

Laney College

Drug-Free Schools and Campuses Regulations Biennial Review

June 2024



Laney College

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INTRODUCTION TO THE DRUG-FREE SCHOOLS AND CAMPUSES ACT

The Drug-Free Schools and Campuses Act requires an institution of higher education (IHE) to meet certain conditions to receive funds or any other form of financial assistance under any federal program. An IHE must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. If audited, failure to comply with the Drug-Free Schools and Campuses Regulations may cause an institution to forfeit eligibility for federal funding.

To certify its compliance with the regulations, an institution of higher education must adopt and implement a drug prevention program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by all students and employees both on school premises and as part of any of its activities. Creating a program that complies with the regulations requires the IHE to do the following:

- Prepare a written policy on alcohol and other drugs.
- Develop a sound method for distribution of the policy to every student and employee each year.
- Prepare a biennial review report on the effectiveness of its alcohol and other drug (AOD) programs and the consistency of policy enforcement.
- Maintain its biennial review report on files that, if requested to do so by the U.S. Department of Education, the campus can submit it.

COMPLIANCE WITH DRUG-FREE SCHOOLS AND CAMPUSES ACT

To comply, the 2024 Biennial Review of the Laney College alcohol and other drug related policies and programs was conducted in June 2024. The objectives of the review as identified by the U.S. Department of Education include:

- Determining the effectiveness of and implementing any needed changes to alcohol and other drug programs; and
- Ensuring that the disciplinary sanctions for violating standards of conduct are enforced consistently.

The president of Laney College is required to supply a signed statement certifying the Biennial Review to acknowledge awareness and of the recommendations within the report. Both the president's signed statement and a final copy of the 2024 report are kept on file at Laney College in the office of the Vice-President of Student Services in the event the college is audited by the Higher Education Center for Alcohol and Other Drug Prevention, a designee of the U.S. Department of Education. This report will also be made available online under Consumer/Student Information on the Laney College website.

Institutions of higher education are not required to submit the certification or report to the U.S. Department of Education.

LANEY COLLEGE OVERVIEW

VISION

Dream:

Students will be encouraged to envision a reality of empowerment that makes a difference in the community.

Students will have access to career and major exploration experiences to illuminate their path toward achieving their specific goals.

Flourish:

Students will be provided with an opportunity to turn their dreams into reality.

Students will be celebrated when they persevere and persist.

Students will have access to intellectual and personal development experiences that increase their understanding of their potential to impact their local and global communities and promote social justice.

Succeed:

Students will acquire relevant skills. They will earn degrees and certificates that promote personal success and economic mobility that enriches the lives of students, their families, and their local communities.

Students will share learning and knowledge with their families and communities.

OUR MISSION

Laney College's mission is to empower our community and to promote student success and social justice. We welcome and embrace Laney's diversity through serving the community's needs by providing certificates, degrees, transfer pathways, career education, and lifelong learning opportunities.

VALUES

Accountability: We are individually and collectively responsible for achieving the highest levels of performance in helping students acquire the necessary skills and abilities to earn associate degrees, certificates, transfer, and careers. We continually evaluate ourselves to improve our effectiveness and efficiency in meeting our community's educational needs.

Appreciation: We recognize the value of the efforts of all our students and employees. We foster student and employee growth through professional and personal development.

Collaboration: We work cooperatively in a shared governance environment and value individual ability and diversity in thinking as essential to promote open communication, active participation, exchange of ideas, and collaborative decision-making.

Competence: We share a commitment to performing our work assignments with excellence and continuous improvement. We emphasize doing our best in teaching and learning, student achievement, administrative practices, and delivery of support services.

Diversity: We are a multicultural and diverse organization with an enriching blend of people and ideas. Laney is a place for all people and has an environment devoted to fostering and embracing the diversity of our students and employees.

Equity: We work to provide every student and employee with what they need to succeed, and work to remove structural barriers to education.

Innovation: We encourage and support creativity, collaboration, and risk-taking. We foster and promote innovation in the design, development, support, delivery, and management of all programs and services.

Integrity: We are committed to nurturing campus trust by holding ourselves accountable to the highest standards of professionalism and ethics.

Respect and civility: We demonstrate a commitment to the value of everyone through trust, cooperation, and teamwork. We recognize the worth of each individual and their ideas and treat each other and those we serve fairly, with compassion and with esteem.

ALCOHOL AND OTHER DRUG PROGRAM GOALS

Laney College is committed to providing its students and employees with a drug free workplace and campus environment. With an emphasis on prevention and intervention through education, Laney collaborates with the other three colleges in the Peralta Community College District (hereafter PCC District) to ensure its students and employees are aware of the dangers of abuse of alcohol and other drugs, have appropriate information and resources to ameliorate such abuse, and are subjected to appropriate enforcement regarding the inappropriate or illegal use or abuse of such substances on campus and at other venues and during college activities that involve college community members.

The College strives to holistically address student needs by providing a continuum of non-- instructional support services including health services and crisis/personal counseling. Information is disseminated to the campus community about the health risks associated with AOD use and abuse and referrals to on-campus and off-campus services are provided annually.

A variety of data sources are utilized to help the College better understand AOD abuse issues involving its students including internal surveys, service area outcomes assessments, feedback from faculty and staff on concerns or trends, college crime reports, and other related research studies related to college students. This data is used to direct and target programming efforts.

