

GateWay Community College

Phoenix, Arizona

Alcohol and Other Drug Programs (AOD)

December 2022

Biennial Review



**GATEWAY
COMMUNITY COLLEGE**

A MARICOPA COMMUNITY COLLEGE

Maricopa Community Colleges Alcohol and Other Drug (AOD) Biennial Report

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Introduction

The Drug Free Schools and Campuses Regulations (34 CFR Part 86) of the Drug-Free Schools and Communities Act (DFSCA) require an Institution of Higher Education (IHE) that receives federal funds to certify it has adopted and implemented a program to prevent alcohol abuse and the use of illicit drugs. This applies to all GateWay Community College students and employees on its premises or as a part of any of its activities.

Each IHE must distribute an annual notification in writing to all students and employees which includes the following information:

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

The law further requires that the IHE conduct a biennial review of its program with the following objectives: (1) determining the effectiveness of the policy and implementing changes to the Alcohol and Other Drug (AOD) prevention program if they are needed; and (2) to ensure that the disciplinary sanctions for violating standards of conduct are enforced consistently.

The biennial review must also include a determination as to: (1) the number of drug and alcohol related violations and fatalities occurring on the campus or as part of their activities that are reported to campus officials; and (2) the number and type of sanctions the IHEs impose on students or employees as a result of such violations or fatalities.

GateWay Community College, a college of the Maricopa County Community College District (MCCCD), acknowledges its legal obligation to conduct a biennial review of compliance with the Drug-Free Schools and Communities Act to determine if the College fulfills the requirements of the aforementioned Federal regulations.

GateWay Community College Administration appointed the College Compliance Committee to review and provide input to this report. The Committee reviewed goals from the prior AOD biennial report and assessed whether those goals were met. Additionally, the Committee reviewed AOD program strengths and weaknesses and established new goals.

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The appointed members of GateWay Community College's Compliance Committee for 2021-2022 included:

- Charla Hunting, Program Manager Compliance, Institutional Effectiveness (Chair)
- Kyrán "Joe" Brennan, Police Commander
- Shala Dveirin, Associate Dean, Student Affairs
- Kristie Fok, Director, Enrollment Services
- Tom Kusek, Manager, Disability Resources & Services
- Gary Marabella, Student Services Specialist, Veteran Services
- Larry "Bruce" Martz, Faculty
- Teresa Munoz Morales, Fiscal Analyst
- Suzanne Ringle, Director, Financial Aid
- Kristina Scott, Interim VP, Student Affairs
- Zach Romo, Coordinator, Diversity, Equity & Inclusion; Center for Student Life

Others who were consulted or contributed to the content of this biennial report included:

- Judy Castellanos, HR Director, MCCCCD HR Solutions Center
- Sydney Craig, Administrative Specialist Senior, GWCC Student Affairs
- Mika Davis, Director of Human Resources, GWCC
- Dominique Doss, Counseling Faculty, GWCC
- Melissa Flores, MCCCCD Interim General Counsel
- Stephnie Hopple, District Director, MCCCCD Compliance Reporting and Accreditation Support
- Rob Shabansky, Interim Athletics Director, GWCC
- Jennifer Urrea, Employee Relations Consultant, MCCCCD HR Solutions Center
- Glenda Lambert, Instructional Services Coordinator, GWCC
- Nancy Sounart, Instructional Services Director, GWCC
- Kerry Sanderson, Project Manager Sr., Well-Being and Engagement, GWCC
- Maria "Jessie" Palacio, Director, Student Life/Leadership, GWCC

The intent of this document is to:

1. Meet the legal requirement of conducting a biennial review.
2. Review the college's programs and activities related to alcohol and drug prevention during 2020-2021 and 2021-2022.

A. Descriptions of the AOD Program Elements

1. Alcohol-Free Options

GateWay Community College provides an alcohol-free environment at all campus locations.

a. Alcohol-Free Events

As stated in Administrative Regulation 2.4.7 Abuse-Free Environment, Maricopa Community Colleges closely align with the Drug-Free School and Communities Act of 1989 and other relevant substance

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abuse laws. As a college of the Maricopa County Community College District (MCCCD), GateWay Community College upholds all federal, state, and district laws and policies limiting or restricting drug and alcohol use and abuse on campus. Adherence to these standards ensures that students and staff are provided a learning and working environment that is healthy and safe.

GateWay Community College offers many alcohol-free events and activities for students, staff, and the community. These are promoted via social media, emails, posters, fliers, TV screens, video monitors, information tables, and classroom announcements. General categories of these activities and events during 2020-2021 and 2021-2022 included:

- Welcome Week Activities
- Gecko Gear Up
- New Student Orientations
- Movie Nights
- Earth Day/Sustainability Events
- Building or Relocation Openings/Dedications
- International Events
- Diversity Awareness Activities and Events
- Constitution Day and Citizenship Day Activities
- Wellness Events
- Service-Learning Activities
- Volunteer Fairs
- United Way Events and Fund-Raising Activities
- Fund-Raising Events for Various Charities
- Food, Water, Clothing Drives
- GeckoLand
- Career Days and Resource Fairs
- Graduation and Graduation Celebrations
- Holiday Events

b. Service Learning, Volunteer Opportunities, or Community Service

Students and staff are encouraged to participate in a wide variety of community service activities. Additionally, a number of special events were held on campus locations to collect money, food, water, clothing, personal items, and so forth for those less fortunate.

United Way support is encouraged via many fund-raising activities during the fall. A number of special events were held to gather donations including selling Grateful Grams, an online auction of employee-donated items, and the sale of GWCC face masks. Monetary pledges from staff are accommodated in several ways, including payroll deduction.

Student service-learning or volunteer opportunities are created, and publicized. Promotion occurs in classrooms, on social media, flyers, word of mouth, and TV monitors around campus. Closed captioning and sign language are available upon request by contacting Disability Resources.

Specific classes integrate service-learning into their programs, and some classes require community service as part of the academic curriculum:

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- Service-learning integrates community service with instruction to enrich the learning experience, teach civic responsibility, and strengthen communities.
- Co-curricular service-learning provides opportunities for on-campus clubs to participate in service that is based on that group's mission and skills.
- Civic engagement involves instruction and activities to encourage students to promote the quality of life in our communities while developing knowledge, skills, values, and motivation to become morally and civically responsible citizens.
- Optional service-learning provides students with an option or alternative to a traditional assignment.
- Virtual service-learning entails projects that occur in remote or virtual environments.

The HUG (Healthcare United at GateWay) Clinic is a significant community service-learning project. The HUG Clinic enables students enrolled in Diagnostic Medical Sonography (Ultrasound), Physical Therapy Assisting, and Respiratory Care to gain hands-on experience with real patient interaction on a pro-bono basis for the community.

MCCCD's Creative Pathways Maricopa Learns through Service programs provide employees up to a total of six hours per month in learning through community-based service. Participants select from a list of non-profit agencies where they wish to serve by volunteering to the agency and simultaneously gaining new knowledge, skills, and abilities.

c. Alcohol-Free Campus Facilities

All campus spaces and facilities are alcohol and drug free in accordance with the Drug Free Schools and Communities Act Amendments of 1989, Public Law 101-226, and comply with all federal, state, and local laws, and MCCCD policies pertaining to controlled substances, including alcohol.

Alcohol-free settings with expanded hours may include a student center, art gallery, library, cafeteria, and outdoor amphitheater.

d. Nonalcoholic Beverages at Events

For the most part, events are nonalcoholic. The sole exception is the annual Runway to Success event to raise money for scholarships and programs to support GWCC student success and retention. The Maricopa Community Colleges Foundation holds this annual event at an external third-party location where alcohol is available. Runway to Success is approved per Administrative Regulation 4.13 Alcoholic Beverage Usage Regulation. Proper paperwork is on file with the Maricopa Community Colleges Foundation concerning this event.

Due to COVID-19 protocols, there was only one Runway to Success event during the timeframe covered by this report. It was held in November 2021.

GateWay Community College is dedicated to alcohol-free events and activities for our students and staff. No event held on any campus location promotes alcohol or other drugs.

2. Normative Environment

a. Pro-health Messages Publicized on Campus

Pro-health messages are publicized through social media, posters, emails, fliers, TV screens, information tables, and classroom announcements.

Maricopa BreatheEasy is a healthy-living initiative that eliminated the use of tobacco products from all MCCC property. “No Smoking” signs are posted in several locations on campus, including entrances to buildings.

Events were held to educate students about misperceptions of drinking norms, alcohol, and drug abuse. Newsletters posted around campus advised that all grounds including parking lots and sidewalks are smoke-free and tobacco-free, including “e-cigs”. Pamphlets cautioning about the dangers of vaping were distributed.

The mission of Wellness Maricopa is to empower employees and students to make healthier lifestyle choices and informed healthcare decisions by providing comprehensive wellness opportunities through communication, education, and screenings. Wellness information is provided throughout the year. Flu and pneumonia shots, and COVID vaccines at offsite locations were encouraged for students and staff.

GWCC’s Employee Development Committee includes a sub-committee on Wellness/Well-Being that provided staff with a variety of healthful promotions including information on healthy eating alternatives, wellness walks and other activities.

Wellness Maricopa Coordinators created #YouMatter in April 2020 and continued to promote health and well-being while also inspiring connectivity amidst social distancing protocols during the timeframe covered by this report. The integration of health and wellness focused on eight dynamic interdependent dimensions: Spiritual, Emotional, Environmental, Occupational, Financial, Intellectual, Physical, and Social Wellness.

As indicated in the 2020 AOD Biennial Report, GateWay Community College was recognized as the first well-being community college in the world for implementing a 5C’s of Well-Being Culture:

- Character – Developing strengths of character that enable us to do our best
- Care – Taking care of emotional, physical, and environmental needs to cultivate conditions for flourishing
- Connection – Fostering and maintaining close, positive relationships; a sense of belonging
- Contribution – Being a part of something bigger than ourselves; finding a purpose for learning and for life
- Career – Making decisions that contribute both to career and life success

GateWay Community College continues to foster a culture of Well-Being. In response to the challenges of the pandemic, GateWay hired a full-time project manager in 2021 to oversee well-being efforts for both students and employees. Programming has helped to buffer against mental health impacts and resulted in an increased sense of “family” and belonging on campus, and as well as an increase in self-efficacy and hope. All of these positive outcomes support alcohol and drug free effects.

