

BIENNIAL REPORT

2024

BIENNAL REVIEW COVERING THE TWO PRECEDING ACADEMIC YEARS 2021-2022 AND 2022-2023

DRUG-FREE SCHOOLS AND COMMUNITIES ACT (DFSCA)

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INTRODUCTION

The purpose of this Report is to comply with the Drug-Free Schools and Communities Act and its implementing regulations. Institutions of Higher Education (IHE) that receive federal funds or financial assistance are required to maintain programs that prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its campuses and at college-sponsored activities and events. To comply with this Regulation, WNCC is required to conduct Biennial Reviews of its Alcohol and Drug Policy and Prevention Program to determine their effectiveness, determine the consistency of sanction enforcement, and implement any necessary changes.

Further, the Regulations require WNCC to annually distribute the following written information to all current students and employees:

- The standards of student and employee conduct that clearly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol
- A description of the legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol
- Statements of the health risks associated with the use of alcohol and other drugs
- A description of any drug or alcohol counseling, treatment, rehabilitation or reentry programs that are available to students or employees
- An explicit statement articulating that the institution will impose sanctions on students
 and employees for violations of the standards of conduct, along with a description of
 those sanctions which could include expulsion or termination of employment and
 referral for prosecution.

OVERVIEW

Western Nebraska Community College (WNCC) has three (3) campuses, with classrooms in Alliance, Scottsbluff, and Sidney. Residence Halls are located on the Scottsbluff and Sidney campuses. WNCC is committed to maintaining a healthy and safe community through its policies and procedures and through comprehensive education and intervention efforts on alcohol and other drugs.

Biennial Review Process

The institution conducts biennial reviews of its drug prevention programs to determine its effectiveness, implements necessary changes, and ensures that disciplinary sanctions are enforced through the following methods and educational strategies:

- Assessment by the Dean of Students of the College's various education programs; and
- Assessment of any documented drug treatment referrals for students and employees.

The Dean of Students conducts the biennial reviews and consults with various College offices for this review, including but not limited to Human Resources, Student Services, Residence Life, and Campus Security.

Time Frame of Review

WNCC conducts its biennial review in even-numbered years and the focus of this report is on the two preceding academic years.

Requesting Copies of the Biennial Review

Copies of the biennial review are kept in the Dean of Student's Office in Student Life and copies are available to read or download from Student Life or on the College's website.

Annual Notification Process

The Drug-Free Schools and Communities Act information is distributed in several ways:

- An e-mail is sent annually to every student and every employee with the links to the information;
- Each semester the WNCC Student Handbook is published and distributed on each campus as well as electronically available on the WNCC website;
- Drug and Alcohol information and possible sanctions are set forth in the Residence Life Manual;
- The biannual report is posted on the College website: https://www.wncc.edu/about-wncc/campus-safety/index
- Drug and alcohol policies are discussed during new student orientations with new and transferring students and their families. Participants also receive compliance information, such as FERPA and the Annual Security Report.

PROGRAM ELEMENTS

During the prior two (2) academic years, the following educational programs were offered at WNCC.

For Residence Life*:

- Behind Closed Doors, a situation simulation exercise
- CPR, including a module on alcohol-related health issues
- Prevention training, focused on alcohol-free programming
- Training on the current policies and how to enforce
- NARCAN Training-Emergency responsiveness for overdose of an opioid
- Drug training with the Scottsbluff Police Department at police headquarters

For All WNCC Students:

- College Housing Orientation which focus on current policy and responsible citizenship;
- Alcohol Awareness Week;
- DOVES: Presentation on Healthy Relationships (sexual assault, domestic violence due to alcohol and other drug);
- Alcohol Free events: Week of Welcome, Residence Hall Sponsored Dances, Homecoming Week, Game Nights and Student Organization Sponsored events on each respective campus;
- One professional counselor on staff for intervention and education for alcohol policy offenders;
- A Campus Assessment, Response, and Evaluation (CARE) Team to review and respond to students of concern and to develop holistic strategies to support the student in crisis;

^{*}Residence Life staff includes professional and student staff. Training is comprised of over ten (10) hours of specialized focus for responsiveness to alcohol and other drug situations.

- Survey instrument issued to first-time, incoming WNCC Students to understand student attitudes regarding alcohol and other drugs from the Nebraska Collegiate Prevention Alliance. Survey is given before classes begin. Results of the survey are released to students in November;
- Survey instrument issued to all students to assess college health behaviors from the Nebraska Collegiate Prevention Alliance. The survey is given in spring semester. Results of the survey are released in the following summer;
- State Patrol Drug and Alcohol Education Programs;
- One prevention –oriented program per semester, including Sober in October and Health Week;
- Online modules for various topics related to drugs, alcohol, community living, and more via the Judicial Educator program through Association of College and University Housing Officers;
- Sidney Police Department's presentation of an alcohol awareness program that included the use of impaired driving goggles.

PROGRAM GOALS

The goals of the WNCC Alcohol and Other Drug (AOD) Education and Prevention program are twofold:

- To educate students and staff on the appropriate use and misuse of alcohol and other drugs, their negative health effects, and local, state, and federal regulations and sanctions.
- To provide an effective prevention program for students and staff, including
 positive social marketing to enhance the students' educational experience on
 campus.

RESTRICTIONS

The AOD prevention program limits alcohol availability through the following means:

• Alcohol is prohibited in the College's Residence Halls

- Alcohol is prohibited on all campuses. All community members must follow the alcohol policy
- Alcohol sales at an off-campus event for the community must be preapproved by the College Board

MARKETING AND PROMOTION

The marketing and promotion of alcohol on campus is limited in the following ways:

- Alcohol advertising is banned on campus
- Alcohol industry sponsorship for on- and off-campus events is banned
- No images of alcohol, e.g. mugs, kegs, or drinking behaviors, are allowed in publications
- Alcohol promotions are banned on campus

ALCOHOL AND DRUG COMPREHENSIVE PROGRAM GOALS, OBJECTIVES AND OUTCOMES FROM LAST REVIEW

An important aspect of the Drug Free Schools and Communities Act (DFSCA) is the requirement that Colleges and Universities closely examine their Alcohol and other Drugs (AOD) program on a biennial basis. WNCC strongly believes that a review that looks at the scope and effectiveness of the College's prevention program is critical to creating a comprehensive effort on campus and for complying with the federal regulations.