Laney College believes that efforts to prevent or ameliorate AOD abuse are most likely to succeed when they involve collaborative interactions with all relevant stakeholders, including college administration, staff, students, community members, public safety, health and mental health providers in the community, as well as local and state lawmakers and officials.

AOD Program Goals 2022-2024

Goal 1: Promote education and greater awareness of alcohol and drug policies.

Goal 2: Enforce alcohol and drug policies.

Goal 3: Communicate and promote resources and policies for drug and alcohol resources and programs.

Goal 4: Demonstrate care through campus activities, training, planning and support for prevention of drug and alcohol use.

Goal 5: Provide professional mental health services for mental health conditions where substance abuse is one of the conditions.

PROGRAMS ADDRESSING AOD USE AND ABUSE

Laney College has a long history of providing AOD programming through its Health and Wellness Center. Below are some examples of these efforts:

Athletics Department - Laney College student athletes must exhibit the highest levels of behavior and decorum. This applies both on and off the field as well as on and off campus. Student athletes must not only adhere to the Peralta Student Code of Conduct, but also to the Athletic Student Code of Conduct as it relates to alcohol and/or drug abuse. At the beginning of each season of play, the Athletic Director and coaches work directly with students to review and discuss the Student Athlete Handbook, which details the substance abuse policy. Student athletes are regularly monitored for adherence to these policies.

Counseling-Individual and Group - Individual and group counseling for AOD issues is available to students through Mental Health Services, located in the Wellness Center. When student needs are beyond the scope of available services, mental health specialists and nurse practitioners aid students in initiating treatment that meets their needs at the college. Some partners include:

- **Crisis Support Services of Alameda County (CSS)** - Offers support to people of all ages and backgrounds during times of crisis or difficulty. A nonprofit agency that provides a variety of mental health services to a wide range of persons in varying degrees of crisis, its primary mission is to assist people in emotional distress, to offer supportive counseling to those in crisis, and prevent suicide. CSS offers counseling and a variety of groups in their North Oakland office.
- **National Council on Alcoholism and Drug Dependence, Inc. (NCADD)** - The leading advocacy organization in the world addressing alcoholism and drug dependence. Since its founding in 1944, NCADD has raised public awareness about addiction throughout the United States and increasingly across the global community. NCADD provides information and referral services, intervention and drinking driver programs, professional and workplace training, recovery support and advocacy, school-based prevention and education, community education and mobilization, outpatient and residential treatment.
- **Recovering for Life Chemical Dependency Recovery Program (CDRP)** - The Kaiser Permanente Chemical Dependency Recovery Program is a one-year outpatient program dedicated to the treatment of chemical dependency and to restoring the quality of life for members of Kaiser Permanente. The CDRP utilizes five basic modalities: medical and psychological evaluation, detoxification, group and individual therapy, education and skill building and self-help.
- **Alameda County Mental Health Crisis Response** - Offers a participant-centered and goal-oriented process for assessing the needs of an individual for services. Case managers assist the client in obtaining services, reviews participant accomplishments, outcomes and barriers to completing goals. Crisis services offer an immediate therapeutic response to a client exhibiting acute psychological

distress and can be treated within a twenty-three-hour period.

- **Alcoholics Anonymous (AA)** - A fellowship of men and women who share their experience, strength and hope with each other that they may solve their common problem and help others to recover from alcoholism. The only requirement for membership is a desire to stop drinking. There are no dues or fees for A.A. membership and local meetings and support are available throughout Oakland.

Employee Assistance Program (EAP) - Offers quick and easy access to confidential, professional assistance and resources to help employees address difficulties related to emotional concerns, relationships, substance abuse, and legal and financial concerns at no cost. For situations that may require more specialized assistance not available through the EAP, assistance is provided to find and refer treatment resources within the employee's financial means.

Health Education (HLTED) - Housed under the Kinesiology and Athletics Department, HLTED offers a variety of classes that explore health issues and promote wellness to enhance personal development as well as provide pathways into health-related majors and careers in the industry. Examples of transferrable courses that include the study of AOD use and abuse, include:

HLTED 1: Exploring Health Issues

Examination of current problems related to individual and community health: Sexual behavior, birth control, sexually transmitted diseases, drugs, consumerism, environment, psychosomatic health, nutrition, physical fitness, and preventive medicine.

HLTED 20: Health and Wellness: Personal Change

Focus on increased awareness of health and personal responsibility in health maintenance: Role of nutrition, physical activity, psycho-social-economic influences and environmental factors. Influences of stress, addiction, environment, family, advertising and income status on health.

Health and Wellness Fair - Annually under the leadership of the Health and Wellness Center, they hold a community resource fair with a focus on providing students and employees with access to abuse prevention and support services. Each year for the Laney College Annual Wellness Fair, campus and community partners offer information on mental health services, HIV testing, low-income housing resources, childcare services, disaster preparedness, and low-income dental services. Support for AOD use and abuse is a key component of the Fair. Nursing interns from the Health and Wellness Center conduct the Alcohol Use Disorder Identification Test (AUDIT) or Passport to Wellness to help students assess their alcohol usage, dependency symptoms and overall wellness. Alcoholics Anonymous and Narcotics Anonymous is also available to provide information about 12 Step Programs for drug and alcohol treatment and local meeting information.