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The GeckoGab for students and the iNews for staff provided information on the proper disposal of unused or expired prescription medications. Proper disposal of medicine saves lives by avoiding potential accidental poisoning, misuse, and overdose.

Employees who complete a Health Risk Assessment and who test tobacco free receive annual wellness incentive dollars in their paychecks.

Colleges notify MCCCCD's Risk Management Office immediately in the event anyone becomes aware of a communicable disease situation, so they can collaborate with Maricopa County Public Health to help those who may have been exposed to the pathogen, and to direct mitigation efforts to protect those uninfected. Additional protocols were in place during the timeframe covered by this report to address the COVID-19 pandemic.

b. Academic Standards

GWCC provides certificates and degrees in academic and professional education or trade and technical training. The academic schedule includes course offerings during evenings and weekends. Classes may be credit hour, clock hour, non-credit, or continuing education. Instruction may be provided in person, online, or in hybrid format.

Maricopa Colleges strive to create a productive learning environment for all students. Students are advised of course content, instructor expectations, student responsibilities, and academic standards via the syllabus and student handbook/catalog.

Students are expected to attend all classes, to come to class prepared, to be on time, to have all required materials, to complete all homework, and to be ready to participate in classroom discussions and learning activities.

c. Faculty Encouraged to Engage in Higher Level Contact with Students

All students are valued, and student success is of utmost importance. GWCC provides an Early Alert System to facilitate student success and retention through early detection and intervention when students experience problems affecting academic performance. Faculty and staff are educated about behavioral indicators, student norms, and cultural attitudes related to high-risk or illegal alcohol or drug use. Appropriate referrals are made to GWCC's Counseling Department. External agencies are contacted for assistance with issues arising from smoking, drugs, or alcohol.

Students are encouraged to get to know faculty, staff, and classmates. Students who are connected are more likely to find support and encouragement resulting in successful completion of their educational goals.

Faculty provide students with enriched learning experiences and opportunities by incorporating service-learning, community service, and civic responsibility into curriculum.

d. Student Leadership Promotes Positive, Healthy Norms

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Student leadership (e.g. orientation leaders, athletes, student organizations, and so forth) promotes positive, healthy norms.

Student leadership hosted several events during this timeframe that provided information on drug and alcohol abuse, smoking/vaping, domestic violence, sexual assault awareness, and prevention. Students are educated about misperceptions of drinking norms.

e. Students Have Opportunities to Advise and Mentor Peers

Students collaborate on group projects, form study groups, and otherwise support each other. GateWay Community College offers a Peer Mentor program to support student success.

3. Alcohol Availability

a. Alcohol is Banned or Restricted on Campus

Serving of alcoholic beverages is restricted at all GateWay Community College locations. In the years covered by this report, zero events occurred in which alcohol was available on campus.

GWCC personnel are not permitted to purchase or transport alcohol for use on campus or campus-related events. Administrative Regulation 4.13 prohibits the use of funds to purchase alcohol and the use of alcohol at college sponsored events. State law also regulates the service, sale, distribution, and consumption of alcoholic beverages. In light of the law, GWCC does not permit the use, sale, or distribution of alcoholic beverages at any college site.

GWCC does not have any dormitories or other living arrangements for students on campus.

b. Alcohol Use Is Prohibited in Public Places

GateWay Community College maintains a drug, alcohol, and tobacco free environment. No alcohol is permitted in public places or elsewhere on any campus.

The number and concentration of legal drug, alcohol, and tobacco vendors near campus locations are regulated by the state.

c. Delivery or Use of Kegs or Other Common Containers

Delivery or use of kegs or other common containers is prohibited on campus. GateWay Community College prohibits alcohol on campus in any form.

4. Marketing and Promotion of Alcohol

a. Alcohol Advertising on Campus

GateWay Community College bans all advertisements of alcohol on campus locations.

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b. Alcohol Industry Sponsorship for On-Campus Events

There are no events on campus which are sponsored by the alcohol industry.

c. Alcohol Promotions with Special Appeal to Underage Drinkers

GWCC main campus and sites are located in neighborhood settings, including bars, restaurants, hotels, and other establishments that are licensed to serve liquor to their customers. However, GWCC does not participate in any promotions related to drinking, underage or otherwise.

d. Alcohol Promotions that Show Drinking in High-Risk Contexts

GateWay Community College does not participate in promotions related to drinking.

e. Pro-Health Messages that Counterbalance Alcohol Advertising Are Required

GateWay Community College maintains a drug, alcohol, and tobacco free campus. This includes a ban on any advertisements for those products. Therefore, there is no need to counterbalance alcohol advertising with pro-health messages.

f. Sale of Shot Glasses, Beer Mugs, and Wine Glasses at Campus Bookstore

GateWay Community College's Bookstore does not offer drinkware such as beer mugs, wine glasses, or shot glasses for sale in store.

5. Policy Development and Enforcement

a. Policy

Listed below are the Administrative Regulations and Policies documenting MCCC's commitment to an Abuse-Free Environment and addressing the Use of Alcoholic Beverages. Regulations and policies may change over time. See Appendices for the complete content of these Administrative Regulations and Policies that were in effect when this document was created:

- AR 2.4.7 – Abuse-Free Environment
- AR 4.12 - Smoke-Free/Tobacco-Free Environment
- AR 4.21 Breathe Easy Tobacco Free | Smoke Free
- AR 4.13 – Use of Alcoholic Beverages
- AS-6 Notice of Intent to Serve Beer and Wine Form
- AS-7 Request to Serve Beer and Wine – Third Party Form
- AR S-16 - Statement on the Arizona Medical Marijuana Act (Proposition 203)
- AR 4.14 - Motor Vehicle Usage
- AR 2.5.2 – Student Conduct Code
- Staff Policy Manual A-4 Employment Standards
- Staff Policy Manual A-18 Drug Free Workplace

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- Staff Policy Manual C-4 Progressive Discipline
- Student Athletic Code of Conduct

Campus Police presence is evident. College grounds and buildings are patrolled on a regular basis by College Police with assistance from staff hired from a private security firm. On-campus events must be registered.

Any possession or sale of alcohol and drugs, including medical marijuana, is prohibited. Smoking on campus, including electronic cigarettes, is not allowed.

Disciplinary sanctions are imposed for violation of campus Alcohol and Drug policies. In addition to Student Conduct or Human Resource proceedings, penalties may include referral for criminal prosecution. Disciplinary sanctions for violations are increased for repeat offenses.

Disciplinary sanctions for violation of Student Code of Conduct include, but are not limited to: Warning, Probation, Loss of Privileges, Restitution, Discretionary Sanctions, Suspension, or Expulsion.

Athletics and some programs of study have a No Tolerance policy for violations. Specific expectations, requirements, and sanctions are covered during orientation for those programs. Additionally, student athletes sign a statement acknowledging the prohibited use of alcohol, drugs and tobacco and sanctions for violations.

Local, state, and federal law prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol. Conviction for violating these laws can lead to assigned community service, fines, probation, and/or imprisonment. Persons convicted of a drug and/or alcohol related offense may be ineligible to receive financial aid from federally funded or subsidized grants, loans, scholarships, or employment.

Employees are subject to disciplinary action, up to and including employment termination, for any of the following: reporting to work under the influence of alcohol and/or illegal drugs or narcotics; the use, sale, dispensing, or possession of alcohol and/or illegal drugs or narcotics on MCCCCD premises, while conducting MCCCCD business, or at any time which would interfere with the effective conduct of the employee's work for MCCCCD; use of illegal drugs or testing positive for illegal drugs.

b. Statistics

GateWay Community College is committed to assisting all members of the GWCC community in providing for their own safety and security. As required by the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, or the "Clery Act," GWCC College Police Department prepares and publishes an Annual Security Report. GWCC's current Annual Security Report can be accessed in its entirety on GWCC's website at <https://www.gatewaycc.edu/police> or at <http://www.gatewaycc.edu/disclosures>

The following three-year summary of specific crime offenses was taken from GateWay Community College's 2022 Annual Security Report.

Note that for purposes of this Alcohol and Other Drug Biennial Report, crime statistics are combined for all college locations. More detailed crime statistics delineated by geographic location for on-campus

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property, non-campus property, and public property can be found in the GWCC Annual Security Report referenced above.

GateWay Community College			
Offenses	(2019)	(2020)	(2021)
Murder/Non-Negligent Manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	1	0
Aggravated Assault	0	1	1
Burglary	2	1	4
Motor Vehicle Theft	4	2	0
Arson	0	1	0
VAWA – Domestic Violence	0	0	0
VAWA – Dating Violence	0	0	0
VAWA - Stalking	0	0	0
Arrests	(2019)	(2020)	(2021)
Weapon Law Arrests	0	0	0
Drug Arrests	5	0	4
Alcohol Arrests	0	0	0
Referrals	(2019)	(2020)	(2021)
Weapon Law Referrals	0	0	0
Drug Referrals	0	0	0
Alcohol Referrals	0	0	0
Hate Crimes	(2019)	(2020)	(2021)
Hate Crimes Reported	0	0	0

GateWay Community College Addresses		
Washington Campus	108 North 40 th Street	Phoenix, AZ 85034
Central City	1245 East Buckeye Road	Phoenix, AZ 85034
SouthWest Skill Center	3000 North Dysart Road	Avondale, AZ 85392

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Deer Valley *	2931 West Bell Road	Phoenix, AZ 85053
18th Street	555 North 18th Street	Phoenix, AZ 85006
Center for Entrepreneurial Innovation	25 North GateWay Drive	Phoenix, AZ 85034
Phoenix Forge	535 West Van Buren Street	Phoenix, AZ 85003

*Due to building damage caused by weather, the Deer Valley address closed on 8-15-2021.

c. Consistency of Enforcement

When necessary to apply sanctions for violations involving alcohol, drugs, or vaping/smoking, GWCC does so consistently for similar offenses.

