



ASL

Appalachian School of Law

Biennial Review of Compliance with the Drug-Free  
Schools and Communities Act

2014 – 2016

## Overview

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The **Drug-Free Schools and Campuses Regulation** (EDGAR Part 86) lay out several requirements with which all IHEs receiving any form of federal funding must comply, one of which is a biennial review. The regulations' structure and format provide enough flexibility that a campus can tailor its biennial review and report to suit the particular circumstances of the campus and provide a springboard for a thorough review, evaluation, and adaptation of its AOD prevention program.

*AOD Prevention Program.* IHEs receiving federal funds or financial assistance must develop and implement a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. The program must include annual notification of the following: standards of conduct; a description of sanctions for violating federal, state, and local law and campus policy; a description of health risks associated with AOD use; a description of treatment options; and a biennial review of the program's effectiveness and the consistency of the enforcement of sanctions.

*Certification.* For certain forms of federal funding or assistance, IHEs must certify that they have an AOD prevention program; the certification is included commonly in the "Representations and Certification" section of an application or proposal.

*Requirement to Comply.* IHEs must provide a copy of their biennial report to the U.S. Department of Education or its representative on request. The Secretary or his/her designee may review the report and supporting documentation as necessary and, where an IHE is noncompliant, may take action ranging from providing technical assistance to help the campus come into compliance to terminating all forms of federal financial assistance.

*Other Legal Obligations.* IHEs also may be subject to related requirements under state and federal law and judicial rulings. IHEs should seek advice on this point from the institution's general counsel or other relevant national resources.

To comply with the Part 86 regulation, IHEs must notify all students and employees annually of certain information. The notification must include the following: (1) standards of conduct; (2) possible legal sanctions and penalties; (3) statements of the health risks associated with AOD abuse; (4) the IHE's AOD programs available to students, staff, and faculty; and (5) disciplinary sanctions for violations of the standards of conduct. IHEs must make the notification in writing and in a manner that ensures all students and employees receive it.

*Content of Review.* To comply with the regulations, every two years an IHE must conduct a review of its AOD program to determine effectiveness and the consistency of sanction enforcement, in order to identify and implement any necessary changes. The Department of Education recommends that IHEs conduct the biennial review in even number years and focus their report on the two preceding academic years.

## AOD Prevention Programs

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### Students:

1. Student Assistance Programs (SAP)
2. Lawyers Helping Lawyers

### Faculty and Staff:

1. Employee Assistance Programs (EAP)
2. Lawyers Helping Lawyers

## Part 86, Drug-Free Schools and Campuses Regulations Compliance Checklist

1. Does the institution maintain a copy of its drug prevention programs

YES       NO

If yes, where is it located? Information regarding Appalachian School of Law's drug prevention program is located:

Students: Academic Handbook - <http://asl.edu/wp-content/uploads/2015/08/Ch-1.-General-Information-3.pdf>

Faculty and Staff: Employee Handbook.

2. Does the institution provide annually to each employee and each student, who is taking one or more classes for any type of academic credit except for continuing education units, written materials that adequately describe and contain the following?

- a. Standards of Conduct that prohibit unlawful possession, use, or distribution of illicit drugs and alcohol on its property or as a part of its activities;

Students:                       YES       NO

Staff and Faculty:           YES       NO

- b. A description of the health risks associated with the use of illicit drugs and abuse of alcohol;

Students:                       YES       NO

Staff and Faculty:           YES       NO

- c. A description of applicable legal sanction under local, state, or federal law;

Students:                       YES       NO

Staff and Faculty:           YES       NO

For years listed under this review the applicable legal sanctions were not sent to students, staff, or faculty. The applicable legal sanctions were sent out, via email, on 3/23/18 and will be added to future annual notification after this date.

d. A description of applicable counseling, treatment, or rehabilitation or re-entry programs;

Students:  YES  NO

Staff and Faculty:  YES  NO

e. A clear statement of the disciplinary sanctions the institutions will impose on students and employees, and a description of those sanctions;

Students:  YES  NO

Staff and Faculty:  YES  NO

3. Are the above materials distributed to students in one of the following ways?

a. Mailed to each student (Separately or included in another mailing)?

Students:  YES  NO

Annually emailed to students, faculty, and staff in January and September

b. Through campus post office boxes?