Restoring Our Communities (ROC) - An academic support program at Laney College, by and for formerly incarcerated students, aims to support and equip formerly incarcerated and justice systems impacted students with the tools to be successful at Laney College and beyond. A program along the prison-to-school

pipeline, ROC is dedicated to eliminating the stigma of being formerly incarcerated and reversing the effects of mass incarceration and the school-to-prison pipeline, with the goal to support students from reentry to graduation and transfer. In addition to support through peer mentoring, books and supplies, ROC also helps assist students with record expungement for alcohol and drug-related offenses, which may continue to create barriers for students trying to reenter and find success in their communities.

Wellness Centers - Laney College has two sites on campus where nurse interns and nurse practitioners provide health and wellness services to students. Available services include, but are not limited to: first aid, pap smears, TB testing, HIV testing, family planning, mental health counseling, lactation services, and referrals to appropriate community health and social service agencies as needed. In addition to direct services, the Centers host health care events on campus and provide workshops to the campus on topics ranging from principles of wellness to combating AOD use and abuse. The department also prepares and disseminates literature and pamphlets on substance abuse, such as, Drinking Facts and Alcohol Use and Your Health. Interns actively table in the Student Center from 9:00 am-2:00 pm, Monday-Thursday, providing health and wellness information to students and staff. Marketing of the events include social media platforms such as Instagram and Facebook.

Workshops, Groups, & Presentations - A wide variety of workshops, groups, and presentations are offered each academic year with a focus on AOD use and other factors that can help ameliorate abuse. The workshops and presentations included panelists from the community and student body that addressed many mental health issues that affect our community, including alcohol and drug dependence.

POLICIES ADDRESSING AOD USE AND ABUSE

Laney College is committed to the overall health and safety of students and employees. It is our goal to maintain a campus free from illegal use, possession, or distribution of controlled substances. To this end, the Peralta Community College District and Laney College have adopted and regularly review its policies and procedures.

BOARD POLICY 3550 DRUG FREE ENVIRONMENT AND DRUG PREVENTION PROGRAM

The PCC District shall be free from all drugs and from the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees. The use of tobacco products is also restricted as detailed in Administrative Procedure AP 3570 Use of Tobacco.

The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in all facilities under the control and use of the PCC District.

Any student or employee who violates this policy will be subject to arrest, citation, and/or disciplinary action (consistent with local, state, or federal law), which may include referral to an appropriate rehabilitation program, suspension, demotion, expulsion or dismissal.

The PCC District recognizes substance dependency as treatable and encourages employees with substance dependency problems to take advantage of the District's Employee Assistance Program. Drug awareness workshops will be offered periodically to inform employees and students of the dangers of substance abuse, the availability of counseling, rehabilitation, and assistance programs, and to notify employees and students of the penalties that may be imposed for violations.

The Chancellor shall assure that the PCC District distributes annually to each student and employee the information required by the Drug-Free Schools and Communities Act Amendments of 1989 and complies with other requirements of the Act.

ADMINISTRATIVE PROCEDURE 3550 PRESERVING A DRUG FREE ENVIRONMENT FOR EMPLOYEES

The PCC District is committed to providing its employees with a drug free workplace and campus environment. It emphasizes prevention and intervention through education.

A. Employee Assistance Program

The PCC District has established an Employee Assistance Program to help employees manage life's challenges including drug dependency and alcohol abuse. Eligible employees are encouraged to contact the Employee Assistance Program for assistance, especially in the case of drug dependency or alcohol abuse. The PCC District will provide new eligible employees with a complete description of the employee assistance program and will annually remind continuing employees to seek assistance if needed.

B. Prohibition of Drugs and Alcohol

1. The unlawful manufacture, distribution, dispensing, possession or use of alcohol or any controlled substance is prohibited on District property, during District-sponsored field trips, athletic events, activities or workshops, and in any facility or vehicle operated by the PCC District.
2. Violation of this prohibition will result in appropriate action up to and including termination of employment, and referral for prosecution, or, as permitted by law, may require satisfactory participation in an alcohol or drug abuse assistance or rehabilitation program.
3. As a condition of employment, employees must notify the PCC District within five days of any conviction for violating a criminal drug statute while in the workplace. The PCC District is required to inform any agencies that require this drug-free policy within ten days after receiving notice of a workplace drug conviction.
4. The PCC District will annually notify its employees of the Prohibition of Drugs and Alcohol through the publication of the "Personal Safety Handbook."

C. Administrative Responsibility

The Vice Chancellor of General Services shall establish internal operating procedures to ensure that any alleged violations of this policy and/or procedure by employees coming to the attention of Peralta Campus Safety are reported to the Vice Chancellor Human Resources.

ADMINISTRATIVE PROCEDURE 3551 PRESERVING A DRUG FREE ENVIRONMENT FOR STUDENTS

A. For purposes of this administrative procedure, campus shall mean those places where a student is engaged in an authorized college activity. The campus includes property owned or leased by the PCC District; property used by the PCC District for student participation in field trips, field study, athletic competition, or study travel programs; and District or private vehicles while being used for official District business. Board Policy 3550 requires the PCC District to maintain campuses where students are prohibited from the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances and from the use of alcohol.

B. For purposes of this administrative procedure, campus shall mean those places where a student is engaged in an authorized college activity. The campus includes property owned or leased by the PCC District; property used by the PCC District for student participation in field trips, field study, athletic competition, or study travel programs; and District or private vehicles while being used for official District business.

C. All students must comply with this procedure to remain in good standing and as a condition of continued attendance in any of the PCC District's colleges. Any violation of this procedure will cause disciplinary action against the student, up to and including expulsion, and/or may require the student to participate satisfactorily in a substance abuse assistance or

rehabilitation program. Student discipline shall be done according to AP 5520 Student Discipline Procedures.