There were no alcohol, drugs, or vaping/smoking offenses involving GWCC student athletes or athletic staff during 2020-2021 and 2021-2022. Therefore, no athletic students or staff were sanctioned for such offenses.

During 2020-2021 and 2021-2022, there was one offense involving alcohol, drugs, or vaping/smoking among GWCC employees. The incident involved an alcoholic beverage and the employee was sanctioned with a two-day unpaid suspension for violation of staff policy.

The following tables list offenses involving alcohol, drugs, or vaping/smoking and sanctions involving students and non-students during 2020-2021 and 2021-2022. This information was provided by GateWay's Dean of Student Affairs Office and College Police.

The Maricopa County Community College District Police Commander and lawyer review all college police reports to ensure they are in compliance and maintain consistent standards for all cases.

2020-2021

Offense	Offender	Circumstance	Disposition
Alcohol	Non-student	Intoxicated. Passed out on campus. Not coherent.	Taken for treatment.
Alcohol	Non-student	In possession of alcohol on campus.	Trespassed.
Drugs	Non-student	Overdosed on campus. Administered Narcan.	Trespassed.
Drugs	Non-student	Drug use on campus.	Trespassed.
Drugs	Non-student	Under the influence of drugs on campus. Not coherent.	Taken to a responsible party.
Drugs	Non-student	Using drugs and in possession of drug paraphernalia on campus.	Trespassed.
Drugs	Non-student	Overdosed. Passed out near campus. Administered Narcan. Not coherent.	Will be trespassed if found on campus.
Drugs	Non-student	In possession of drug paraphernalia near campus.	Arrested per outstanding warrant.
Drugs	Non-student	In possession of drug paraphernalia on campus.	Trespassed.
Drugs	Non-student	Using drugs and in possession of drug paraphernalia on campus.	Trespassed.

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Drugs & Alcohol	Non-student	Under the influence of alcohol and in possession of drug paraphernalia on campus.	Trespassed.
Smoking	Non-student	Smoking on campus.	Trespassed.
None	Student	There were no student offenses in 2020-2021.	N/A

2021-2022

Offense	Offender	Circumstance	Disposition
Alcohol	Non-student	In possession of alcohol on campus.	Trespassed.
Alcohol	Non-student	Intoxicated and disruptive on campus. Did not respond to No Trespass order resulting in arrest.	Arrested.
Alcohol	Non-student	In possession of alcohol on campus.	Trespassed.
Alcohol	Non-student	Intoxicated. Passed out on campus.	Trespassed.
Drugs	Non-student	Using illicit drugs on campus.	Trespassed.
Drugs	Non-student	Previously trespassed in possession of drugs on campus and arrested for outstanding warrants.	Trespassed.
Drugs	Non-student	Previously trespassed in possession of drug paraphernalia.	Trespassed.
Drugs	2 Non-students	Under influence and possession of drugs on campus.	Trespassed.
Drugs	Non-student	Drug violation, previously trespassed.	Arrested.
Drugs	Non-student	In possession of drug paraphernalia on campus.	Trespassed.
Drugs	Non-student	Using drugs and having paraphernalia on campus.	Trespassed.
Drugs	Non-student	Using drugs and having paraphernalia on campus.	Trespassed.
Drugs	Non-student	Using drugs on campus.	Trespassed.
Drugs	Non-student	In possession of drug paraphernalia on campus.	Trespassed.
Drugs	Non-student	Outstanding warrant and had drugs near campus.	Arrested.
Drugs	Non-student	In possession of drug paraphernalia on campus.	Trespassed.
Drugs	Non-student	In possession of drug paraphernalia on campus.	Trespassed.
Drugs	Non-student	Overdosed. Passed out near campus. Administered Narcan.	Will be trespassed if found on campus.
Drugs	Non-student	Outstanding warrant and had drugs on campus.	Trespassed & arrested.
Drugs	Non-student	Theft suspect in possession of drugs.	Trespassed & arrested.
Alcohol	Student	Intoxicated on campus.	Student Code of Conduct Probation.
Alcohol	Student	Intoxicated on campus.	Student Code of Conduct Probation.

B. Statement of AOD Program Goals and Goal Achievement

GateWay Community College established three Alcohol and Other Drug Program Goals during the prior 2020 biennial review. Those goals are listed below, along with goal achievements during the timeframe covered by this 2022 report:

1. Goal: Continue to monitor student conduct incidents involving alcohol, drugs, or smoking on a semesterly basis.

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- a. Outcome: GWCC's Compliance Committee received and reviewed incident reports every six-months for the time frames indicated:
 - i. July-December 2020
 - ii. January-June 2021
 - iii. July-December 2021
 - iv. January-June 2022
2. Goal: If there is an increase in the number of incidents involving alcohol, drugs, or smoking, assess any gaps in AOD efforts to try to reduce occurrences.
 - a. Outcome: No student incidents occurred during the first three time periods spanning July 2020 through December 2021. Two student incidents involving alcohol intoxication were reported during the January-June 2022 time period. However, GWCC's Compliance Committee did not feel that those two isolated incidents warranted any adjustments in preventive measures.
3. Goal: Implement more outreach opportunities to increase student and staff mindfulness concerning alcohol, drug, and smoking awareness.
 - a. Outcome: COVID protocols in place during much of the time covered by this report required social distancing and limited in-person classes, thus restricting onsite options for increased outreach. However, students and staff regularly receive emailed announcements via GeckoGab and iNews, respectfully. Electronic communications via those platforms were used each semester by GWCC's Compliance Committee to remind the college community of the serious effects of alcohol and drug abuse on a student's academic performance and on a person's general well-being, and included a link to the most recent AOD biennial report. Additionally, GeckoGab and iNews were used to advise students and staff that unused or expired prescription medications are a public safety issue, leading to potential accidental poisoning, misuse, and overdose. Students and staff were advised of options to properly dispose of unused drugs to help save lives and protect the environment, in accordance with National Prescription Drug Take-Back Day.

GWCC's Compliance Committee established the following goals for the next reporting cycle:

1. Goal: Continue to monitor student conduct incidents involving alcohol, drugs, or smoking/vaping on a semesterly basis.
2. Goal: If there is an increase in the number of student incidents involving alcohol, drugs, or smoking/vaping, assess any gaps in AOD prevention efforts to try to reduce occurrences.
3. Goal: Should a need arise warranting increased prevention efforts, the Committee will refer to research-driven strategies and evidence-based practices, and ensure incorporation of same.

C. AOD Program Strengths and Weaknesses

1. Summary of AOD Program Strengths

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GateWay Community College main campus and all locations are alcohol, drug, and tobacco free.

Employees exhibit a strong commitment to student success, including support of an alcohol, drug, and tobacco-free learning environment.

Employees have Mental Health benefits including 24/7 access to alcohol and drug abuse counseling.

Students have access to Counseling services, which could include referrals to external agencies addressing alcohol and drug abuse.

A number of resources are listed in GWCC's Annual Security Report.

GWCC provides a large number of activities and events that are alcohol, drug, and tobacco-free.

Faculty, staff, and students can report concerns about a student, which could include drugs or alcohol, through the Early Alert program.

MCCCD has established alcohol, drug, and tobacco policies that pertain to students, employees, and visitors (see Appendices).

MCCCD emails a Drug and Alcohol Prevention Programs Notification to students and staff annually. This notification includes:

- Standards of conduct;
- Possible legal sanctions and penalties;
- Statements of the health risks associated with alcohol and other drug abuse; and
- Disciplinary sanctions for violations of the standards of conduct.

The annual notification also advises that MCCCD uses a comprehensive approach to alcohol and other drug abuse prevention that:

- Addresses multiple factors that influence student alcohol and other drug use including individual, peer, institutional, and community factors.
- Provides a continuum of programs and services that range from prevention through treatment.
- Establishes goals, specific outcomes and relevant strategies that are grounded in campus specific data.
- Implements evidence-based strategies and best practices.
- Incorporates education, environmental management, early intervention and enforcement strategies.
- Integrates proactive prevention and intervention strategies.
- Develops collaborations and coalitions, and forms partnerships with academic and student affairs, management, students, parents and the surrounding community.
- Incorporates evaluation as a meaningful tool for planning and program improvement.

MCCCD policies and local laws are consistently enforced.

2. Summary of AOD Program Weaknesses

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A review of the number and type of alcohol, drug, and tobacco incidents during the timeframe covered by this AOD do not reveal any specific weaknesses.

However, GWCC will continue to take advantage of every opportunity to increase student and staff prevention awareness of alcohol, smoking, and drug use.

D. Notification to Students and Employees

1. Policy Contents

The annual Drug and Alcohol Prevention Programs notification to students and employees include:

- Standards of conduct for students and employees that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illegal drugs and alcohol; and tobacco use and vaping.
- A list of possible legal sanctions under local, state, or federal laws for the unlawful possession or distribution of alcohol or illegal drugs.
- A description of the health risks associated with the abuse of alcohol or use of illegal drugs, and tobacco products including vaping.
- A list of drugs, alcohol, and quit smoking programs (counseling, treatment, rehabilitation, and re-entry) that are available to employees or students.
- A statement that disciplinary sanctions may be imposed on students and employees for violations of the standards of conduct.
- A description of those disciplinary sanctions, up to and including student expulsion or termination of employment.
- A student or employee who violates AOD policy is subject both to applicable school and employment sanctions as well as possible criminal prosecution.

MCCCD's Legal/Compliance Office indicates that students who violate drug or alcohol policy are subject to disciplinary sanctions, educational interventions and/or administrative actions that range from conducting research into various aspects of drug or alcohol use up to expulsion from the District's colleges. Depending on the specific violation, the student may also be referred for criminal prosecution.