In the last biennial review, the College listed several recommendations to be accomplished during the biennium. The items outlined below are the recommendations along with objective updates:

The majority of the staff in the Student Life Department were new hires who started during the 2022-2023 academic year. For this reason, the College was focused on programming for students over AOD related issues and training for new and current staff. In the previous biennial report, the following were outlined as goals with parts accomplished during the 2021-2022 and 2022-2023 academic years:

1. Sponsor a larger "Drug-Symposium" for college and community entities. College employees will work with outside entities to bring a speaker(s) to the community to highlight areas of concern in the region and train people on how to deal with the

changing alcohol and drug environment.

- This was not accomplished during the reporting time period as the College focused on broader AOD focused events. For example, WNCC did provide the following events:
 - Oct-Sober Fest for Alcohol Awareness
 - Great American Smoke Out
 - Health Fair
- 2. Consistently open and promote the Nebraska Assessment of College Health Behaviors (NACHB) survey to all incoming students every fall and spring, including online students, to increase participation each year.
 - WNCC did fully implement and administer the NACHB survey during 2022. This is in partnership with the Nebraska Collegiate Prevention Alliance. The survey was administered during 2020, as well, giving WNCC comparative data. WNCC will continue to utilize this survey and has implemented it during 2024.
 - The 2022 NACHB survey showed that 62% of WNCC students self-reported that they consumed alcohol within the past year. A majority of those students, 77%, reported they did not engage in binge drinking behaviors. Student drinkers reported drinking an average of four times per month. 22% of WNCC students reported using marijuana at least once in the last year. 15% of students reported smoking cigarettes, 19% reported using e-cigarettes, and nearly all student reported not using drugs in the past year (not including marijuana). Students reported having stress in their lives with academics, future plans, and financial concerns being the most common contributing factors. For coping methods, drugs, alcohol, and tobacco were listed as the least common methods with music, sleep, and tv/movies being the top.
 - For future years, Student Life will be presenting the findings from surveys such as the NACHB and Year One College Behavior Profile to students at New Student Orientation. This will help students see the similarities and differences between their perceptions and reality of their peers' behavior and choices.
 - The information collected from the survey will also inform our programmatic efforts, particularly related to our large-scale programs such as Oct-Sober Fest and Health Week. The areas of concern identified in the survey will drive some of our main focuses in these efforts.
- 3. Work with Scottsbluff Police Department to conduct training each fall for Student Life and Residential staff on trends in alcohol and drug use.
 - Scottsbluff Police Department partnered with WNCC to provide "drunk-goggles" for our alcohol awareness events. They lead the activity for students.

- Residence Life goes to the police department each fall for training of Residence Assistants.
- The State Patrol has also come to campus to provide expertise on various programs.
- 4. Create a drug/alcohol programming schedule that is standardized at all three campuses.

While this was not fully implemented, WNCC did provide various programs and awareness weeks and campaigns around AOD topics. These programs included: Oct-Sober Fest, Health Week Fair, Coffee with a Cop. Oct-Sober included actively engaging activities such as utilizing "drunk goggles" while completing an obstacle course on a large tricycle. Student Life also hosted a trivia game event about the effect of alcohol and drugs. On the Sidney and Alliance campuses, a State Trooper came to campus to host a presentation on drugs and alcohol and trained attendees how to assist someone who may be under the influence.

ANALYSIS OF WNCC'S DRUG AND ALCOHOL ABUSE PREVENTION PROGRAMS

REVIEW OF TRENDS / DATA DURING REVIEW PERIOD

Available trend data is based on a review of campus statistical information charting violations of the College's drug and alcohol policies (disciplinary referrals and/or arrests) during the biennium.

Western Nebraska Community College utilizes Maxient as its Conduct Management System (CMS) which serves as a repository for all reported violations of the College alcohol and drugs policies. The information utilized for the Biennium Report reflects the data reported in the 2023 Annual Campus Security and Fire Report.

	Alcohol	Drugs
2021	9	27
2022	10	5
2023	54	1

Information in chart represents total reported number of violations in accordance to federal regulations and Clery Act reporting.*

In review of the data on alcohol and drug violations, the data shows a large jump in alcohol from 2022 to 2023. This is largely due to one incident involving a large number of people.

Drug incidents seem to be trending down over time. With a stable staff in place, the College aims to provide alcohol-free events during times of high alcohol use. Student Life as a whole will be providing educational engagement opportunities about alcohol and drug use. We will be partnering with local resources including Panhandle Public Health District and Monument Prevention.

The College continues to work with local and state entities for drug and alcohol information and programming. Staff will continue to provide informative publications to students and aid students who request help for their chemical dependency. The college has also renewed its membership for the Judicial Educator program, which has been updated recently. The Judicial Educator program consists of online modules that span across multiple topics including drugs, alcohol, community living, smoking, bystander education, and more. The modules are hosted online and students assigned a module are required to complete the course and show proficiency in the topic in order to pass. All completion information is stored in the institution's online account via https://learn.reslife.net/. The College will also be utilizing a series of educational videos provided by the Panhandle Public Health District as a basis for educational programming and seminars on AOD topics. The College will continue to require students in violation of the College alcohol or drug policy to complete these two types of programs, wherein they have to complete modules focused on alcohol or drug use and abuse.

STRENGTHS AND WEAKNESSES

Strengths:

- Small campuses which allow WNCC personnel to intervene quickly if the need arises.
- The WNCC Counseling Center offers individual counseling as well as substance abuse, evaluation, education.
- Availability of an Employee Assistance Program (EAP)
- Development of partnerships with external individuals and organizations in communities where our three campuses are housed.
- Utilizing the Assistant Dean of Students position to assist the Dean of Students with student conduct matters including violations related to alcohol and drugs.
- An Institutional Effectiveness Director to help facilitate the compilation of necessary information and data.
- Number of free educational awareness opportunities made available to campus and external community.

- Membership in local and national organizations to assist the College in its drug and alcohol education and prevention efforts.
- Ongoing participation in the Nebraska Assessment of College Health Behaviors Survey.

Weaknesses:

- There is room for improvement on utilizing the data from alcohol and other drug surveys or assessments to drive programming related to the holes that are seen in the survey results.
- WNCC needs to work more with local resources to provide expertise in various areas and niche topics related to AODA programming and educational opportunities.