D. Any student who needs information about substance abuse treatment may consult a counselor, who can provide the student with information about available treatment resources. The PCC District does not provide substance abuse treatment.

E. The Vice Chancellor of Academic Affairs (or designee), will ensure that the District's Drug Abuse and Alcohol Prevention Program (DAAPP) will be emailed to all students following the census deadlines for each term, each academic year to ensure all students receive the notification regardless of when they enroll. The notification will include the consequences of illicit drug and alcohol abuse violations on campus, including possible criminal sanctions and student disciplinary action up to and including expulsion pursuant to applicable state/federal law and District policy and administrative regulations. The purpose of such sanctions and discipline is to urge students to begin the personal process of rehabilitation. The notification will provide a list of campus and community resources available to all students, such as counseling and rehabilitation for persons with alcohol or drug-related problems.

F. A review of the District's Drug Abuse and Alcohol Prevention Program (DAAPP) will occur biennially. The Vice Chancellor of Academic (or designee), in coordination with the college Vice Presidents of Student Services, will be responsible for conducting the PCC District's biennial review. The review will consist of an assessment from several sources, including, but not limited to, surveys of District students and employees and data-related to reports including alcohol and drug incidents that resulted in a criminal or disciplinary investigation.

ADMINISTRATIVE PROCEDURE 3560 ALCOHOLIC BEVERAGES

A. The possession, sale or the furnishing of alcohol on campus is governed by California state law and these procedures. The possession, sale, consumption or furnishing of alcohol is controlled by the California Department of Alcohol and Beverage Control. However, the enforcement of alcohol laws on-campus is the primary responsibility of the PCC District's campus police or responsible security officers. The campus has been designated "Drug free" and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the PCC District's campus police or responsible security officers. Violators are subject to disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of this policy for anyone to consume or possess alcohol in any public or private area of campus without prior District approval. Organizations or groups violating alcohol or substance policies or laws may be subject to sanctions by the PCC District.

B. Alcoholic beverages on campus are permitted if:

1. The alcoholic beverage is for use in connection with a course of instruction, sponsored

dinner, or meal demonstration given as part of a culinary arts program at a community college campus, and the instructor or individual has been authorized to acquire, possess, use, sell, or consume it by the College President.

2. A student of at least 18 years of age tastes, but does not swallow or consume, an alcoholic beverage for educational purposes as part of the instruction in a hotel management, culinary arts, or enology or brewing degree program, and the alcoholic beverage remains in the control of the instructor.
3. The alcoholic beverage is for use during a non-college event at a performing arts facility built on District property and leased to a nonprofit public benefit corporation.
4. The alcoholic beverage is produced by a bonded winery owned or operated as part of an instructional program in viticulture and enology.
5. The alcoholic beverage is for use during an event sponsored by the District or the Peralta Colleges Foundation in connection with the PCC District's instructional program in viticulture or the PCC District's instructional program in enology.
6. The alcoholic beverage is possessed, consumed, or sold, pursuant to a license or permit obtained for special events held at the facilities of a public community college during the special event. "Special event" means events that are held with the permission of the governing board of the community college district as delegated for approval by the College President (if the special event is held at the college) or by the Chancellor (if the special event is held at the district office) that are festivals, shows, private parties, concerts, theatrical productions, and other events held on the premises of the public community college and for which the principal attendees are members of the general public or invited guests and not students of the public community college.
7. The alcoholic beverage is acquired, possessed, or used during an event sponsored by the District or the Peralta Colleges Foundation at a community college-owned facility in which any grade from kindergarten to grade 12, inclusive, is taught, if the event is held at a time when students in any grades from kindergarten to grade 12, inclusive, are not present at the facility.

C. The alcoholic beverage is for use during a fundraiser held to benefit a nonprofit organization that has obtained a license under the Business and Professions Code to do so provided that no alcoholic beverage can be acquired, possessed or used at a football game or other athletic contest sponsored by the District.

D. The alcoholic beverage is acquired, or consumed pursuant to a license or permit obtained for special events held at facilities of a community college district at a time when students are not on Page 1 of 2 the grounds. "Facilities" includes, but are not limited to- office complexes, conference centers, or retreat facilities.

ADMINISTRATIVE PROCEDURE 3570 SMOKING ON CAMPUS

I. Smoking: Definition "Smoke or Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or

synthetic, in any manner or in any form. "Smoking" also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form. "Electronic Smoking Device" means any product containing or delivering nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor. Delivery or nicotine delivery systems not approved by the FDA as a proven method for cessation are prohibited where smoking and tobacco use are prohibited.

II. Applicability

A. Smoking is prohibited in all indoor and outdoor PCC District's campus locations and District Administrative Centers, except for the following areas:

B. The PCC District is a smoke and tobacco-free environment. Smoking, vaping, and the use of tobacco products is prohibited on all District property at all times. This administrative procedure applies to students, faculty, staff, administrators, visitors, and general members of the public.

C. The prohibition includes the use of tobacco products, including but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, hookahs, and an electronic device that delivers nicotine or other vaporized liquids to a person inhaling from the device (e.g., e-cigarettes and vaporizers).

D. District property includes indoor and outdoor areas of property that is owned, leased, or otherwise controlled by the District, including but not limited to: classrooms, offices, lobbies, lounges, waiting areas, stairwells, restrooms, walkways, sidewalks, lawns, athletic fields and viewing stands, parking lots, warehouses, storage yards, and District-owned or leased vehicles.