Further, MCCCD's Legal/Compliance Office also advises that employees who violate the drug and alcohol policies may face sanctions that include progressive discipline, a written reprimand, suspension, demotion, or termination of employment. Sanctions may also include the requirement that the employee complete a drug or alcohol education or rehabilitation program. Depending on the violation, employees may be referred for criminal prosecution.

MCCCD Administrative Regulations indicate that possession or consumption of alcohol, tobacco, and illegal drugs on MCCCD campus is prohibited. Additionally, pursuant to federal law, cannabis (marijuana) use is prohibited on MCCCD property, including those who have a medical marijuana card or who use recreational marijuana in accordance with Arizona state law. The MCCCD Public Safety Department actively enforces laws pertaining to underage drinking, public consumption of alcohol, the furnishing of alcohol to underage individuals, and other alcohol laws. MCCCD Police also enforces drug laws and related prohibitions on campus.

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Drug and alcohol treatment and rehabilitation programs are available for students and employees. MCCCCD colleges have partnerships with community groups to address both prevention as well as student drug or alcohol abuse. MCCCCD also has an Employee Assistance Program for employees that addresses prevention and abuse assistance.

2. Policy Distribution

Awareness of AOD and applicable notifications to students and employees include the following:

- MCCCCD sends the Drug and Alcohol Prevention Programs Notification electronically to all students and to all staff annually in August.
- See the appendix for content of the Notification.
- After the Annual Notification process is run, MCCCCD sends new students and new staff the Notifications.
- All notifications are sent to students and staff via official MCCCCD email addresses.
- MCCCCD maintains a record of sent Notifications.
- MCCCCD provides a new hire orientation within an employee's first 10-30 days. The New Employee Orientation identifies where policies and regulations are located on MCCCCD's website, including expectations and possible sanctions pertaining to alcohol, drugs, and smoking violations.
- MCCCCD provides an Employee Assistance Program (EAP) to employees as part of the health benefit package. Behavioral health assistance is available by phone 24/7 for relationship challenges, workplace issues, anxiety or stress, drug or alcohol use, or grief consultations.
- Additionally, GWCC submits articles in iNews, an e-news bulletin for GWCC faculty and staff, to recognize the serious effects of alcohol and drug abuse on a student's academic performance and on a person's general well-being, and to remind them where they can access GWCC's AOD Biennial Report on our website.
- GWCC submits similar articles in GeckoGab, an e-news communication to GWCC students.
- Policies related to drugs and alcohol are posted on MCCCCD and college websites, and included in annual reports and consumer information.

E. Recommendations for Revising AOD Programs

As indicated in this report, a review of the number and type of incidents during the timeframe covered by this AOD do not reveal any specific weaknesses at this time that warrant targeting for improvement.

GWCC's Compliance Committee will continue to review, monitor, and adjust our AOD prevention program as warranted.

GWCC will continue to follow guidance received from MCCCCD's Office of General Counsel and from MCCCCD's Compliance Office.

Appendix A

Annual Drug and Alcohol Notification to Employees



STATEMENT ON DRUG-FREE CAMPUSES

In accordance with the Drug-Free Schools and Communities Act Amendments of 1989 (Act), the Maricopa County Community College District (MCCCD) is distributing this notification to all students and employees to inform them of MCCCD's comprehensive program to prevent the use of illicit drugs and the abuse of alcohol. This notification summarizes MCCCD's programs, resources, policies, and standards of conduct; discusses health risks; highlights treatment options; and provides an overview of sanctions.

STANDARDS OF CONDUCT

It is the goal and policy of Maricopa County Community College District to provide a drug-free environment for all college students and employees. To achieve this goal and to comply with federal law, MCCCD prohibits the unlawful sale, distribution, dispensation, possession, and use of controlled substances on MCCCD property or as part of any of its programs and/or activities.

Students, faculty, staff and visitors of any MCCCD campus are advised to become familiar with federal, state and local laws regarding alcohol and other drugs in accordance with the campus location. Students, faculty, staff, and visitors on any MCCCD campus must: 1) abide by MCCCD policies regarding alcohol abuse and illicit drugs; 2) abide by local, state and federal laws regarding alcohol, drugs, and controlled substances; and 3) act to reduce the risks associated with the use and abuse of these substances.

MCCCD students and employees are subject to all applicable drug and alcohol policies including, but not limited to:

[AR 2.4.7 – Abuse-Free Environment](#)

[AR 4.13 – Use of Alcoholic Beverages](#)

See also the **Auxiliary Services** section for [Tobacco-Free Environment](#) and the **Appendices/Student Section** [Medical Marijuana Act](#) of the Administrative Regulations.

Possession or consumption of alcohol, tobacco, and illegal drugs on MCCCCD campus is prohibited. Pursuant to federal law, cannabis (marijuana) use is prohibited on MCCCCD property, even for those who have a medical marijuana card.

The MCCCCD Public Safety Department actively enforces laws pertaining to underage drinking, public consumption of alcohol, the furnishing of alcohol to underage individuals, and other alcohol laws. MCCCCD Police also enforces drug laws.

For more information about the Maricopa County Community College District DAAPP content, contact the MCCCCD Public Safety Department at <https://police.maricopa.edu/> or Chief David Denlinger at David.Denlinger@domail.maricopa.edu.

Overview of State Laws and Legal Sanctions

An overview of alcohol and drug offenses for Arizona is herein provided. Sanctions under federal, state, and local laws for the unlawful possession or distribution of illicit drugs and alcohol are serious and can range from civil sanctions to criminal convictions including fines and imprisonment.

Arizona Alcohol Offenses:

A person who is under the legal drinking age and who misrepresents the person's age to any person by means of written instrument of identification with the intent to induce a person to sell, serve, give or furnish liquor contrary to law is guilty of a class 1 misdemeanor. [A.R.S. § 4-241](#). In addition to any other penalties prescribed by law, a person shall pay a fine of at least two hundred fifty dollars. [A.R.S. § 4-246](#).

A person who is under the legal drinking age and who solicits another person to purchase, sell, give, serve or furnish spirituous liquor contrary to law is guilty of a class 3 misdemeanor. [A.R.S. § 4-241](#). In addition to any other penalties prescribed by law, a person shall pay a fine of at least two hundred fifty dollars. [A.R.S. § 4-246](#).

A person who is under the legal drinking age and who uses a fraudulent or false written instrument of identification or identification of another person or uses a valid license or identification of another person to gain access to a licensed establishment is guilty of a class 1 misdemeanor. [A.R.S. §](#)

[4-241](#). In addition to any other penalties prescribed by law, a person shall pay a fine of at least two hundred fifty dollars. [A.R.S. § 4-246](#).

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A person who knowingly influences the sale, giving, or serving of spirituous liquor to a person under the legal drinking age by misrepresenting the age of such person or who orders, requests, receives or procures spirituous liquor from any licensee, employee or other person with the intent of selling, giving or serving it to a person under the legal drinking age is guilty of a class 1 misdemeanor. [A.R.S. § 4-241](#).

It is a class 1 misdemeanor for a person under the legal drinking age (21 years of age) to buy, receive, or have in the person's possession or to consume spirituous liquor. [A.R.S. § 4-244](#). It is a class 1 misdemeanor for any person to sell, furnish, dispose of or give or cause to be sold, furnished, disposed of or given, to a person under the legal drinking age (21 years of age) any spirituous liquor. [A.R.S. § 4-244](#).

Alcohol violations that qualify as a class 1 misdemeanor are punishable by up to six months in jail, can include a hefty fine, may involve probation, or a combination of these.

Drug Offenses:

A person shall not knowingly possess or use marijuana, possess marijuana for sale, produce marijuana, or transport marijuana for sale. [A.R.S. § 13-3405](#). A person who possesses marijuana weighing less than two pounds is guilty of a class 6 felony, weighing less than four pounds is guilty of a class 5 felony, and weighing over four pounds is guilty of a class 4 felony. The various offenses in this statute range in severity of punishment from a class 6 felony to a class 2 felony with a range of up to 15 years imprisonment. [A.R.S. § 13-3405](#).

A person shall not knowingly possess or use a narcotic drug; possess a narcotic drug for sale; possess equipment or chemicals for the purpose of manufacturing a narcotic drug; manufacture a narcotic drug; administer a narcotic drug to another person; obtain or procure the administration of a narcotic drug by fraud, deceit, misrepresentation or subterfuge; or transport for sale, import into this state, offer to transport for sale or import a narcotic drug. [A.R.S. § 13-3408](#). Violations include a class 4 felony to a class 2 felony with a range of up to 15 years imprisonment. Additionally, a fine of not less than \$2000 or three times the value of the narcotic drugs involved, whichever is greater (up to a statutory maximum) [A.R.S. § 13-3408](#).

It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, inject, inhale or otherwise introduce into the human body a drug. "Drug" means any narcotic drug, dangerous drug, marijuana or peyote. "Drug paraphernalia" means all equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a drug violation. Violators are guilty of a class 6 felony. [A.R.S. § 13-3415](#).

Additional information on Arizona drug offenses and penalties can be found at [A.R.S. §§ 13-3401– 13- 3423](#).

Federal Law and Legal Sanctions

It is unlawful for any person knowingly or intentionally to possess a controlled substance unless such substance was obtained directly or pursuant to a valid prescription or order from a practitioner. Federal penalties include, but are not limited to:

- For first conviction of simple possession, up to one year of imprisonment, a fine of \$1000, or both. Length of imprisonment and fines increase with further convictions. 21 U.S.C. § 844.
- Forfeiture of property. 21 U.S.C. § 853.
- Discretionary denial of federal benefits, including student loans or professional license. 21 U.S.C. § 862.

Additional offenses and penalties can be reviewed at <https://www.deadiversion.usdoj.gov/21cfr/21usc>.