COMPLIANCE (PROCEDURES FOR DISTRIBUTING ANNUAL AOD NOTIFICATIONS)

Western Nebraska Community College complies with the Drug-Free Schools and Campuses Regulations through the following means:

- The College has affirmed in Board policy (Drug Free Schools and Communities, Policy Number 235.0300.90) its responsibility and commitment to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by student and employees on its property or as part of any of its activities and to comply with the Drug Free School and Communities Act. The current board policy can be <u>found here</u>.
- The College maintains a copy of its Alcohol and Drug Abuse Policy. It can be found in the Annual Security Report, The Student Handbook, The Residence Life Handbook, and on the College's website.
- The College provides its employees and students annually with written and online materials that adequately describe:
 - Standards of conduct that prohibit unlawful possession, use, or distribution of illicit drugs and alcohol on its property or as part of its activities;
 - A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
 - A description of applicable legal sanctions under state, local, and federal law;
 - o A description of applicable counseling, treatment, or rehabilitation

programs; and

• A clear statement of the disciplinary sanctions the institution will impose on students and employees.

ALCOHOL AND OTHER DRUG INFORMATION

Health Risks Associated with Drug and Alcohol Use

The use of alcohol and other drugs have health risks associated with them. Western Nebraska Community College educates students on these risks in va rious ways including active and passive programming, publication of information, and updating information in the Drug and Alcohol Abuse Prevention Program, which is published at https://wncc.edu/about-wncc/consumer-information/index under "Safety" and "Drug and Alcohol Prevention."

Standard of Conduct/Disciplinary Sanctions

Western Nebraska Community College's standards of conduct clearly prohibit the possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its officially recognized activities.

College policy prohibits the use, possession, or sale of alcoholic beverages in any form on College property, whether leased or owned, and on the specific premises of College sponsored or supervised off-campus functions, unless specifically approved by the Board of Governors in advance. The approval and authorization for the use, possession or sale of alcoholic beverages in any form on College property, within College facilities or at College sponsored or supervised off-campus functions is further conditioned upon the requirement that any use, possession or sale of alcoholic beverages be in complete conformity with the requirements of law.

The laws of local, state, and federal authorities pertaining to the possession and use of illicit drugs and alcoholic beverages on public property shall be followed. Specifically, this means that is a violation of the drug and alcohol policy for students or employees to purchase, manufacture, posses, consume, or sell such items on campus.

STUDENT CODE OF CONDUCT

As an educational institution of higher education, WNCC seeks to provide the best educational environment for its students, faculty, and staff. The purpose of the Student Code of Conduct is to help ensure a safe and educationally productive environment for students, employees and visitors. Conduct that adversely affects a student's responsible membership in the academic community shall result in appropriate disciplinary action.

The College sets forth a clear policy regarding alcohol and other drugs and indicates the following are forms of Non-Academic Misconduct that can subject students to discipline:

Alcohol - College policy prohibits the use, possession, or sale of alcoholic beverages on College property, whether leased or owned, and on the specific premises of College sponsored or supervised off-campus functions, unless specifically approved by the Board of Governors in advance and in full compliance with all applicable laws.

Drugs - College policy prohibits the consumption, possession or sale of controlled substances and/or the presence of persons under the influence of controlled substances on College property, whether leased or owned, and on the specific premises of College sponsored or supervised off-campus functions. Conduct covered by this offense includes but is not limited to:

- a. Manufacture, distribution, sale, offer for sale, possession, or use of any illegal drug or narcotic, including but not limited to barbiturates, hallucinogens, amphetamines, cocaine, opium, heroin, or marijuana;
- b. Misuse or abuse of legal drugs or narcotics;
- c. Possession of a device (drug paraphernalia) that has been used to ingest an illegal drug or narcotic.

More information, including the complete text of the code, can be found in the https://wncc.edu/student-life/student-life/student-life/student-life-pdfs/2023-2024-student-life/student-life-pdfs/student-handbook-2024-2025.pdf

Student or employee violations of the standards as stated in the above paragraph shall result in any one or a combination of the following disciplinary sanctions, which are outlined in Administrative Procedure 560 for students (https://www.wncc.edu/about-wncc/leadership/board-of-governors/ap-560-student-discipline-non-academic-conduct-administrative-procedure.pdf) and Board Policy 426 (https://www.wncc.edu/about-wncc/leadership/board-of-governors/bp-426-discipline-policy.pdf)

- Warning
- Disciplinary probation
- Suspension up to and including expulsion or termination of employment
- Referral to an appropriate drug/alcohol education or treatment program
- Any other action considered necessary by college officials including educational modules or activities related to the specific topic for which they are being sanctioned

Definitions and accompanying procedures of these sanctions pertaining to students can be found in the Student Handbook. Policies and procedures of these sanctions pertaining to employees are included in the Board of Governors Policy Manual. Students' rights shall be protected in accordance with due process:

Students accused of violating the drug/alcohol policy as established shall have the right to:

1. A hearing before the appropriate campus official or judicial board, and 2. access to an appeal as defined within the college policies and procedures.

EMPLOYEE DRUG/ALCOHOL POLICY

The College has affirmed in Board policy (<u>Drug-Free Workplace</u>, <u>BP-710</u>) its responsibility and commitment to maintain a drug-free workplace strictly according to the terms and conditions of the Drug-Free Workplace Act of 1988. The College has further set out its methods of implementing these terms in conditions in President's Procedures (<u>Implementation of Drug-Free Workplace</u>, <u>PP-710</u>).

The college prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances on College property or while conducting College business off-premises. Any employee convicted of a criminal drug offense under the above conditions is subject to appropriate personnel action up to and including termination or satisfactory participation in a drug rehabilitation program.

Employee Assistance Program (EAP)

The College has also established an Employee Assistance Program (Connections) to assist faculty, staff, and their families. The Connections EAP program includes assistance for alcohol and substance abuse issues and can be accessed by contacting a 24-hour toll free hotline at 1-800-779-6125. Employees may contact Human Resources for additional information.