Students:  YES  NO

c. Class schedules which are mailed to each student

Students:  YES  NO

Class schedules are not mailed, but are available on students SONIS account (online)

d. During intro week orientation (1L's)?

Students:  YES  NO

e. During new student orientation (transfers)?

Students:  YES  NO

f. In another manner (describe)?

Students:  YES  NO

This information and related policies are communicated to registered student through their student handbook located <http://www.asl.edu/student-information/>

4. Does the means of distribution provide adequate assurance that each student receives the materials annually?

Students:  YES  NO

5. Does the institution's distribution plan make provisions for providing these materials to students who enroll at some date after the initial distribution?

Students:  YES  NO

Appalachian School of Law does not permit students to enroll after the add/drop period (one week after classes begin). Email notification is sent to students after that day.

6. Are the above materials distributed to staff and faculty in one of the following ways?

a. Mailed

Staff and Faculty:  YES  NO

Annually via email in January and September

b. Through campus post office boxes

Staff and Faculty:  YES  NO

c. During new employee orientation

Staff and Faculty:  YES  NO

d. In another manner (describe)

Staff and Faculty:  YES  NO

7. Does the means of distribution provide adequate assurance that each staff and faculty member receives the materials annually?

Staff and Faculty:  YES  NO

8. Does the institution's distribution plan make provisions for providing these materials to staff and faculty who are hired after the initial distribution?

Staff and Faculty:  YES  NO

9. In what ways does the institution conduct biennial review of its drug prevention program to determine effectiveness, implement necessary changes, and ensure that disciplinary sanctions are enforced?

a. Conduct student alcohol and drug use survey

\_\_\_\_\_ YES      X   NO

b. Conduct opinion survey of its students, staff, and faculty

\_\_\_\_\_ YES      X   NO

c. Evaluate comments obtained from a suggestion box

Students            \_\_\_\_\_ YES              X   NO

Faculty and Staff \_\_\_\_\_ YES              X   NO

d. Conduct focus groups

Students            \_\_\_\_\_ YES              X   NO

Faculty and Staff \_\_\_\_\_ YES              X   NO

e. Conduct intercept interviews

Students            \_\_\_\_\_ YES              X   NO

Faculty and Staff \_\_\_\_\_ YES              X   NO

f. Assess effectiveness of documented mandatory drug treatment referrals for students and employees

Students            \_\_\_\_\_ YES              X   NO

Faculty and Staff \_\_\_\_\_ YES              X   NO

g. Assess effectiveness of documented cases of disciplinary sanctions imposed on students and employees

Students            \_\_\_\_\_ YES              X   NO

Faculty and Staff \_\_\_\_\_ YES              X   NO

h. Other (please list):

10. Who is responsible for conduction these biennial reviews?

The Financial Aid Office

11. If requested, has the institution made available, to the Secretary and the public, a copy of each requested item in the drug prevention program and the results of the biennial review?

Appalachian School of Law has not had any requests for information as of this report.

12. Where is the biennial review documentation located?

The Financial aid Office

13. Comments:

Appalachian School of Law is in compliance with DFSCA requirements, as of 03/23/2018, date of the biennial review. Information for 2017 is not available at this time.



## Staff and Faculty Violations and Sanctions

	2014	2015	2016
Liquor Law Violation	0	0	0
Drug Abuse	0	0	0

Staff and Faculty members who are found responsible for these violations are sanctioned in accordance with employee handbook:

## Student Violations and Sanctions

	On Campus			Off Campus			Public		
	2014	2015	2016	2014	2015	2016	2014	2015	2016
Arrest: Liquor Law Violation	0	0	0	0	0	0	0	0	0
Disciplinary referrals: Liquor Law	0	0	0	0	0	0	0	0	0
Arrest: Drug Abuse	0	0	0	0	0	0	0	0	0
Disciplinary Rreferrals: Drug Abuse	0	0	0	0	0	0	0	0	0

Students who are found responsible for these violations are sanctioned in accordance with the Code of Student Academic Conduct:

Procedures for violation of student academic conduct available Chapter 5 Section III (D) located: <http://asl.edu/wp-content/uploads/2015/08/Ch-5.-Academic-Standards.pdf>