According to 21 U.S.C. § 1091(r), a student who is convicted of any offense under federal or state law, involving the possession or sale of a controlled substance, for conduct that occurred during a period of enrollment for which the student was receiving any federal grant, loan, or work assistance will not be eligible to receive any grant, loan, or work assistance from the date of conviction for the period of time specified:

Conviction for Possession of a Controlled Substance	Period of Ineligibility
1st Offense	1 year
2nd Offense	2 years
3rd Offense	Indefinitely
Conviction for Sale of a Controlled Substance	Period of Ineligibility
1st Offense	2 years

2nd Offense	Indefinitely
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See [21 U.S.C. § 802\(6\)](#) for the definition of “controlled substance.”

Disciplinary Sanctions, Educational Interventions, and Administrative Actions

Students

Students who violate the college drug or alcohol policy are subject to disciplinary sanctions, educational interventions and/or administrative actions. Disciplinary sanctions include expulsion or suspension. Educational interventions may include the requirement to participate in individual or group learning sessions, community service experiences and/or risk assessments addressing alcohol or other drug abuse. Administrative actions may include warnings, probation, interim suspension, or completion of a drug or alcohol education or rehabilitation program. Violators may also be referred for prosecution.

Employees

Sanctions will be imposed on an employee who violates college drug or alcohol policies, which may include progressive discipline, a written reprimand, suspension, demotion, or termination of employment. Sanctions may also include the requirement that the employee complete a drug or alcohol education or rehabilitation program. Violators may be referred for prosecution.

Health Risks

Alcohol

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses can cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other people of becoming alcoholics. For more information see [here](#).

Illicit Drugs

The use of illicit drugs can lead to a variety of health risks, depending on the drug or combination of drugs used. A description of common drugs of abuse, their uses and effects are provided in

Appendix A.

For further information, visit the campus drug prevention website at

<https://www.campusdrugprevention.gov/drugshttps://district.maricopa.edu/consumer-information/alcohol-drug-abuse-prevention>.

Drug and alcohol treatment and rehabilitation programs are available for students through MCCCCD community partnerships and for employees through the Employee Assistance Program. Prevention and Education:

MCCCCD uses a comprehensive approach to alcohol and other drug abuse prevention that:

- Addresses multiple factors that influence student alcohol and other drug use including individual, peer, institutional, and community factors.
- Provides a continuum of programs and services that range from prevention through treatment.
- Establishes goals, specific outcomes and relevant strategies that are grounded in campus specific data.
- Implements evidence-based strategies and best practices.
- Incorporates education, environmental management, early intervention and enforcement strategies.
- Integrates proactive prevention and intervention strategies.
- Develops collaborations and coalitions, and forms partnerships with academic and student affairs, management, students, parents and the surrounding community.
- Incorporates evaluation as a meaningful tool for planning and program improvement.

DRUG CATEGORY	What is it?	Street Name	How is it used?	How does it affect the body?
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Cannabis (Marijuana)	Marijuana – Mind-altering psychoactive drug. Dry, shredded, green/brown mix of flowers, stems, seeds and leaves from the cannabis sativa plant. THC (delta-9-tetrahydrocannabinol) is the main ingredient that produces the psychoactive effect. Addictive.	Marijuana – Aunt Mary, BC Bud, Chronic, Dope, Gangster, Ganja, Grass, Hash, Herb, Joint, Mary Jane, Mota, Pot, Reefer, Sinsemilla, Skunk, Smoke, Weed, Yerba	Smoked as a cigarette or in a pipe or bong • Smoked in blunts (cigar emptied of tobacco and filled with marijuana, and sometimes mixed with additional drugs) • Mixed with food (edibles) • Brewed as tea	Relaxation, disinhibition, increased appetite, sedation, increased sociability • Effects memory and learning • Difficulty in thinking and problem solving • Hallucinations • Impaired judgment, reduced coordination • Distorted perception • Decreased blood pressure, increased heart rate, dizziness, nausea, tachycardia • Confusion, anxiety, paranoia, drowsiness • Respiratory ailments
Depressants includes Barbiturates, Benzodiazepines, GHB-GammaHydroxybutyric Acid, Ryohyponl	Barbiturates – Depressant drug used to help sleep, relieve anxiety and muscle spasms, prevent seizures. Prescribed names: Fiorina®, Pentothal®, Seconal®, or Nembutal®	Barbiturates – Barbs, Block Busters, Christmas Trees, Goof Balls, Pinks, Red Devils, Reds & Blues, Yellow Jackets	Barbiturates • Swallowing a pill or injecting a liquid	Barbiturates • Lack of inhibition, relief of anxiety, sleepiness; impairment of memory, judgment and coordination; irritability • Paranoia and suicidal thought • Tolerance is easily developed, requiring larger doses each time • Overdose can occur easily and can be fatal. Signs: Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma
Depressants includes Barbiturates, Benzodiazepines, GHB-GammaHydroxybutyric Acid, Ryohyponl	Benzodiazepines – Depressants that produce sedation, induce sleep, relieve anxiety and prevent seizures. Available in prescription pills, syrup and injectable preparation. Prescribed as Valium®, Xanax®, Restoril®, Ativan®, Klonopin®	Benzodiazepines – Benzos, Downers, Nerve Pills, Tranks	Benzodiazepines • Orally or crushed and snorted	Benzodiazepines • Calming, euphoria • Vivid or disturbing dreams • Amnesia, hostility, irritability • Overdose may be fatal. Signs: shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma

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Depressants Includes Barbiturates, Benzodiazepines, GHB-GammaHydroxyb utyric Acid, Rohypnol	GHB – Gamma – Hydroxybutyric Acid Prescribed as Xyrem, it is also known as the “date rape drug.” It comes in liquid or as a white powder that is dissolved in water, juice, or alcohol. In liquid form, GHB is clear and colorless and slightly salty in taste.	GHB – Gamma – Hydroxybutyric Acid – G, Georgia Home Boy, Goop, Grievous Bodily Harm, Liquid X, Scoop, Liquid Ecstasy	GHB – Gamma – Hydroxybutyric Acid • Usually a liquid, mixed in a beverage • White powder normally dissolved in a liquid	GHB – Gamma – Hydroxybutyric Acid • Hallucinations • Euphoria, drowsiness, decreased anxiety, excited and aggressive behavior • Overdose symptoms: unconsciousness, seizures, slowed heart rate, greatly slowed breathing, lower body temperature, vomiting, nausea, coma, death • Addictive. Withdrawal symptoms: insomnia, anxiety, tremors, increased heart rate and blood pressure, psychotic thoughts
Depressants Includes Barbiturates, Benzodiazepines, GHB-GammaHydroxyb utyric Acid, Rohypnol	Rohypnol – Depressant and benzodiazepine with generic name Flunitrazepam. It is not approved for medical use in the United States. Used by cocaine abusers to relieve side effects, and also used as a “date rape” drug.	Rohypnol – Circles, Forget Me Pill, La Rocha, Lunch Money Drug, Mexican Valium, Pingus, R2, Roach 2, Ruffles, Rophies, Wolfies	Rohypnol • Oblong olive green tablet, swallowed, crushed and snorted • Can be dissolved in liquids When placed in light colored drink, will dye it blue	Rohypnol • Muscle relaxant, decreased anxiety • Drowsiness, amnesia, sleep • Slurred speech, loss of coordination • Impaired mental function, confusion Addictive

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Designer Drugs Includes Bath Salts, Flakka (alpha-PVP), Spice/K2, Synthetic Marijuana, U-47700	Spice/K2, Synthetic Marijuana – A synthetic version of tetrahydrocannabinol (THC), the psychoactive ingredient in marijuana, K2/Spice is a mixture of plant and material sprayed with synthetic psychoactive chemicals. Often looks like potpourri and typically labeled “not for human consumption.” Dangerous to purchase from Internet because its origins and chemical amounts are unknown. The ingredients and strength of products containing synthetic cannabinoids are almost impossible for the user to know.	Spice/K2, Synthetic Marijuana – Bliss, Black Mamba, Blaze, Bombay Blue, Fake Weed, Legal Weed, Genie, Zohai, Red X, Dawn Scooby Skunk, Snax	Spice/K2, Synthetic Marijuana • Smoked using “joints”, pipes, E-cigarettes, as a tea	Spice/K2, Synthetic Marijuana • Paranoia, anxiety, panic attacks, hallucinations, and giddiness • Addictive • Increase in heart rate and blood pressure • Convulsions, organ damage, or death
Designer Drugs Includes Bath Salts, Flakka (alpha-PVP), Spice/K2, Synthetic Marijuana, U-47700	Bath Salts – Synthetic stimulants sold online, convenience stores and “head shops” under various brand names. Resemble Epsom salts and labeled “Not for human consumption.” Erroneously sold as bath salts, plant food and research chemicals.	Bath Salts – Bliss, Blue Silk, Cloud Nine, Drone, Energy-1, Ivory Wave, Lunar Wave, Meow Meow, Meph, Ocean Burst, Pure Ivory, Purple Wave, Red Dove, Snow Leopard, Stardust, Vanilla Sky, White Dove, White Knight, White Lightning	Bath Salts • Sniffing/snorting, orally, smoke, or put into a solution and injected.	• Insomnia, irritability, dizziness • Feelings of empathy, stimulation, alertness, euphoria and sensory awareness • Paranoia, hallucinations, delusions, suicidal thoughts, seizures • Rapid heart rate that may lead to stroke or heart attack • Sweating, nausea, and vomiting • Prolonged panic attacks • Death
Designer Drugs Includes Bath Salts, Flakka (alpha-PVP), Spice/K2, Synthetic Marijuana, U-47700	Flakka (alpha-PVP) – is a dangerous drug that is similar to the street drug commonly known as bath salts. Flakka is typically white or pink in color, and is found in crystal form.	Flakka (alpha-PVP) – Gravel	Flakka (alpha-PVP) • The drug may be eaten, snorted, injected, or vaporized in ecigarettes.	Flakka (alpha-PVP) • Paranoia and hallucinations that may lead to violent aggression and self-injury. • Overdose and death have been linked to use of this drug.