E. Students, faculty, and staff who are interested in smoking cessation are encouraged to explore the free services offered by the California Smokers Helpline at 1-800-NOBUTTS and www.nobutts.org.

III. Notices and Publications

A. Notification of this Smoking Procedure will be published in appropriate District and College publications and in notices distributed to students, faculty, staff, administrators, and those renting District/College facilities.

B. Appropriate signage will be placed throughout the college campuses and district office. Peralta Community College District AP 3570 IV. Penalties A. Violations of the smoking procedures of PCCD are subject to a fine equal to the current fee for parking violations. However, smoking fines shall be limited to a maximum fine of \$100. Persistent offenders, 3 offenses or more, shall be fined \$100. B. If payment is not received within 21 calendar days

the offenders will be notified of the consequences of failure to pay.

C. Payment must be sent to: Parking Enforcement Center, PO Box 6010, Inglewood, CA 90312. Check or money order shall be made payable to the "Peralta Community College District".

V. Enforcement Procedure

A. Citation Enforcement

1. Peralta Campus Safety and other security entities (collectively, "Security Personnel") shall have authority to issue citations for violations of PCCD's smoking policy using the procedures established herein.
2. Citations shall be issued using the Peralta Campus Safety Notice of Parking Violations.
3. All Security Personnel who issue smoking citations shall complete all sections of the citation and shall include personally identifiable information, based on information required and available.
4. Security Personnel will leave a copy of the citation with the individual being cited.

B. Voiding Citations

1. In case the Security Personnel writes the citation in error, the citation may void it through the administrative review process.
2. Security Personnel voiding smoking citations shall: a. Write void on all copies of the citation; and b. Submit all voided copies to the Peralta Campus Safety office.
3. Security Personnel will keep all copies of each voided citation for one year.

C. Citation Correction Notice

1. If an error was written on a smoking citation, but the citation is valid on its face, the Security Personnel who issued the citation shall complete a Citation Correction Notice.
2. If a person other than the issuing Security Personnel discovers the error, they can return the citation to the issuing Security Personnel.
3. Once the error is confirmed, the issuing Security Personnel will complete a Notice of Correction and forward it to Peralta Campus Safety Administrative Sergeant for review. Peralta Community College District AP 3570
4. Once the Notice of Correction has been reviewed, it will be mailed to the individual cited on the citation.
5. A copy of the Notice of Correction will be attached to the original citation and filed.

VI. Appeals (3 Levels)

A. Request for Citation Cancellation (Level 1)

1. An individual may request a Citation Cancellation within 21 calendar days of the citation issuance date.
2. Requests for cancellation must be done in writing, on the Citation Cancellation form. Forms are located at the Peralta Campus Safety Office, 333 E. 8th Street, Oakland, CA 94606.
3. Upon submittal of the Citation Cancellation form, the validity of the appeal shall be

evaluated. Any decision made shall be based on the facts as represented on the face of the citation, the review request, and applicable laws and regulations.

- a) For citations issued by Peralta Campus Safety, their Administrative Sergeant shall evaluate the validity of the appeal.
 - b) For citations issued by Security Personnel other than Peralta Campus Safety, the Vice Chancellor of General Services shall evaluate the validity of the appeal.
4. The evaluating officer can:
- a) Dismiss the violation and request PCCD to remit any payment made;
 - b) Find no grounds for dismissal;
 - c) Determine that an individual is not a persistent offender; or
 - d) Reduce any late fees.
5. Decisions will be mailed to the individual who requested the Citation Cancellation. A copy of the decision will be kept on file until one year after the appeals process has been finalized.

B. Administrative Hearing (Level 2)

1. Individuals dissatisfied with the findings of the Level 1 hearing may request an "Administrative Hearing" (Level 2 hearing).
2. A request for an Administrative Hearing must be made to Peralta Campus Safety in writing within 21 calendar days from the date that the Level 1 hearing results were mailed.
3. The individual requesting a hearing may provide the information for his/her Administrative Hearing in writing. Forms are located at Peralta Campus Safety office, 333 E. 8th Street, Oakland, CA 94606. At the time of his/her request, the individual must provide a check or money order made payable to the "Peralta Community College District" for the full amount of the smoking fine. At that time, a formal hearing will be scheduled.
4. The Vice President, Student Services at the appropriate campus and a Peralta Campus Safety' hearing Officer will conduct an Administrative Hearing with the contesting Peralta Community College District AP 3570 party. Once a decision has been reached, the decision will be mailed to the individual.

C. Superior Court (Level 3) Within 20 days after service of the Level 2, Administrative Hearing decision, an individual may request review by filing an appeal to be heard by the superior court of competent jurisdiction.

VII. Allocation of Proceeds From

Fines Funds shall be allocated to the PCCD and its colleges. Allocation shall include, but not be limited to, enforcement, education and promotion of this administrative procedure, and tobacco cessation treatment options.

VIII. Initial Implementation Upon the initial implementation of this policy, PCCD shall observe a six-month grace period before any fine is distributed. Warnings shall be issued at the discretion of Security Personnel. During this grace period, PCCD shall inform employees and

students of the tobacco use policy and of enforcement measures.

BOARD POLICY 5500 STANDARDS OF STUDENT CONDUCT

The Chancellor shall establish regulations and procedures for the imposition of discipline on students in accordance with the requirements for due process of the federal and state law and regulations.

