Career and Technical Education serve as administrators of Academic Affairs.

Documents and Resource Materials Reviewed

Documents and resource materials were distributed to Committee members via email before the Committee meeting. Committee members were afforded opportunity to review and discuss the following documents and materials:

- UHMC Drug & Alcohol Abuse Prevention Program and Procedures (DAAPP).
- 2018 Drug and Alcohol Abuse Prevention Program Biennial Review.
- UHMC DAAPP data for 2018, 2019, and 2020. (Excel spreadsheet, version dated 3/15/2021.)
- DAAPP Notices to Employees (Fall 2018 – Spring 2021).
- DAAPP Notices to Students (Fall 2018 – Spring 2021).
- UHMC Student Conduct Code (Eff. March 15, 2021).
- UHMC Catalog 2020-2021, College Regulations, Illicit Drugs and Alcohol.
- Executive Policy EP 11.201, Illegal Drugs, Alcohol and Substance Abuse.
- UHMC website, Alcohol and Drug Free Campus Policy, Student Right to Know/ Consumer Information webpage (<http://maui.hawaii.edu/consumerinfo/>)
- Provisions of applicable federal and state law.

Committee Findings and Recommendations

1. Committee Membership. The Committee reviewed Section X of the DAAPP, at page 9, which specifies the membership of the Committee.

Recommendation. The Committee recommended that the roster of Committee members be expanded to include the Registrar and the Financial Aid Office Director inasmuch as the Registrar is responsible for the issuance of DAAPP notices to students at specified times of the year, and the Financial Aid Office Director is responsible in part for Title IV compliance.

2. DAAPP Goals. The Committee reviewed and discussed Part V of the DAAPP, on pages 2-3, which states: “The target number of violations per years is ZERO, but no more than 1% of the total number of appropriated employees and student headcount for the Fall semester.” The Vice Chancellor of Administrative Affairs reported that this goal was adopted during the last Biennial Review, and that there is no UH System benchmark. At least one other campus (Windward Community College) has since adopted a similar goal in its DAAPP.

Recommendation. After discussing the DAAPP target number of violations per year and whether other measures or criteria might be more appropriate, the Committee recommended that the goal, as stated in the DAAPP, be retained for now, but be reexamined at the next Biennial Review.

3. UHMC DAAPP Data for 2018, 2019, 2020. The Committee reviewed and discussed a table summarizing 2018, 2019, and 2020 data regarding the following:

- Employee drug or alcohol-related disciplinary sanctions imposed;
- Student drug or alcohol-related disciplinary sanctions imposed;
- Employee random drug testing;
- Maui Police Department (MPD) drug & alcohol-related arrests;
- Campus Security drug or alcohol-related incidents;
- Employee referrals for drug or alcohol counseling or treatment;
- Student referrals for drug or alcohol counseling or treatment;
- UHMC drug and/or alcohol-related training sessions;
- Number of students, staff, and faculty attending UHMC drug and/or alcohol-related training sessions; and
- Number of campus events at which alcohol was served.

During Committee discussion, it was noted that the columns for MPD drug and alcohol-related arrest statistics were marked “na” in the table. The Vice Chancellor of Administrative Affairs clarified that “na” indicated that the statistics were “Not Available”.

Recommendation. The Committee recommended that the sections relating to MPD drug and alcohol arrests for Maui, Molokai, and Lāna‘i be deleted, given the unavailability of the data.

4. Sanctions, Arrests, Referrals, and Campus Security Incidents. The Committee reviewed data relating to sanctions, arrests, referrals, and campus security incidents. The data indicated no employee drug or alcohol-related disciplinary sanctions imposed in 2018, 2019, and 2020. The data also showed no student drug or alcohol-related disciplinary sanctions imposed in 2018, 2019, and 2020.

The data reviewed by the Committee showed no employee referrals for drug or alcohol counseling or treatment in 2018, 2019, and 2020. The data also showed no student referrals for drug or alcohol counseling or treatment in 2018, 2019, and 2020.

With regard to Campus Security drug or alcohol-related incidents, the data showed no arrests or disciplinary referrals arising from the Kahului Campus, Molokai Education Center and Molokai Farm, Lahaina Education Center, and Hana Education Center, in 2018 and 2019.

The Maui Drug Court Administrator commented that the UHMC statistics on drug and alcohol sanctions, referrals, and security incidents are enviable and commendable and serve as evidence that the DAAPP appears to be working.