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Designer Drugs Includes Bath Salts, Flakka (alpha-PVP), Spice/K2, Synthetic Marijuana, U-47700	U-47700 - nicknamed "U4," "pink," or "pinky," is a highly potent synthetic opioid that looks like a white or light pink powder. A lot of times, it is often either sold in baggies or pressed into pills to look like legal painkillers. Abuse of this drug is similar to heroin, and prescription and designer opioids.	U-47700 – Pinky, Pink or U4	U-47700 This drug is usually snorted, swallowed or injected.	U-47700 This drug poses the same risks as heroin and many other designer opioids. The drug's effects include: • Numbness • Sedation • Cold and clammy skin • Coma • Respiratory failure leading to death This drug is 7-8 times more potent than morphine, according to the National Institute of Drug Abuse (NIDA). Not to mention, buyers can't be certain exactly what they are getting when they purchase the drug online.
Drugs of Concern Includes DXM (Dextromethorphan), Kratom, Salvia Divinorum	DXM (Dextromethorphan) Cough suppressor found in many over-the-counter medications, such as cough syrup, tablets, capsules, or powder. Popular over-the-counter brands: Robitussin, Coricidin NBP	DXM (Dextromethorphan) – CCC, DXM, Poor Man's PCP, Robo, Skittles, Triple C	DXM (Dextromethorphan) • DXM is taken by drinking cough syrup or swallowing tablets, capsules, or powder. Extensive "how to" abuse information on various websites. Preferred by teenagers and younger for its easy accessibility. Tablets are easy to conceal and students will take them in school.	DXM (Dextromethorphan) • Increase in perceptual awareness, altered time perception • Hallucinations, confusion • Addictive • Loss of coordination, slurred speech, sweating, lethargy • High doses of DXM with alcohol or other drugs, including antidepressants, can cause death.
Drugs of Concern Includes DXM (Dextromethorphan), Kratom, Salvia Divinorum	Kratom – Leaves from the tropical tree Kratom in Southeast Asia, which causes stimulant, and sedative effects in different doses. More commonly abused in the Asia Pacific region than the United States.	Kratom – Thang, kakuam, thom, ketum, and biak	Kratom • Swallowed as a pill, crushed and smoked, brewed as a tea, chewed raw leaves	Kratom • At low doses, increased alertness, physical energy, and talkativeness • At high doses, sedation • Addictive: cause hallucinations, delusion, and confusion • Nausea, itching, sweating, dry mouth, constipation, increased urination, and loss of appetite • Long-term use can cause anorexia, weight loss, and insomnia

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Drugs of Concern Includes DXM (Dextromethorphan), Kratom, Salvia Divinorum	Salvia Divinorum – Psychoactive plant from the mint family, abused for its hallucinogenic effect.	Salvia Divinorum – Maria Pastora, SallyD, Salvia	Salvia Divinorum • Chewing fresh leaves, drinking extracted juices, smoking or inhaling vapors	Salvia Divinorum • Perceptions of bright lights, vivid colors and shapes • Body or object distortions • Uncontrollable laughter, fear, panic • Loss of coordination, dizziness, slurred speech • Hallucinations
Hallucinogens Includes Ecstasy or MDMA (also known as Molly), Ketamine, LSD, PCP (Phencyclidine), Peyote and Mescaline, Psilocybin	Ecstasy or MDMA – Known as a party drug, ecstasy comes in pill or powder form; pill has a variety of logos and colors.	Ecstasy or MDMA – Adam, Beans, Biscuit, Clarity, Disco Biscuit, E, Eve, Go, Hug Drug, Lover's Speed, MDMA, Peace, STP, X, XTC	Ecstasy or MDMA • Swallowing gel capsules (Molly), pills, tablets • Powder, Crystal, liquid • Crushed or snorted • Occasionally smoked	Ecstasy or MDMA • Increased motor activity, alertness, heart rate, blood pressure • Muscle tension, tremors, teeth clenching, nausea, sweating • Euphoria, empathy, reduced inhibition • Chills, blurred vision • Confusion, anxiety, depression, paranoia, severe dehydration • Sharp increase in body temperature (hyperthermia), which can lead to liver, kidney and cardiovascular failure and death
Hallucinogens Includes Ecstasy or MDMA (also known as Molly), Ketamine, LSD, PCP (Phencyclidine), Peyote and Mescaline, Psilocybin	Ketamine – General, short-acting anesthetic with hallucinogenic effects. Sometimes used to facilitate sexual assault crimes.	Ketamine – Special K, Cat Valium, Kit Kat, K, Super Acid, Super K, Purple, Special La Coke, Jet, Vitamin K	Ketamine • Injected • Liquid mixed with liquids • Powder that is snorted, mixed in drinks, or smoked	Ketamine • Hallucinatory effects last 30-60 minutes • Distorts sights and sounds • Induces feelings of calmness and relaxation, relief from pain • Immobility and amnesia • Body feels out of control • Agitation, depression, unconsciousness • Hallucinations

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Hallucinogens Includes Ecstasy or MDMA (also known as Molly), Ketamine, LSD, PCP (Phencyclidine), Peyote and Mescaline, Psilocybin	LSD – Very strong hallucinogen sold on streets that is odorless and colorless with high potential for abuse.	LSD – Acid, Blotter Acid, Dots, Mellow Yellow, Window Pane	LSD • Added to absorbent paper such as blotter paper divided into square dosage units • Tablets or capsules • Occasionally in liquid form	LSD • Hallucinations • Distorted perception of shape and size of objects, colors, and sounds • Acute anxiety and depression • Flashbacks days and even months after • Elevated heart rate, higher body temperature, increased blood pressure, dilated pupils • Overdose symptoms: longer, more intense episodes, psychosis and death
Hallucinogens Includes Ecstasy or MDMA (also known as Molly), Ketamine, LSD, PCP (Phencyclidine), Peyote and Mescaline, Psilocybin	PCP (Phencyclidine) – Synthetically produced hallucinogen	PCP (Phencyclidine) Angel Dust, Boat, Crystal, Embalming Fluid, Hog, Ozone, Rocket Fuel, Shermans, Supergrass, Tic Tac, Wack, Zoom	PCP (Phencyclidine) • Tablets, capsules are swallowed • In powder form, snorted • Leafy material sprayed or dipped in liquid and smoked	PCP (Phencyclidine) • Dissociative drug, induces distortion or sight and sound and produces feelings of detachment • Disorientation, delirium • Sedation, immobility, amnesia • Numbness, slurred speech, loss of coordination • Feeling of strength, power, and invulnerability • Increased blood pressure, rapid and shallow breathing, elevated heart rate and temperature • Addictive
Hallucinogens Includes Ecstasy or MDMA (also known as Molly), Ketamine, LSD, PCP (Phencyclidine), Peyote and Mescaline, Psilocybin	Peyote and Mescaline – Small spineless cactus with active ingredient mescaline, a hallucinogen. Has disc-shaped “buttons” that are cut off and used.	Peyote and Mescaline Buttons, Cactus, Mesc, Peyoto	Peyote and Mescaline • Fresh or dried buttons are chewed • Buttons soaked in water to produce intoxicating liquid • Ground into powder for capsules and swallowed • Smoked with marijuana and tobacco	Peyote and Mescaline • Hallucinations • Altered perceptions of space and time • Nausea and vomiting, increased heart rate • Rise in body temperature • Impaired motor coordination • Euphoria, anxiety

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Hallucinogens Includes Ecstasy or MDMA (also known as Molly), Ketamine, LSD, PCP (Phencyclidine), Peyote and Mescaline, Psilocybin	Psilocybin – Hallucinogenic chemical obtained from certain types of fresh and dried mushrooms. Has slender stems topped by caps with dark gills on the underside.	Psilocybin – Magic mushrooms, Shrooms, Mushrooms	Psilocybin • Ingested orally • Brewed as tea • Added to foods to mask bitter flavor	Psilocybin • Hallucinations • Large amounts can cause panic attacks and psychosis • Nausea and vomiting • Muscle weakness, lack of coordination • Overdose may result in psychosis or death
Inhalants	Inhalants – invisible, volatile substances found in common household products, e.g., felt tip markers, spray paint, air freshener, typewriter correction fluid, butane, computer cleaners, glue. Includes more than 1,000 products that are harmful when inhaled.	Inhalants – Huff, Rush, Whippets, Gluey	Inhalants • Inhaled through nose or mouth • Huffing inhalant-soaked rag stuffed in mouth • Inhaling from balloon with nitrous oxide • Sniffing or snorting the substance from a container or dispenser • Inhaling fumes from substances in a bag	Inhalants • Slight stimulation, feeling less inhibition, loss of consciousness • Damages sections of brain controlling thinking, moving, seeing • Slurred speech, loss of coordination, euphoria, dizziness • Long term use may cause damage to nervous system and organs • Sudden sniffing death may occur from suffocation or asphyxiation

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Narcotics (Opioids) Includes Fentanyl, Heroin, Hydromorphone, Methadone, Morphine, Opium, Oxycodone	Fentanyl – Fentanyl is a synthetic opioid that is 80- 100 times stronger than morphine. Pharmaceutical fentanyl was developed for pain management treatment of cancer patients, applied in a patch on the skin. Because of its powerful opioid properties, Fentanyl is also diverted for abuse. Fentanyl is added to heroin to increase its potency, or be disguised as highly potent heroin. Many users believe that they are purchasing heroin and actually don't know that they are purchasing fentanyl – which often results in overdose deaths. Clandestinely-produced fentanyl is primarily manufactured in Mexico.	Fentanyl – Apace, China Girl, China Town, China White, Dance Fever, Goodfellas, Great Bear, He-Man, Poison and Tango & Cash	Fentanyl • Clandestine fentanyl is typically injected, or inhaled like heroin	Fentanyl • Intense, short-term high • Temporary feelings of euphoria • Slowed respiration and reduced blood pressure • Nausea • Fainting • Seizures • Death
Narcotics (Opioids) Includes Fentanyl, Heroin, Hydromorphone, Methadone, Morphine, Opium, Oxycodone	Heroin – An opiate (narcotic) drug processed from morphine and extracted from certain poppy plants. Heroin comes in white or brownish powder, or a black sticky substance known as “black tar heroin.” Often “cut” with other drugs or substances such as sugar or powdered milk. User is unaware how much actual heroin is being used, creating likelihood of overdose.	Heroin – Big H, Black Tar, Chiva, Hell Dust, Horse, Negra, Smack, Thunder	Heroin • Injected, smoked, or sniffed/snorted. High purity heroin is usually snorted or smoked.	Heroin • Highly addictive. • Initial surge of euphoria or “rush,” followed by a twilight state of sleep and wakefulness • Physical symptoms of use include: drowsiness, respiratory depression, constricted pupils, nausea, a warm flushing of the skin, dry mouth, and heavy extremities. • Overdose symptoms: slow and shallow breathing, blue lips and fingernails, clammy skin, convulsions, comma, and possible death.