COUNSELING, TREATMENT, AND REHABILITATION

There are numerous drug and alcohol counseling, treatment, and rehabilitation options located within the 12-½ county area served by Western Nebraska Community College. The following listing groups these centers in in the following categories: information and referral offices, outpatient services and inpatient facilities. This is a partial list and inclusion of an organization does not imply endorsement nor does omission imply disapproval:

Information and Referral Offices

Western Nebraska Community College (WNCC) Counseling Center

WNCC has a duly licensed counselor (LADC and LIMHP) on staff who is trained to help students with personal difficulties that interfere with optimal personal and academic functioning. Specifically, WNCC offers individual and group counseling, as well as substance abuse evaluation and education needed to assist students.

All services are free and confidential to WNCC students 308-635-6050 or 308-635-6090 or email counseling@wncc.edu

Addictions.com (Free online resource)

https://www.addictions.com/

Provides free resources to help people better understand their addiction and motive them to make the first step in seeking support.

Offers a free and confidential 24/7 Rehab Helpline

Alcoholics Anonymous (locate registered groups by town in Nebraska)

http://www.area41.org (Meeting Locator) 1-877-AA-OF-NEB (1-877-266-3632)

Community Action Partnership of Western Nebraska (CAPWN)

Main Admin. Phone: (308) 635-3089 Health Center Phone: (308) 632-2540 Toll Free Phone: 1-888-448-9665

www.capwn.org

Nebraska Family Helpline

1-888-866-8660

http://dhhs.ne.gov/Pages/Nebraska-Family-Helpine-About.aspx

The Nebraska Family Helpline makes it easier for families to obtain assistance by providing a single contact point 24 hours a day, seven days a week. Trained Helpline operators screen calls to assess immediate safety needs, identify the potential level of a behavioral health crisis, make recommendations or referrals to appropriate resources, and help callers connect to emergency resources or providers. The Helpline is supervised by licensed mental health professionals.

Panhandle Partnership

Western Nebraska Resource Guide (Addictions, Basic Needs, Counseling, Emergency Assistance, Mental Health Providers, and other services)
Search services by category in the Panhandle of Nebraska or by County

https://panhandlepartnership.com/what-we-do/western-nebraska-resource-guide.html

Panhandle Public Health District

Assessment, Assurance, Policy Development

Working together to improve the health, safety, and quality of life for all who live, learn, work, and play in the Panhandle.

https://www.pphd.org/

https://pphd.crediblemind.com/

Region 1 Behavioral Health Authority

Region I, is a political subdivision of the State of Nebraska, and has the statutory responsibility under Neb. Rev. Sat. 71-802-71-820 for organizing and supervising comprehensive mental health and substance abuse services in the Region I geographical area which includes the eleven

counties of the Panhandle of Nebraska.

4110 Avenue D Scottsbluff, NE 69361 (308) 635-3173

https://www.region1bhs.net/vnews/display.v/SEC/Who%20We%20Are

Region 1 network provider directory:

https://www.region1bhs.net/vnews/display.v/SEC/Who%20We%20A re%7CNetwork%20of%20Providers

Wyo-Braska Area Service Committee of Narcotics Anonymous (Meeting locator)

http://www.wyo-braskana.org/meetings

Outpatient Services

Addiction Counseling and Consultation Services, Inc. (ACCS, INC.)

1917 Avenue A, Scottsbluff NE 69361 (308) 633-1390 www.accsinc.net

Box Butte General Hospital

Behavioral Health

Box Butte General Hospital in collaboration with Region 1 Services works to provide Crisis Response Behavioral Healthcare and also maintains a list of mental health providers.

2101 Box Butte Avenue

Alliance, NE 69301 (308) 762-7244

Special Services Staff: (308) 761-3368

http://www.bbgh.org/services/medical-services/behaviorial-health.html

Cirrus House, Inc.

Day Rehabilitation and Community Support Services

Areas Served: Box Butte, Chevenne, Kimball, Morrill and Scotts Bluff Counties

1509 1st Avenue Scottsbluff, NE 69361 (308) 635-1488

Community Action Health Center / Community Action Partnership of Western Nebraska

(Behavioral Health Services offers the following: Substance Abuse Counseling, Mental Health

Counseling, Medication Management and Intensive Outpatient Services)

Main Admin. Phone: (308) 635-3089 Health Center Phone: (308) 632-2540 Behavioral Health: (308) 633-5766

Toll Free Phone: 1-888-448-9665 24/7

Crisis line: 308-633-5766

www.capwn.org

Evals by Eck

Provides Substance Abuse Evaluations and chemical dependency counseling throughout the Panhandle of Nebraska

3321 Avenue I PO Box 1603

Scottsbluff, NE 69361

(308) 762-2723 (Scheduling Service – 24 hour line)

EvalsByEck@gmail.com

Healthy Choices Counseling

Contact: Dallas Massey

1821 1st Avenue P.O. Box 688 Scottsbluff, NE 69363-0688 (308) 632-8236

Karuna Counseling

Services include mental health and substance use therapy. 731 Illinois Street Sidney, NE 69162 (308) 249-7853

Mental Health Alliance

A group of individual providers working together to offer a range of mental health and substance abuse services.

Contact Information:

308-225-6572

Toll Free: 1-866-228-2636

Locations:

815 Flack Avenue 1503 19th Avenue 731 Illinois Avenue Alliance, NE 69301 Scottsbluff, NE 69361 Sidney, NE 69162

Midwestern Behavioral Health Services / Dr. Gage Stermensky, LLC

Services include alcohol and drug evaluations, screening and assessment; psychological evaluations, and substance abuse services.

1807 Avenue A

Scottsbluff, NE 69361

(308) 641-8409

Options in Psychology, LLC

2622 Avenue C Scottsbluff, NE 69361 (308) 632-8547

Regional West Medical Center Behavioral Health

Medical Plaza North Two West 42nd Street, Suite 3200 Scottsbluff, NE 69361 308-635-3711 www.rwhs.org

Innatient Treatment Facilities / Services

Human Services Incorporated (Adult Short Term Residential (Inpatient) Treatment)

419 West 25th Street Alliance, NE 69301 308-762-7177 (24-hour crisis line)

Veterans' Hospital & Treatment Center

500 N. 5th Street Hot Springs, SD 57747 605-745-2000

HALF-WAY HOUSE and RE-ENTRY PROGRAMS

Human Services Incorporated (Transitional Living Program)

419 West 25th Street Alliance, NE 69301 (308) 762-7177

Any of these resources can also provide information and assessment relating to drug and alcohol abuse. In addition, the local resources can furnish schedules for local and area meetings of Alcoholics Anonymous, Narcotics Anonymous, Alanon, Adult children of Alcoholics, Alateen, and Alatot. Both inpatient and outpatient treatment centers offer help for the entire family of alcoholic or drug users.