5. Campus Events with Alcohol. The Committee reviewed data relating to campus events at which alcohol was served. It was noted that the sale and consumption of alcoholic beverages is forbidden on campus or at any campus-sponsored activity unless approval has been granted by the Chancellor, and in accordance with applicable College and University policies and state law. The data showed that the number of campus events at which alcohol was served declined from twenty-four in 2018, to eighteen in 2019, and to one in 2020. The larger number of events in 2018 and 2019 was attributed in part to the promotion of the Blue Zones Wine at 5 series by the UHMC Wellness Hui.
6. Employee Random Drug Testing and Reasonable Suspicion Drug Testing. The UHMC Human Resources Manager reported that her office receives the results of employee random drug tests. UHMC data indicate that all employee random drug tests in 2018, 2019, and 2020 came back negative. She also reported that managers in Administrative Affairs have undergone training in reasonable suspicion drug testing for employees in Collective Bargaining Unit 1 and Collective Bargaining Units 3 and 4.
7. Drug and Alcohol Awareness Training. Section VIII.B, on page 6 of the DAAPP, pertaining to Drug and Alcohol Awareness Training, requires that “[a]t 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.” Section VIII.B also provides that training materials and sign up lists be archived for biennial review data and as evidence of training.

The Committee reviewed and discussed training data, which indicated that UHMC conducted one drug and/or alcohol training session in 2018, five in 2019, and two in 2020. The total numbers of students, staff, and faculty attending UHMC training sessions were ninety-five in 2019 and sixty in 2020.² Committee members noted that, although the total number of students, staff, and faculty attending UHMC drug and alcohol training sessions was recorded, there was no separate tracking of the number of students in attendance.

Recommendations. Regarding drug and alcohol awareness training, Committee members recommended the following:

- That the number of student participants at campus drug and alcohol awareness training sessions be tracked so as to monitor the effectiveness of the training programs.

² Datum regarding the number of students, staff, and faculty attending drug and/or alcohol training sessions in 2018 was not available.

- That training sessions be recorded and made available for viewing on the UHMC website, when feasible and appropriate.
 - That the Student Life Coordinator be asked to assist in developing a strategy to involve more of the student body in campus drug and alcohol training.
 - That the Faculty & Staff Development Coordinator, who arranges many training sessions, be asked to track student attendance.
8. Distribution of UH Official Notices and UHMC DAAPP to Employees and Students.
 Section XI of the DAAPP, at page 10, provides for the delivery of an annual UH Official Notice to Employees and Students Regarding Drug-Free and Alcohol-Free Workplace Policies to all faculty, staff, and students by UH System on or around October 1 of each year. Section XI also requires that, on or around October 2 of each year, copies of the UHMC DAAPP be sent to all faculty and staff by UHMC Human Resources and to all students by the UHMC Registrar. Further, the UHMC Registrar is directed to send the UH Official Notice and the UHMC DAAPP two additional times a year to all students after the census dates for the Spring and Summer terms.

Under the DFSCA, the annual notices to each student and college employee must, at a minimum, include:

- Standards of conduct that prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on campus property, or as part of College activities;
- Description of the applicable legal sanctions under federal, state and local law for the unlawful possession, use, or distribution of illicit drugs and alcohol;
- Description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
- Description of drug and alcohol counseling, treatment, or rehabilitation programs available to students or employees; and
- A clear statement that UHMC will impose disciplinary sanctions on students and employees (consistent with federal, state, and local laws and ordinances) and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct.

The Committee received copies of Notices issued to employees and students in Fall 2018, Spring 2019, Summer 2019, Fall 2019, Spring 2020, Fall 2020, and Spring 2021. The Committee was therefore able to confirm that the required notices had in fact been distributed in those time periods to students and employees. It was noted that the only period for which no Notice to students had been issued was Summer 2020, due to changes in campus schedules and curtailment of operations resulting from the COVID-19 pandemic.

The Notices issued to each student and college employee complied with DFSCA content

requirements, including standards of conduct, applicable legal sanctions, the health risks associated with the use of illicit drugs and the abuse of alcohol (disclosed in DAAPP Attachment A, "Health Risks"), description of available drug and alcohol counseling, treatment or rehabilitation programs, and a statement (set forth in the DAAPP, on the UHMC website, and in the Student Conduct Code) that UHMC will impose disciplinary sanctions on students and employees.

The UHMC Human Resources Manager confirmed that the DAAPP descriptions of the sanctions for employees in collective bargaining units and for all other employees remain accurate. She also confirmed that the DAAPP descriptions of employee random drug testing procedures and employee reasonable suspicion drug testing procedures remain accurate.

The UHMC Human Resources Manager also confirmed that new employees are given required notices upon hire, and submitted copies of the form letters used, which provide links to policies and documents, including the UH Official Notice to Employees and Students and the UHMC DAAPP. Employees may also request printed copies of the DAAPP from the UHMC Human Resources Office and students may request printed copies from the Office of the Vice Chancellor for Student Affairs.