The regulations and procedures shall clearly define the standards of conduct that is subject to discipline, shall detail the discipline due process, and shall identify potential disciplinary actions, including but not limited to the removal, suspension or expulsion of a student.

The Board shall consider any recommendation from the Chancellor for expulsion. The Board shall consider an expulsion recommendation in closed session unless the student requests that the matter be considered in a public meeting. Final action by the Board on the expulsion shall be taken at a public meeting.

The student standards of conduct and discipline due process shall be made widely available to students through the college catalog and other means.

ADMINISTRATIVE PROCEDURE 5500 STANDARDS OF STUDENT CONDUCT, DISCIPLINE PROCEDURES AND DUE PROCESS

I. The purpose of this procedure is to provide a prompt and equitable means to address violations of the Student Standards of Conduct, which ensures to the student or students involved the due process rights guaranteed them by state and federal constitutional protections. This procedure will be used in a fair and equitable manner and not for purposes of retaliation. It is not intended to substitute for criminal or civil proceedings that may be initiated by other agencies.

II. These procedures are specifically not intended to infringe in any way on the rights of students to engage in free expression as protected by the state and federal constitutions, Education Code Section 76120, and will not be used to punish expression that is protected.

III. A student excluded for disciplinary reasons from one college in the Peralta Community College District may be denied enrollment into other colleges in the District, depending on the specific form of discipline. The President of a college may also deny admission to a student suspended or excluded for disciplinary reasons from other colleges or universities.

IV. Standards of Conduct. Students are responsible for complying with all laws and college regulations and for maintaining appropriate course requirements as established by the instructors.

A. Disciplinary action may be imposed on a student for violation of college rules and regulations, the California Education Code, California Penal Code, and the California Administrative Code. Student misconduct may result in disciplinary action by the college and

prosecution by civil authorities. Student misconduct may also result in disciplinary action that is applicable to other college campuses and central administrative offices at the Peralta Community College District. The college may require restitution as part of the discipline to ensure the return of items or compensation for any loss to the college or District. Misconduct that may result in disciplinary action includes, but is not limited to, the following violations:

1. Violation of District policies or regulations including parking and traffic regulations (subject to Education Code Section 76036), policies regulating student organizations, and time, place and manner regulations in regard to public expression.
2. Willful misconduct which results in injury or death of any person on college-owned or controlled property, or college-sponsored or supervised functions; or causing, attempting to cause, or threatening to cause physical injury to another person.
3. Conduct which results in cutting, defacing, damaging, or other injury to any real or personal property owned by the college or to private property on campus.
4. Stealing or attempting to steal college property or private property on campus; or knowingly receiving stolen college property or private property on campus.
5. Sexual assault or sexual exploitation regardless of the victim's affiliation with the PCCD District. Conduct that constitutes sexual harassment under Title IX is addressed under AP 3433 Prohibition of Sexual Harassment under Title IX and AP 3434 Responding to Harassment Based on Sex under Title IX – these procedures must be used.
6. Unauthorized entry to or use of college facilities.
7. Committing or attempting to commit robbery or extortion.
8. Dishonesty such as cheating, plagiarism (including plagiarism in a student publication), forgery, alteration or misuse of college documents, records, or identification documents, or furnishing false information to the college.
9. The use, sale, or possession on campus of, or presence on campus under the influence of, any controlled substance, or any poison classified as such by Schedule D in Section 4160 of the Business and Professions Code or any controlled substance listed in California Health and Safety Code Section 11053 et seq., an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia, as defined in California Health and Safety Code Section 11014.5.
10. Possession, sale or otherwise furnishing any firearm, knife, explosive or other dangerous object, including but not limited to any facsimile firearm, knife or explosive, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from an authorized college employee.
11. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the governing board.
12. Lewd, indecent, or obscene conduct or expression on college-owned or -controlled property, or at college sponsored or supervised functions; or engaging in libelous or slanderous expression; or expression or conduct which so incites students as to create a clear and present danger of the commission of unlawful acts on college

- premises, or substantial disruption of the orderly operation of the college.
13. Disruptive or insulting behavior, willful disobedience, habitual profanity or vulgarity; or the open and persistent defiance of the authority of, refusal to comply with directions of, or persistent abuse of, college employees in the performance of their duty on or near the school premises or public sidewalks adjacent to school premises.
 14. Obstruction or disruption of teaching, research, administrative procedures or other college activities.
 15. Committing sexual harassment as defined by law or by college policies and procedures; or engaging in harassing or discriminatory behavior based on race, sex, religion, age, national origin, disability, or any other status protected by law.
 16. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.

B. In accordance with Education Code Section 76234, the results of any disciplinary action or appeal in connection with any alleged sexual assault, physical abuse or threat of the same shall be made available within 3 school days of the results, to the alleged victim, who shall keep such information confidential.

The full text of this procedure can be found at:

<https://fs.hubspotusercontent00.net/hubfs/6398505/AP-5500-Standards-of-Student-Conduct-Discipline-Procedures-and-Due-Process-1.pdf>

DISTRIBUTION OF AOD POLICIES TO STUDENTS AND EMPLOYEES

The Chancellor of the Peralta Community College District assure that the District, on behalf of Laney College and the other three colleges within the District, annually distributes the information required by the Drug-Free Schools and Communities Act Amendments of 1989 to each student and employee and adopts procedures to ensure that those enrolled or hired after the initial annual distribution are provided with the required information.