The above list of resources is not intended to list every available resource or provider in the College's service area and resource listings can change throughout the review period. In addition, Western Nebraska Community College makes no representation or endorsement as to the quality, effectiveness or appropriateness of any of these services.

The listings herein are provided as an informational service only.

LEGAL SANCTIONS

OFFENSES RELATED TO ILLEGAL DRUGS

Selected Nebraska Drug Offenses & Penalties

The regulation of most drugs, also called controlled substances, is set out in the Uniform Controlled Substances Act (Neb. Rev. Stat. § 28-401 et seq.). In addition, there are other Nebraska State laws which establish penalties for various drug related offenses which are summarized below.

Controlled Substance Analogue: Nebraska's Uniform Controlled Substances Act treats controlled substance analogues the same as controlled substances. These drugs, also known as synthetic or designer drugs, are defined under the Act as a substance whose chemical structure is substantial similar to the chemical structure of a controlled substance or which have a stimulant, depressant, analgesic or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the effect of a controlled substance.

Neb. Rev. Stat. § 28-401(31)(a).

Crimes Involving Minors: Any person eighteen years of age or older who knowingly or intentionally manufactures, distributes, delivers, dispenses, or possesses with intent to manufacture, distribute, deliver, or dispense a controlled substance or a counterfeit controlled substance (i) to a person under the age of eighteen years, (ii) in, on, or within one thousand feet of the real property comprising a public or private elementary, vocational, or secondary school, a community college, a public or private college, junior college, or university, or a playground, or (iii) within one hundred feet of a public or private youth center, public swimming pool, or video arcade facility shall be punished by the next higher penalty classification. The Act also provides for an enhanced penalty for any person eighteen years of age or older to knowingly and intentionally employ, hire, use, cause, persuade, coax, induce, entice, seduce, or coerce any person under the age of eighteen years to manufacture, transport, distribute, carry, deliver, dispense, prepare for delivery, offer for delivery, or possess with intent to do the same a controlled substance or a counterfeit controlled substance. Neb. Rev. Stat. § 28-416(4)(a) and 5(a). The Act also provides that if the person convicted of violating this section is eighteen years of age or younger, the court may as part of the conviction impound their motor vehicle licenses or permits and require such person to attend a drug education class. Neb. Rev. Stat. § 28-416(19).

Conditions of Probation: Any person convicted under the Uniform Controlled Substances Act

and placed on probation shall, as a condition of probation, attend and complete appropriate treatment and counseling on drug abuse. Neb. Rev. Stat. § 28-416(14).

Being Under the Influence of Any Controlled Substance for Unauthorized Purpose: It is a violation of Nebraska law to be under the influence of any controlled substance for a purpose other than the treatment of a sickness or injury as prescribed or administered by a practitioner. In a prosecution under this subdivision, it shall not be necessary for the state to prove that the accused was under the influence of any specific controlled substance, but it shall be sufficient for a conviction under this subdivision for the state to prove that the accused was under the influence of some controlled substance by proving that the accused did manifest physical and physiological symptoms or reactions caused by the use of any controlled substance. Neb. Rev. Stat. § 28-417(1) (g).

Property Forfeiture: Property used to manufacture, sell or deliver controlled substances can be seized and forfeited to the state. Property subject to forfeiture may include money, materials, productions and equipment and any aircraft, vehicles or vessels used or intended for use in transporting any controlled substance in violations of Nebraska law. Neb. Rev. Stat. § 28-431.

Drug Paraphernalia Offenses: It is a violation of Nebraska law for any person to use, or to possess with intent to use, drug paraphernalia to manufacture, inject, ingest, inhale or otherwise introduce into the human body a controlled substance. Neb. Rev. Stat. § 28-441(1). "Drug paraphernalia" shall mean all equipment, products, and materials of any kind which are used, intended for use, or designed for use, in manufacturing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of specified Nebraska statutes or the Uniform Controlled Substances Act. Neb. Rev. Stat. § 28-439. It shall be unlawful for any person to deliver, possess with intent to deliver, or manufacture with intent to deliver, drug paraphernalia, knowing, or under circumstances in which one reasonably should know, that it will be used to manufacture, inject, ingest, or inhale or otherwise be used to introduce into the human body a controlled substance. Neb. Rev. Stat. § 28-442. It is a violation of Nebraska law for a person 18 years of age or older to deliver drug paraphernalia to a person under eighteen years of age who is at least three years his or her junior. Neb. Rev. Stat. § 28-443.

It is a violation of Nebraska law for any person to advertise or promote the sale of objects designed or intended for use as drug paraphernalia. Neb. Rev. Stat. § 28-444.

A violation of Neb. Rev. Stat. § 28-441 is punishable by a fine of not more than \$100 for first offense, not less than \$100 and not more than \$300 for second offense, and not less than \$200 and not more than \$500 on third or subsequent conviction. Neb. Rev. Stat. § 28-441 and 29-436. The penalty for violation of Neb. Rev. Stat. § 28-442 is not more than six months imprisonment or \$1,000 fine or both. Neb. Rev. Stat. § 28-442. The penalty for violation of Neb. Rev. Stat. § 28-443 is a Class I misdemeanor; imprisonment for not more than one year, or \$1,000 fine, or both. Neb. Rev. Stat. § 28-443. The penalty for any person who violates Neb. Rev. Stat. § 28-444 is a Class III misdemeanor.

<u>Imitation Controlled Substances</u>: It is a violation of Nebraska law to knowingly and intentionally manufacture, distribute, deliver or possess with intent to distribute or deliver an imitation controlled substance. "Imitation controlled substance" is a substance which is not a controlled substance but which is represented to be an illicit controlled substance. <u>Neb. Rev.</u> Stat.

§ 28-445. First offense violations of this law are punishable by a three-month imprisonment, or \$500 fine, or both. A second offense violation of this statute is punishable by not more than six months imprisonment, or \$1,000 fine, or both. Neb. Rev. Stat. § 28-445.