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Narcotics (Opioids) Includes Fentanyl, Heroin, Hydromorphone, Methadone, Morphine, Opium, Oxycodone	Hydromorphone – Prescribed at Dilaudid®, it is used as a pain reliever. Hydromorphone is 2-8x more potent than morphine but shorter duration and greater sedation. Available in tablets, rectal suppositories, oral solutions, and injectable formulations.	Hydromorphone – D, Dillies, Dust, Footballs, Juice, Smack	Hydromorphone • Orally or by injecting tablets dissolved in solution.	Hydromorphone • Euphoria, relaxation, sedation, and reduced anxiety. It may also cause mental clouding, changes in mood, nervousness, and restlessness • Constipation, nausea, vomiting, impaired coordination, loss of appetite, rash, slow or rapid heartbeat, and changes in blood pressure. • Overdose symptoms: severe respiratory depression, stupor or coma, lack of skeletal muscle tone, cold and clammy skin, constricted pupils, and reduced blood pressure and heart rate.
Narcotics (Opioids) Includes Fentanyl, Heroin, Hydromorphone, Methadone, Morphine, Opium, Oxycodone	Methadone – Synthetic opioid prescribed as Methadose® and Dolphine®. Tablet, capsule, any liquid, used for detoxification and maintenance of opioid addiction and as a pain reliever for moderate to severe pain.	Methadone – Amidone, Chocolate Chip Cookies, Fizzies, Maria, Pastora, Salvia, Street Methadone, Water	Methadone • Swallowed as pill or liquid or injected.	Methadone • Sweating, itchy skin, or sleepiness • Addictive • Overdose effects include shallow breathing, stomach spasms, clammy skin, convulsions, weak pulse, comma, and death
Narcotics (Opioids) Includes Fentanyl, Heroin, Hydromorphone, Methadone, Morphine, Opium, Oxycodone	Morphine – Non-synthetic narcotic (opioid) made from opium, prescribed as Kadian®, MSContin®, Oramorph®, MSIR®, RMS®, Roxanol®. Very effective for pain relief, high potential for abuse.	Morphine – Dreamer, Emsel, First Line, God's Drug, Hows, MS, Mister Blue, Morpho, Unkie	Morphine • Injected • Oral Solutions • Tablets, capsules, suppositories	Morphine • Euphoria and relief of pain • Addictive • Overdose signs: cold and clammy skin, sleepiness, lowered blood pressure and slow pulse rate, comma and possible death
Narcotics (Opioids) Includes Fentanyl, Heroin, Hydromorphone, Methadone, Morphine, Opium, Oxycodone	Opium – Non-synthetic narcotic extracted from the poppy plant, made into a liquid, powder or solid. Opium poppy is key source for many narcotics.	Opium – Aunti, Aunti Emma, Big O, Black pill, Chandu, Chinese Molasses, Dopium, Dream Gun, Fi-donie, Gee, Guma, Midnight Oil, Zero	Opium • Can be smoked or injected intravenously • Taken in pill form • Used in combination with other drugs, such as marijuana and/or methamphetamine	Opium • Euphoric rush, relaxation and relief of physical pain • Slow breathing, seizures, loss of consciousness • Addictive • Coma or death

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Narcotics (Opioids) Includes Fentanyl, Heroin, Hydromorphone, Methadone, Morphine, Opium, Oxycodone	Oxycodone – Semi-synthetic opioid drug prescribed for pain as Tylox®, Percodan®, OxyContin®.	Oxycodone – Hillbilly Heroin, Kicker, OC, OX, Roxy, Perc, Oxy	Oxycodone • Pills and tablets chewed or swallowed • Inhaling vapors by heating tablet on foil • Crushed and sniffed or dissolved in water and injected	Oxycodone • Feelings of relaxation, euphoria, pain relief • Addictive • Chronic use of oxycodone with acetaminophen may cause severe liver damage • Overdose may lead to comma and possible death
Steroids	Steroids – Synthetically produced versions of testosterone, the male hormone used to promote muscle growth, enhance athletic performance, improve physical appearance.	Steroids – Arnolds, Gear, Gym Candy, Juice, Pumpers, Roids, Stackers, Weight Gainers	Steroids • Injected intramuscularly • Gels, creams, transdermal patches • Tablets, sublingual tablets and capsules	Steroids • Many effects depending on age, sex, the type, length of time used. • In males: stunts growth, acne, shrinks testicles, enlarges breasts • In women, deepens voice, increases facial and body hair, acne, menstrual irregularities • Dramatic mood swings, impaired judgment, increased levels of aggression and hostility • Increased risk of heart disease, liver damage • Addiction
Stimulants Includes Amphetamines, Cocaine, Khat, Methamphetamine	Amphetamines – Prescription stimulants used to treat Attention-deficit hyperactivity disorder (ADHD). Used as a study aid, to stay awake, and to suppress appetites. Prescribed as Adderall®, Concerta®, Dexedrine®, Focalin®, Metadate®, Methylin®, Ritalin®	Amphetamines – Bennies, Black Beauties, Crank, Ice, Speed, Uppers	Amphetamines • Orally or injected. “Ice” or crystallized methamphetamine hydrochloride is smoked	Amphetamines • Similar to cocaine, but slower onset and longer duration • Increased body temperature, blood pressure and pulse rates, insomnia, loss of appetite, physical exhaustion • Chronic abuse produces a psychosis that resembles schizophrenia: paranoia, hallucinations, violent and erratic behavior • Overdose can be fatal

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Stimulants Includes Amphetamines, Cocaine, Khat, Methamphetamine	Cocaine – White, crystalline powder derived from coca leaves. Cocaine base (crack) looks like small, irregularly shaped white rocks.	Cocaine - Coca, Coke, Crack, Crank, Flake, Rock, Snow, Soda Cot	Cocaine • Snorted • Dissolved in water and injected • Crack cocaine is smoked • Cocaine users usually binge on the drug until they are exhausted or run out of cocaine	Cocaine • Smoking or injection creates an intense euphoric "rush" • Tolerance builds quickly, easy to overdose • Cardiac arrhythmias • Increased blood pressure and heart rate • Restlessness, irritability, anxiety, paranoia • Insomnia, loss of appetite • Stroke or death • Sudden cardiac arrest • Convulsion • The crash that follows a high is mental and physical exhaustion, sleep, and depression lasting several days. Following the crash, users crave cocaine again.
Stimulants Includes Amphetamines, Cocaine, Khat, Methamphetamine	Khat – Stimulant drug made from the leaves and twigs, evergreen shrub. Active ingredients are cathine and cathinone.	Khat – Abyssinian Tea, African Salad, Catha, Chat, Kat, Miraa, Oat, Qat, Quaadka	Khat • Chewed • Dried Khat is used as a tea or chewable paste • Smoked, sprinkled on food	Khat • Manic behavior with grandiose delusions • Chronic use can cause depression and suicide • Hallucinations, paranoia, nightmares • Euphoria, increased alertness and energy, hyperactivity • Increase in blood pressure and heart rate • Cardiac complications • Insomnia, gastric disorders

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Stimulants Includes Amphetamines, Cocaine, Khat, Methamphetamine	Methamphetamine – Stimulant that speeds up body's system that comes as pill or powder. Available in prescription as Desoxyn®, to treat obesity and ADHD. Crystal meth resembles glass fragments and is an illegally altered version of the prescription drug that is cooked with over-the-counter drugs in meth labs	Methamphetamine – Meth, Speed, Ice, Shards, Bikers Coffee, Stove Top, Tweak, Yaba, Trash, Chalk, Crystal, Crank, Shabu	Methamphetamine • Powder, pill • Smoked, snorted, injected • To intensify the effects, users may take higher doses of the drug, take it more frequently, or change their method of intake	Methamphetamine • Highly addictive • Agitation, increased heart rate and blood pressure • Increased respiration and body temperature • Anxiety, paranoia • High doses can cause convulsions, cardiovascular collapse, stroke or death
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MARICOPA
COMMUNITY COLLEGES

Chandler-Gilbert | Estrella Mountain | GateWay | Glendale | Mesa | Paradise Valley
Phoenix College | Rio Salado | Scottsdale | South Mountain

The Maricopa County Community College District (MCCCD) is an EEO/AA institution and an equal opportunity employer of protected veterans and individuals with disabilities. All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, age, or national origin. A lack of English language skills will not be a barrier to admission and participation in the career and technical education programs of the District.

The Maricopa County Community College District does not discriminate on the basis of race, color, national origin, sex, disability or age in its programs or activities. For Title IX/504 concerns, call the following number to reach the appointed coordinator: (480) 731-8499. For additional information, as well as a listing of all coordinators within the Maricopa College

system, visit

<http://www.maricopa.edu/non-discrimination>.

Appendix B

Annual Drug and Alcohol Notification to Students

MCCCD sends students and staff the same Annual Notification on Drug and Alcohol Abuse Prevention. See the preceding Appendix, Annual Drug and Alcohol Notification to Employees, for the complete contents of the notification.