Both District and College publications, including the college catalog, and various websites outline and compliment the official policies. Drug and Alcohol-Free Workplace Policies are available year-round and are located here https://laney.edu/health_center/drug-abuse-alcohol-prevention-program/ and here <https://www.peralta.edu/health-services/drugsandalcohol>

Specific policies and procedures can be found at the following:

BOARD POLICY 3550-DRUG FREE ENVIRONMENT AND DRUG PREVENTION PROGRAM:

<https://fs.hubspotusercontent00.net/hubfs/6398505/BP-3550-Drug-Free-Environment-and-Drug-Prevention-Program.pdf>

BOARD POLICY 5500-STANDARDS OF STUDENT CONDUCT:

<https://fs.hubspotusercontent00.net/hubfs/6398505/AP-5500-Standards-of-Student-Conduct-Discipline-Procedures-and-Due-Process-1.pdf>

ADMINISTRATIVE PROCEDURE 3550-PRESERVING A DRUG FREE ENVIRONMENT FOR EMPLOYEES:

<https://f.hubspotusercontent00.net/hubfs/6398505/Peralta%202021/Pdf/trustees/A-General%20Institution/AP-3550-Preserving-a-Drug-Free-Environment-for-Employees.pdf>

ADMINISTRATIVE PROCEDURE 3551-PRESERVING A DRUG FREE ENVIRONMENT FOR STUDENTS:

<https://f.hubspotusercontent00.net/hubfs/6398505/Peralta%202021/Pdf/trustees/A-General%20Institution/AP-3551-Preserving-a-Drug-Free-Environment-for-Students-r.pdf>

ADMINISTRATIVE PROCEDURE 3560-ALCOHOLIC BEVERAGES:

<https://f.hubspotusercontent00.net/hubfs/6398505/Peralta%202021/Pdf/trustees/A-General%20Institution/AP-3560-Alcoholic-Beverages-Final.pdf>

ADMINISTRATIVE PROCEDURE 3570-SMOKING ON CAMPUS:

<https://f.hubspotusercontent00.net/hubfs/6398505/AP-3570-Smoking.pdf>

ADMINISTRATIVE PROCEDURE 5500-STANDARDS OF STUDENT CONDUCT, DISCIPLINE PROCEDURES AND DUE

PROCESS: <https://fs.hubspotusercontent00.net/hubfs/6398505/BP-5500-Standards-of-Student-Conduct.pdf>

ANALYSIS OF EFFICACY OF AOD USE AND ABUSE EFFORTS

This biennial review of Laney College's efforts to mitigate AOD use and abuse included assessment of data from several sources.

Student & Employee Survey

The first data source was extracted from a survey to students and employees conducted by the Office of the Vice President of Student Services and the Public Information Office to assess awareness of alcohol and drug prevention policies, programs and resources on campus.

Student Questions

Does your campus have alcohol and drug policies?

If alcohol and drug policies exist, are they enforced?

Does your campus send out an annual notice related to drug and alcohol resources and policies?

Do you believe your campus is concerned about the prevention of drug and alcohol use?

Are you aware of the resources on campus that can assist students who are experiencing problems with alcohol and/or drug use?

Have you received professional mental health services for mental health conditions when substance abuse was one of the conditions?

Employee Questions

Does your campus have alcohol and drug policies?

If alcohol and drug policies exist, are they enforced?

Does your campus send out an annual notice related to drug and alcohol resources and policies?

Do you believe your campus is concerned about the prevention of drug and alcohol use?

Are you aware of the resources on campus that can assist students who are experiencing problems with alcohol and/or drug use?

Are you aware of the resources on campus that can assist employees who are experiencing problems with alcohol and drug abuse?

Which of the following areas do you believe our students are most affected by?

Substance Abuse

Housing Insecurities

Food Insecurities

Mental Health Conditions

Alcohol and Drug Incidents 2022-2024

The Peralta District publishes an *Annual Security Report*, which is publicly available at: <https://www.peralta.edu/campus-public-safety/annual-security-report>

The report is published in compliance with the 1998 Jean Clery Act and includes a section on drugs and alcohol on campus. The report clearly makes the connection between drug use and financial aid, stating that:

Generally, persons convicted of first-time criminal drug violations will have their Financial Aid suspended for one year. This can be reduced by treatment at an authorized drug rehabilitation center and clean random (unannounced) drug tests. If the Financial Aid was already awarded, the amount must be repaid. Persons with second offenses, no longer qualify for Student Financial Aid and possibly other Federally funded programs. See FAFSA.org for more information (2023 report, p. 70).

The district also publishes an annual *Public Safety Handbook*, which includes crime data. Drug possession crime at Laney was 0 reported in 2022, 1 reported in 2021, and 0 reported in 2020. No crimes were reported for alcohol.

AOD PROGRAM AND POLICY RECOMMENDATIONS

Laney College is committed to providing students and employees with information and resources to prevent alcohol and drug abuse. We believe alcohol and other substances can play a key role in students not accomplishing their goals of obtaining a college education. It is our goal to provide a Drug and Alcohol Prevention Program for students and employees that will provide educational resources and support services.

Based on the crime statistics, drug and alcohol-related offenses were consistent and low over three years. The 2024 student survey showed 56 percent did not know about the Laney College Drug and Alcohol Prevention Program. In the 2024 student survey, 60 percent believed Laney College is concerned about the prevention of drug and alcohol use by students.