Tax penalties and consequences of conviction:

Anyone who possesses or sells controlled substances or imitation controlled substances must pay the appropriate taxes to the Nebraska Department of Revenue and have the stamps attached to the controlled substances. Marijuana and controlled substances are taxed at the following rates:

- Illegal marijuana is taxed at \$100 on each ounce or each portion of an ounce. Neb. Rev. Stat. § 77-4303(1)(a).
- Any controlled substance that is customarily sold by weight or volume is taxed at \$150 for each gram or portion of a gram.
 Neb. Rev. Stat. § 77-4303(1)(b).
- Any controlled substance that is not sold by weight is taxed at \$500 for each fifty dosage units or portion thereof.
 Neb. Rev. Stat. § 77-4303(1)(c).

Failure to have the proper tax stamps attached to the controlled substance is a Class IV felony, with a criminal penalty of up to two years imprisonment and twelve months post-release supervision or a \$10,000 fine or both. If imprisonment is imposed, there will be a minimum of a 9-month post-release supervision. Neb. Rev. Stat. § 28-105(1); Neb. Rev. Stat. § \$77-4309.

OFFENSES RELATED TO ALCOHOL

Selected Nebraska Alcohol Offenses

Procuring Alcohol: It is a violation of Nebraska law to sell, furnish, give away, exchange, or deliver, or permit the sale, gift or procuring of any alcoholic liquors to or for any minor or to any person who is mentally incompetent. Neb. Rev. Stat. § 53-180. Violation of this law is punishable by not more than 1-year imprisonment, or \$1,000 fine, or both. Neb. Rev. Stat. § 53-180.05 (1) and § 28-106 (1). Any person who knowingly and intentionally violates this provision and the acts resulted in serious bodily injury or death to any person shall be guilty of a Class IIIA felony and serve a mandatory minimum of at least 30 days imprisonment as part of any sentence. Neb. Rev. Stat. § 53-180.05 (2) and § 28-105.

Minor in Possession: No minor may sell, dispense, consume, or have in his or her possession or physical control any alcoholic liquor. Neb. Rev. Stat. § 53-180.02. Violation of this law is punishable by a three-month imprisonment, or \$500 fine, or both. Neb. Rev. Stat. § 53-180.05 (1) and § 28-106 (1).

<u>Consumption on Public Property</u>: It shall be unlawful for any person to consume alcoholic liquor upon property owned or controlled by the state or any governmental subdivision thereof unless authorized by the governing bodies having jurisdiction over such property. <u>Neb. Rev. Stat.</u> § 53-186.

A violation of this statute is punishable as follows: (1) For the first offense be fined not more than one hundred dollars; (2) upon a second conviction for the same infraction within a two-year period be fined not less than one hundred dollars and not more than three hundred dollars; and (3) upon a third or subsequent conviction for the same infraction within a two-year period be fined not less than two hundred dollars and not more than five hundred dollars. Neb. Rev. Stat. § 29-436.

<u>Driving Under Influence</u>: Driving while under the influence of intoxicating liquors or drugs is a violation of Nebraska law. Pursuant to Neb. Rev. Stat. § 60-6,196:

- (1) It shall be unlawful for any person to operate or be in the actual physical control of any motor vehicle:
 - a) While under the influence of alcoholic liquor or of any drug;
 - b) When such person has a concentration of eight-hundredths of one gram or more by weight of alcohol per one hundred milliliters of his or her blood; or
 - c) When such person has a concentration of eight-hundredths of one gram or more by weight of alcohol per two hundred ten liters of his or her breath.
- (2) Any person who operates or is in the actual physical control of any motor vehicle while in a condition described in subsection (1) of this section shall be guilty of a crime and upon conviction punished as provided in sections 60-6,197.02 to 60-6,197.08.

A violation of this statute is punishable as follows and as provided in sections 28-105, 28-106 and 60-6,197.03:

Offense	Level & Jail Time	Fines	License Revocation
First offense with a BAC under .15%	Class W Misd. 7 to 60 days	\$500	6 months
First offense with a BAC of .15% or higher	Class W Misd. 7 to 60 days	\$500	1 year
1 prior offense with a BAC under .15%	Class W Misd. 30 days to 6 months	\$500	18 months
1 prior offense with a BAC of .15% or higher	Class I Misd. 90 days to 1 year	\$1,000	18 months to 15 years
2 prior offenses with a BAC under .15%	Class W Misd. 90 days to 1 year	\$1,000	15 years
2 prior offenses with a BAC of .15% or higher	Class IIIA Felony 180 days to 3 years If given jail sentence, 9-18 months of post- release supervision will be ordered	Up to \$10,000	15 years
3 prior offenses with a BAC under .15%	Class IIIA Felony 180 days to 3 years If given jail sentence, 9-18 months of post- release supervision will be ordered	And/or up to \$10,000	15 years
3 prior offenses with a BAC of .15% or higher	Class IIA Felony 1 to 20 years		15 years
4 prior offenses with a BAC under .15%	Class IIA Felony 2 to 20 years		15 years
4 prior offenses with a BAC of .15% or higher	Class II Felony 2 to 50 years		15 years

- A person convicted of a specified DUI offense may also be required to have an ignition interlock device and submit to drug treatment mandated by the court.
- There are also separate and/or increased penalties for refusing a chemical test (Neb. Rev. Stat. §60-6,197).

Local laws may also make it a crime to operate a motor vehicle under the influence of alcohol or to commit certain acts involving the consumption or possession of alcohol, e.g. "sale to minors" and "open container" laws.

Alliance, Nebraska Code of Ordinances

Sec. 4-5. Minors on premises prohibited.

It shall be unlawful for any person under the age of 21 years to be in or upon the premises occupied by the holder of any alcoholic liquor license wherein alcoholic beverages are consumed; provided, however, this prohibition shall not apply to the premises which are occupied by hotels, clubs, bona fide restaurants, supermarkets or convenience stores.

Sec. 4-6. Sale to minors prohibited.

No alcoholic liquor licensee, manufacturer, or distributor shall sell or give away any alcoholic liquor to any person who is less than 21 years of age, or to any person who is mentally incompetent. It shall be unlawful for any person who is not 21 years of age to represent that is more than 21 years of age for the purpose of purchasing or receiving alcoholic liquors.