Recommendation. It was recommended that page 11 of the DAAPP, regarding contact information for printed copies, be updated whenever necessary as personnel changes occur.

9. UHMC Student Conduct Code. The Committee discussed the Student Conduct Code, which was revised effective March 15, 2021. The Student Conduct Code includes: provisions prohibiting drug and alcohol use, possession, manufacturing, and distribution; a process for the adjudication of alleged violations; and a listing of disciplinary actions that may be taken for violations. The Student Life Coordinator reported that UHMC made a good effort with regard to the revision and adoption of the Student Conduct Code, which was vetted by Student Government. He also said that the process kept students informed, gave them a stake in the outcome, and provided an opportunity for students to shape campus policy.
10. Executive Policy EP 11.201. In reviewing Executive Policy EP 11.201, pertaining to Illegal Drugs, Alcohol and Substance Abuse, the Committee discussed the definition of "Addiction" used in EP 11.201.

Recommendation. The Committee recommended that the University consider using the definition of addiction adopted by the American Society of Addiction Medicine

(ASAM).³ The Vice Chancellor of Administrative Affairs said that, upon completion of the Biennial Review, this recommendation will be forwarded to UH Community Colleges and UH System.

11. DAAPP Recitation of §712-1250, Hawai'i Revised Statutes. The Committee reviewed DAAPP sections relating to federal and state sanctions.

Recommendation. The Committee recommended that page 5 of the DAAPP, regarding §712-1250, Hawai'i Revised Statutes, pertaining to sanctions for the offense of promoting intoxicating compounds, be revised to reflect the current wording of §712-1250.

12. DAAPP Listing of Campus and Community Resources. The Committee reviewed and discussed the Campus Resources and Community Resources listed on pages 6-8 of the DAAPP. The Committee found the descriptions of UHMC Health Center and UHMC Counseling services to be satisfactory. It was also reported that Team Malama continues to meet and implement strategies for supporting students, and that ULifeLine, a confidential online resource center, is still in operation.

Recommendations. The Committee recommended the following:

- That the Community Resources section on Aloha House, Inc., (and references to Aloha House, Inc., on related UHMC information sources, such as the UHMC DAAPP webpage) be updated as follows:
 - Aloha House no longer provides treatment services on the island of Lāna'i.
 - Aloha House has separate phone contacts for Residential Services (phone: 442-6588) and Outpatient Services (phone: 242-9733).
- That Kū Makani – The Hawai'i Resiliency Project, which offers counseling, education, information, and resource navigation for children and adults experiencing challenges due to the COVID-19 pandemic, be included and described as having been recently launched.

13. Student Right to Know/Consumer Information Webpage. The Committee reviewed the UHMC Student Right to Know/Consumer Information webpage pertaining to the Alcohol and Drug Free Campus Policy. Committee members noted that, although the webpage

³ "Addiction is a treatable, chronic medical disease involving complex interactions among brain circuits, genetics, the environment, and an individual's life experiences. People with addiction use substances or engage in behaviors that become compulsive and often continue despite harmful consequences. Prevention efforts and treatment approaches for addiction are generally as successful as those for other chronic diseases." *Adopted by the ASAM Board of Directors September 15, 2019.*

includes links to the UHMC DAAPP and Executive Policy EP 11.201, it does not clearly state what the DAAPP is.

Recommendation. The Committee recommended that the Student Right to Know/Consumer Information webpage, Alcohol and Drug Free Campus Policy section, include a short statement about the purpose and nature of the UHMC DAAPP and the Biennial Review process.

14. General and Concluding Comments and Assessment. Committee members were surveyed for any general and/or concluding comments regarding the UHMC DAAPP. All Committee members expressed satisfaction with the UHMC DAAPP and its outcomes to date.

SUMMARY

UHMC certifies that it has adopted and implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees, and that it has and continues to distribute annually and at other times and occasions:

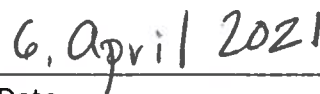
- Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on UHMC property or as part of any of its activities;
- A description of the applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;
- A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
- A description of drug or alcohol counseling, treatment, or rehabilitation or re-entry programs available to students or employees; and
- A clear statement that UHMC will impose sanctions on students and employees (consistent with federal, state, and local law) and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct.

UHMC also certifies that it has conducted this Biennial Review to determine the effectiveness of its program, implement changes to the program if needed, and ensure that required sanctions are being consistently enforced.

APPROVAL



Lui K. Hokoana, EdD
Chancellor



Date