Although 57 percent of employees responded that they are aware of the resources available for those experiencing problems with alcohol and drug abuse, 17 percent did not know of the resources. Given this analysis, the College identified recommendations and goals for improving AOD programs and policies to enhance student and employee awareness and to collaborate across college programs, including Health and Wellness Services, Student Life and Campus Safety. Given this analysis, the College identified recommendations and goals for improving AOD programs and policies to enhance student and employee awareness and to collaborate across college programs, including Health and Wellness Services, Student Life and Campus Safety. This year, Health and Wellness Services and Student Life will fall under the same supervisory structure which will enhance collaborative efforts for student

resources and support.

Additionally, more collaboration across the PCC District's colleges to help leverage resources and support more focused data collection and availability of outreach and support services related specifically to alcohol and other drugs.

AOD Program Improvement Recommendations

Explore continuous options for data collection on substance abuse prevention and the need for services.

Strategies

Develop methodology and data elements for survey instruments and benchmarking. Develop methodology and data elements for survey instruments and benchmarking.

Collect and analyze data annually to review progress toward goals and identify areas for additional support and improvement.

Communicate regularly with campus community on progress toward goals and available resources.

Develop a robust outreach plan addressing alcohol and/or other drug related information.

Strategies

Strengthen collaboration between Health Services, Student Life, Counseling, Athletics, associated student government, Campus Safety and other campus programs to provide annual events and activities for students and employees about alcohol and drug abuse prevention.

Revamp resource materials for distribution on-campus and on social media.

Explore including the alcohol and drug use module of the online sexual assault prevention tool, Not Anymore, a mandatory part of new student orientation.

Work with more community-based organizations to augment services and support
Invite Alameda County Crisis Services to participate in Alcohol Awareness Month activities to forge a partnership to better serve our student population.

Develop a partnership with local universities graduate intern programs to provide more one-on-one counseling and support group services, such as San Francisco State University, California State University, East Bay, University of Massachusetts Global, Wright Institute, effective 2022-2024.

AOD Program Strengths and Weaknesses

There is a strength in the Laney College campus community that is connected through ongoing professional development activities, such as bi-annual Flex Day, and regular workshops through Classified Senate and Faculty presentations, that happen on a regular basis where there is the option to provide information about the resources available on campus that can assist students and employees who are experiencing problems with alcohol and/or drug abuse.

Concurrently there remains a challenge with the stigma and negative social perceptions of seeking out resources available on campus that can assist students and employees who are experiencing problems with alcohol and/or drug abuse.

Another challenge is the limited staff available to outreach when there is simultaneous need to provide services in-person and online. As a result of the pandemic many students became accustomed to online service and the return to in-person services is now a strain to providing high quality service both in-person and online for a large student population with limited staff.

Lastly, one other strength at Laney College, in the 2023-2024 academic year there was the founding of a student organization called We Will Rise Recovery Club that is working to help remove the stigma and negative social perceptions of people in recovery programs. In addition, there are campus programs to highlight the importance of building resilience such as the viewing of the movie *The Anonymous People*, a documentary that sheds light on the journey of recovery and advocacy about the 23.5 million Americans living in long-term recovery from alcohol and other drug addictions. This documentary was viewed on April 24, 2024, at Laney College. The viewing was supported by faculty in Health Ed, COSER, Psychology, Anthropology, and Sociology majors who offered to provide students with extra credit to attend the viewing.

APPENDIX

Appendix 1

A. Results of Student and Employee Surveys

Laney College Student Survey

77 Responses

03:22 Average time to complete

Closed Status



Use Excel to view and manipulate results with filtering, pivoting, and charts.

Download a copy in Excel



Results Summary

Review answers

Post scores

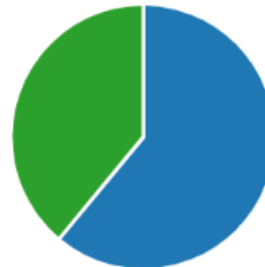


1. Does your campus have alcohol and drug policies? (0 point)

[More Details](#)

Insights

Yes	47
No	0
I don't know	30



2. If alcohol and drug policies exist, are they enforced? (0 point)

[More Details](#)

Yes	24
No	3
I don't know	50



3. Does your campus send out an annual notice related to drug and alcohol resources and policies? (0 point)

[More Details](#)

[Insights](#)

Yes	28
No	6
I don't know	43



4. Do you believe your campus is concerned about the prevention of drug and alcohol use? (0 point)

[More Details](#)

[Insights](#)

Yes	46
No	9
I don't know	22



5. Are you aware of the resources on campus that can assist students who are experiencing problems with alcohol and/or drug abuse? (0 point)

[More Details](#)

[Insights](#)

Yes	34
No	21
I don't know	22



6. Have you received professional mental health services for mental health conditions where substance abuse was one of the conditions? (0 point)

[More Details](#)

Yes	10
No	60
I don't know	7



Laney College Employee Survey

46 Responses

01:45 Average time to complete

Closed Status



Analyze and explore up-to-date results in Excel.



Download a copy in Excel



Results Summary



Review answers



Post scores



1. Does your campus have alcohol and drug policies? (0 point)

[More Details](#)

● Yes	39
● No	0
● I don't know	7



2. If alcohol and drug policies exist, are they enforced? (0 point)

[More Details](#)

[Insights](#)

● Yes	20
● No	4
● I don't know	22



3. Does your campus send out an annual notice related to drug and alcohol resources and policies? (0 point)

[More Details](#)

● Yes	16
● No	5
● I don't know	25