Sec. 4-7. Sale and possession by minor prohibited.

- a) Except as provided in R.R.S. 1943, § 53-168.06, no minor may sell or dispense or have in his possession or physical control any alcoholic liquor in any tavern or in any other place including public streets, alleys, roads, highways, upon property owned by the state or any subdivision thereof, or inside any vehicle while in or on any other place including but not limited to the public streets, alleys, roads, highways, or upon property owned by the state or any subdivision thereof, except that a minor may possess or have physical control of alcoholic liquor in his permanent place of residence.
- b) The term minor shall mean any person, male or female, under 21 years of age; regardless of marital status.

Sec. 4-8. Consumption on premises.

It shall be unlawful to consume or permit to be consumed alcoholic liquors other than beer upon premises which are licensed to sell at retail beer only (Class A license). Except as otherwise provided in R.R.S. 1943, § 53-123.04, it is unlawful to consume or permit to be consumed alcoholic liquor or beer on premises holding a class D alcoholic liquor license.

Scottsbluff, Nebraska Municipal Code

13-6-1. Alcoholic liquor; consumption; open containers; places unlawful. It shall be unlawful for any person:

- (1) to consume or have in his or her possession any open container of alcoholic liquor in the public streets, alleys, roads, highway or parking areas, or any other property owned by or under the control of the State or any governmental subdivision, except as provided in this Article; or
- (2) to consume or have in his or her possession any open container of alcoholic liquor in any place of public resort or any place open to the general public (including parking areas or lots)

except as permitted by a license issued for the premises pursuant to the Nebraska Liquor Control Act,

- (3) to consume or have in his or her possession any open container of alcoholic liquor inside a motor vehicle unless the alcoholic liquor is located so that no occupant of the motor vehicle shall have access to it while the vehicle is in motion, or
- (4) to consume any alcoholic liquor other than beer upon a premise licensed for the sale of beer at retail only.

A container of alcoholic liquor shall be considered an "open container" if the seal of the original package is broken. (Ord. 3641, 2000)

City of Sidney, Nebraska Codified Ordinances

434.01 Driving Under Influence of Alcohol or Drugs

No person shall operate or be in the actual physical control of any motor vehicle upon the streets or alleys or any public place within the City while under the influence of any alcoholic liquor or drug. (1958 Code § 16.58)

612.08 Sale to Minors; Incompetents.

No person shall sell or give any alcoholic liquors to or procure any such liquor for or permit the sale or gift of any such liquor for or permit the sale or gift of any such liquor to or the procuring of any such liquor for, any minor or any person who is mentally incompetent or any person who is physically or mentally incapacitated due to the consumption of such liquors. (1958 Code § 3.4) (Ord. 1784. Passed 2-14-17.)

612.09 Misrepresentation of Age.

No minor shall obtain, or attempt to obtain, alcoholic liquor by misrepresentation of age, or by any other method, in any tavern or other place where alcoholic liquor is sold. (1958 Code § 3.4) (Ord. 1784. Passed 2-14-17.)

612.12 Consumption of Liquor on Public Property, Public Roads, Streets, Alleys.

It shall be unlawful for any person to consume alcoholic liquors in the public parks, streets, alleys, parking areas, roads or highways, or inside vehicles while upon the public parks, streets, alleys, parking areas, roads or highways; or upon property owned by the state or any governmental subdivision thereof, unless authorized by the City Council or its designated agent or unless otherwise provided by law. (1958 Code § 3.10) Ord. 1784. Passed 2-14-17.)

FEDERAL LAW: Federal Penalties and Sanctions for Illegal Possession of Controlled Substances:

- 21 USC 801 et seq., and more specifically 21 USC 841, states that it shall be unlawful for any person to knowingly or intentionally:
 - To manufacture, distribute or dispense with intent to manufacture, distribute or dispense a controlled substance; or

• to create, distribute or dispense or possess with intent to distribute or dispense a counterfeit substance.

2. 21 U.S.C. § 844(a)

First Conviction: Up to 1-year imprisonment and fine of at least \$1,000 or both. After one (1) prior drug conviction: At least 15 days in prison, not to exceed 2 years, and a fine of at least \$2,500. After two (2) or more prior drug convictions: at least 90 days in prison, not to exceed 3 years, and a fine of at least \$5,000.

3. 21 U.S.C. § 853(a) and 881

(a) Forfeiture of tangible and intangible personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. Forfeiture of aircraft, vehicles, or vessels, or any other conveyance used, or intended for use, to transport or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of controlled substances.

4. 21 U.S.C. § 844(a)

Civil fine of up to \$10,000 for each violation of 21 U.S.C. § 844 involving controlled substances listed in 21 U.S.C. § 841(b)(1)(A).

5. 21 U.S.C. § 862 (a) and (b)

<u>Drug Traffickers</u>: Any individual who is convicted of any Federal or State offense consisting of the distribution of controlled substance shall, at the discretion of the court, be ineligible for any and all federal benefits (e.g., student loans, grants, contracts, professional or commercial license). The denial can last up to 5 years for the first conviction and up to 10 years for the second conviction. Those who have three or more convictions will be permanently ineligible for all Federal benefits.

<u>Drug Possessors</u>: Any individual who is convicted of any Federal or State offense involving the possession of a controlled substance shall, at the discretion of the court, be ineligible for any and can last up to one year and the individual shall be required to successfully complete an approved drug treatment program which includes periodic testing to insure the individual remains drug free.

6. 18 U.S.C. § 922(g)(9) Ineligible to receive or possess any firearm or ammunition.

Federal criminal penalties for various drug and drug related offenses and federal trafficking penalties for marijuana are listed on pages 36 and 37 of the 2020 edition of <u>Drugs of Abuse / A DEA Resource Guide</u>.

POLICY DEVELOPMENT AND ENFORCEMENT

AOD policies are developed and enforced on- and off-campus through the following means:

- DUI laws are enforced on and off campus by appropriate law enforcement agencies;
- Disciplinary sanctions for violations of campus AOD policies are enforced;
- All coaches are notified when a student athlete is written up for an alcohol/drug violation(s) in the College Housing or off campus within the community;
- The Office of the Dean of Students regularly communicates with local law enforcement and community members regarding off-campus incidents and concerns about students' behavior and safety.

RECOMMENDATIONS FOR NEXT BIENNIUM

- 1. WNCC will continue participating with the NACHB survey and Year One College Behavior Profile survey to gather comparative data and to track students use and perceptive of AOD related topics. This will help us improve prevention and education efforts. It will also help us assess the effectiveness of our efforts and show where we need improvement. The data is analyzed and sent to the Dean of Students, who then presents the data to the Student Life staff to inform programmatic decisions. For example, the Year One survey for fall of 2024 indicated that over 1/3 of respondents have driven after using marijuana; we plan to use the Nebraska Collegiate Prevention Alliance's statewide educational campaign resources to educate students on the risks of this behavior.
- 2. WNCC will continue our partnerships with local community resources to utilize their expertise in various areas. These partners include, but aren't limited to, Nebraska Collegiate Prevention Alliance, Panhandle Public Health District, Panhandle Prevention Coalition, local Police Departments, and Nebraska State Patrol. One main effort from these partnerships will include AOD workshops via the Panhandle Public Health District. These workshops will be open for all students and will be mandated by students who have violated our AOD policies. We also partner with the Nebraska Collegiate Prevention Alliance to set our standards of prevention efforts to match our peer institutions and state 4-year schools. In the 2023-2024 academic year, Western Nebraska Community College receive a platinum status from the Nebraska Collegiate Prevention Alliance and we intend to continue that level of commitment to prevention and education efforts.
- 3. WNCC will work to enhance our current programs including our Oct-Sober Fest and Health

Week. We aim to make these more robust. Oct-Sober Fest will include half time events during Athletic games during the month that will focus on AOD topics to engage students in attendance and showcase to the community the importance of prevention and education. Oct-Sober Fest will also include student clubs and organization efforts on prevention programming, engaging students in the planning of activities and not just the day of. Student Life will also provide more late night programing, including intramurals, movie showings, trivia, bingo, and similar to ensure students have activities to engage with that are not alcohol or drug focused.

- 4. The Higher Learning Commission, who accredits Western Nebraska Community College, suggested in our recent review that we utilize data to inform decisions and create measurable goals. As such, Student Life assesses our efforts annually and makes yearly adjustments based on the data. This year, we will utilize the General Education goals of the College and utilize our new Mobile App for programmatic check ins, feedback, and tracking. Our assessment documents include Key Performance Indicators and outcomes for reach General Education goal.
 - a. Implement prevention activities that research or evaluation have shown to be effective in preventing high-risk drinking or violent behavior.
 - b. Provide multiple types of activities that are engaging to students about local resources.
 - c. Offer training opportunities to encourage peer-to-peer accountability and engagement.

CONCLUSION

WNCC is committed to training staff and students about the risks associated with alcohol and drug use. At the same time, the College is committed, either on campus or with community resources, to aiding those who have a substance abuse issue. Students need a variety of platforms to engage with others, but they also need to learn how to engage with others. The College will continue to invest time and resources on holistic programming to help develop the whole student and educate them the risks associated with alcohol and drug use.

The College must also work to educate students on state laws; the laws of the state of Nebraska and the policies of WNCC prohibit the use, possession, consumption, sale, distribution, and unlawful manufacture of illegal drugs, narcotics or controlled substances. This is particularly important considering surrounding states laws regarding various substances and the drinking ages internationally. We must educate our students on the local laws and expectations to ensure comprehension and adherence.

WNCC finds value in the state resources providing standard surveys and response to Nebraska colleges. Working more closely with these entities in the future will allow the College to be more pro-active with alcohol and drug programming. WNCC students are more open in discussions regarding their usage of alcohol and drugs. The College will continue to work with the data received from the state and students to form programming for today's college student.

As part of the Review process, please examine the following attachments*:

ALLIANCE CAMPUS DATA

ALCOHOL AND DRUG CHARGES ALLIANCE CAMPUS		
JAN 1- DEC 31, 2021	ALCOHOL CHARGES	DRUG CHARGES
RESPONSIBLE	0	0
NOT RESPONSIBILE	0	0

ALCOHOL AND DRUG CHARGES ALLIANCE CAMPUS		
JAN 1- DEC 31, 2022	ALCOHOL CHARGES	DRUG CHARGES
RESPONSIBLE	0	0
NOT RESPONSIBILE	0	0

ALCOHOL AND DRUG CHARGES ALLIANCE CAMPUS			
JAN 1- DEC 31, 2023	ALCOHOL CHARGES	DRUG CHARGES	
RESPONSIBLE	0	0	
NOT RESPONSIBILE	0	0	

SCOTTSBLUFF CAMPUS DATA

ALCOHOL AND DRUG CHARGES SCOTTSBLUFF CAMPUS		
JAN 1- DEC 31, 2021	ALCOHOL CHARGES	DRUG CHARGES
RESPONSIBLE	9	4

^{*}Please note that WNCC does not have residence halls on the Alliance, NE campus.

NOT RESPONSIBILE	2	0

ALCOHOL AND DRUG CHARGES SCOTTSBLUFF CAMPUS		
JAN 1- DEC 31, 2022	ALCOHOL CHARGES	DRUG CHARGES
RESPONSIBLE	3	2
NOT RESPONSIBILE	0	0

ALCOHOL AND DRUG CHARGES SCOTTSBLUFF CAMPUS		
JAN 1- DEC 31, 2023	ALCOHOL CHARGES	DRUG CHARGES
RESPONSIBLE	54	0
NOT RESPONSIBILE	0	1

SIDNEY CAMPUS DATA

ALCOHOL AND DRUG CHARGES SIDNEY CAMPUS			
JAN 1- DEC 31, 2021	ALCOHOL CHARGES	DRUG CHARGES	
RESPONSIBLE	1	0	
NOT RESPONSIBILE	0	0	

ALCOHOL AND DRUG CHARGES SIDNEY CAMPUS			
JAN 1- DEC 31, 2022	ALCOHOL CHARGES	DRUG CHARGES	
RESPONSIBLE	3	0	
NOT RESPONSIBILE	0	0	

ALCOHOL AND DRUG CHARGES SIDNEY CAMPUS			
JAN 1- DEC 31, 2023	ALCOHOL CHARGES	DRUG CHARGES	
RESPONSIBLE	0	0	
NOT RESPONSIBILE	0	0	