Appendix C

Administrative Regulation 2.4.7 Abuse-Free Environment

2.4.7 Abuse-Free Environment

See also the **Auxiliary Services** section for [Tobacco-Free Environment](#) and the **Appendices/Student Section** [Medical Marijuana Act](#) of the Administrative Regulations.

1. **Substance Abuse/Misuse Statement**

Drug abuse and misuse has become a national issue and is receiving national attention, particularly in the academic community. The insidious effects of the abuse of these agents are also felt by all walks of life and economic levels. Therefore, as an education providing institution, we are responsible to provide knowledge and guidelines about prevention, control, and treatment of the abuse/misuse of alcohol, illegal and legal drug uses and misuses. Annual Acknowledgements for students and employees are provided through the online messaging accounts. Students who experiment with drugs, alcohol, and illegal substances or use them recreationally may develop a pattern of use that leads to abuse and addiction. Maricopa Community Colleges recognized drug and alcohol abuse as an illness and a major health problem as well as a potential safety and security issue. Part of the educational mission of the Maricopa Community Colleges is to educate students about positive self-development, the benefits of a healthy lifestyle and the health risks associated with substance abuse. This mission closely aligns with the Drug-Free School and Communities Act of 1989, and other relevant substance abuse laws.

2. **Student Program to Prevent Illicit Use of Drugs and Abuse of Alcohol**

The Maricopa Community College District fully supports disciplinary action for misconduct and the enforcement of state laws governing the use of alcohol and the use, abuse, possession or distribution of controlled substances or illegal drugs.

A. Introduction and Purpose

The Federal Drug-Free Schools and Communities Act of 1989 (Public Law 101-226) requires federal contractors and grantees to certify that they will provide a drug-free school. As a recipient of federal grants, the District must adopt a program toward accomplishing this goal. While federal legislation has been the impetus for creation of the program, the administration and Governing Board recognize that substance abuse is a problem of national proportions that also affect students at the Maricopa Community Colleges.

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The Maricopa Community Colleges are committed to maintaining learning environments that enhance the full benefits of a student's educational experience. The Maricopa County Community College District will make every effort to provide students with optimal conditions for learning that are free of the problems associated with the unauthorized use and abuse of alcohol and drugs.

B. Standards of Conduct

In the student handbooks of the Maricopa Community Colleges under codes of conduct, the following are examples of behavior that is prohibited by law and/or college rules and policies:

- i. Drinking or possession of alcoholic beverages on the college campus.
- ii. Misuse of narcotics or drugs.

C. Sanctions for Violation of Standards of Conduct

Disciplinary actions include, but are not limited to:

- i. Warning,
- ii. Loss of privileges,
- iii. Suspension, or
- iv. Expulsion.

D. Legal Sanctions

1. Local, state, and federal law prohibit the unlawful possession, use or distribution of illicit drugs and alcohol. Conviction for violating these laws can lead to imprisonment, fines, probation, and/or assigned community service. Persons convicted of a drug-and/or alcohol related offense will be ineligible to receive federally funded or subsidized grants, loans, scholarships, or employment.

Any employee is subject to disciplinary action, up to and including employment termination, for any of the following: reporting to work under the influence of alcohol and/or illegal drugs or narcotics; the use, sale, dispensing, or possession of alcohol and/or illegal drugs or narcotics on MCCCCD premises, while conducting MCCCCD business, or at any time which would interfere with the effective conduct of the employee's work for the MCCCCD; and use of illegal drugs.

2. MCCCCD Program Standards

The Maricopa Community College District is committed to establishing a preventative substance abuse program at Each college designed to affect positively the problems of irresponsible use of alcohol and the use and abuse of

illegal substances. A main focus of the program will be on education of the campus community and assistance to individuals.

- A. Identify a key individual, at each college, to provide emergency services and/or to contact and work with outside agencies that provide drug and alcohol counseling, treatment or rehabilitation programs that may be available to students and employees.
- B. Support disciplinary action for misconduct and the enforcement of state laws governing the use of alcohol and the use, abuse, possession or distribution of controlled substances or illegal drugs.
- C. Establish a preventative substance abuse program at each college designed to affect positively the problems of irresponsible use of alcohol and the use and abuse of illegal substances

3. **Use of Alcoholic Beverages**

[See Section 4.13 of the Administrative Regulations](#)

4. **Other Health Concerns**

General Guidelines Concerning AIDS

Neither a diagnosis of AIDS nor a positive HIV antibody test will be part of the initial admission decision for those applying to attend any of the Maricopa Community Colleges. The Maricopa Community Colleges will not require screening of students for antibody to HIV.

Students with AIDS or a positive HIV antibody test will not be restricted from access to student unions, theaters, cafeterias, snack bars, gymnasiums, swimming pools, recreational facilities, restrooms, or other common areas, as there is not current medical justification for doing so.

Where academically and logistically feasible, students who have medical conditions, including AIDS, may seek accommodation in order to remain enrolled. Medical documentation will be needed to support requests for accommodation through the Office of Disabled Resources and Services or the Office of Vice President of Student Affairs.

The Maricopa Community Colleges acknowledge the importance of privacy considerations with regard to persons with AIDS. The number of people who are aware of the existence and/or identity of students who have AIDS or a positive HIV antibody test should be kept to a minimum. When a student confides in an faculty member, knowledge of the condition should be transmitted to the appropriate vice president or designee who will make the determination if the information should be further disseminated. It should be remembered that mere exposure to the person in a classroom does not constitute a need to know the diagnosis. It is, therefore, unnecessary to

document in a student's file the fact that he or she has AIDS unless the information is to be used for accommodation reasons. Sharing confidential information without consent may create legal liability.

Students are encouraged to contact the Office of Disabled Resources and Services and/or the vice president of student affairs or designee for the types of services available in the district or community on matters regarding AIDS or the HIV virus.

AMENDED through the Administrative Regulations Process, March 25, 2013

AMENDED through the Administrative Regulation Process, March 13, 2012

AMENDED through the Administrative Regulations approval process, October 22, 2008

Appendix D

Administrative Regulation 4.12 Smoke-Free/Tobacco-Free Environment

4.12 Smoke-Free/Tobacco-Free Environment

The Maricopa County Community College District is dedicated to providing a healthy, comfortable, and educationally productive environment for students, employees, and visitors. In order to promote a healthy learning and work environment, the Chancellor has directed that the Maricopa County Community College District serve as a total smoke free and tobacco free environment, effective July 1, 2012. Smoking (including the use of “e-cigs”) and all uses of tobacco shall be prohibited from all District owned and leased property and facilities, including but not limited to parking lots, rooftops, courtyards, plazas, entrance and exit ways, vehicles, sidewalks, common areas, grounds, athletic facilities, and libraries.

Support signage prohibiting the use of smoking instruments and tobacco shall be placed throughout all college and District locations.

Continued violations by an employee or student shall be handled through the respective conduct procedures established for employees and students.

[See also 4.21 Breathe Easy Tobacco Free | Smoke Free](#)

AMENDED through the Administrative Regulation Process, March 13, 2012

AMENDED through the Administrative Regulation Approval process, October 22, 2008

AMENDED through the Administrative Regulation Approval process, August 11, 1998

ADOPTED into Governance, September 24, 1996

AMENDED Motion No. 8894

AMENDED Motion No. 8895

AMENDED Motion No. 8896

Founding Source:

Governing Board Minutes, March 26, 1991, Motion No. 7531

Appendix E

Administrative Regulation 4.21 Breathe Easy Tobacco Free/Smoke Free

4.21 Breathe Easy Tobacco Free | Smoke Free



Enforcement Guidelines

The Maricopa County Community College District has made the commitment toward a healthier environment for employees, students and guests. On July 1, 2012, all district colleges and district-owned facilities will become tobacco-free. Although the district has undertaken an expansive educational campaign, including a broad cessation component, we recognize that violations of the regulation will occur.

The MCCCCD Department of Public Safety has been tasked with enforcing the new regulation. Public Safety recognizes its responsibility to enforce this regulation and similar policies with restraint and diplomacy. In enforcing the Smoke Free/Tobacco Free regulation, employees of Public Safety will consider first and foremost the educational component of compliance. The enforcement guidelines below are meant to assist Public Safety employees in their interactions with smokers that will result in a positive experience for violators.

Despite extensive efforts to make our populations aware of the new regulation, Public Safety realizes that some people will be unaware of the change. Initial contact with violators of the Smoke Free/Tobacco Free regulation will be used as an opportunity to educate smokers of the regulation's existence and solicit voluntary compliance. The Public Safety employee making initial contact with the violator will offer information about the regulation and provide cessation resource information if the violator is interested in receiving it. In order to properly track violators and enforce the regulation, the following guidelines will be followed by Public Safety.

All violators will receive an initial warning about the prohibition of tobacco use on district property. For students, subsequent violations by the same offender will result in a referral of the student to the Dean of Student Affairs or designee. This referral will be made via a Public Safety Incident Report outlining the circumstance of the

violation, including the date, time and location of the initial warning. All Smoke Free/Tobacco Free violations should be treated in the same manner as any other Student Code of Conduct violation. For employees, subsequent violations by the same offender will result in a referral of the employee to the Vice President of Administrative Services or designee. This referral will be made via a Public Safety Incident Report outlining the circumstance of the violation, including the date, time and location of the initial warning. All Smoke Free/Tobacco Free violations should be treated in the same manner as any other Human Resource policy or regulation violation. For visitors, subsequent violations by the same offender will result in the violator being escorted from district property and a no-trespass order issued for a period of 30 days. This ban will be documented via a Public Safety Incident Report outlining the circumstance of the violation, including the date, time and location of the initial warning. Visitors subjected to the no-trespass order may apply for reinstatement of their privilege to visit district property through the office of the Commander of Public Safety at that facility. Repeated violations by visitors will result in a no-trespass order being issued for extended time periods.

[See also 4.12 Smoke-Free/Tobacco-Free Environment](#)

ADOPTED through the administrative regulation approval process, June 13, 2012

Appendix F

Administrative Regulation 4.13 Alcoholic Beverages Usage Regulation

4.13 Alcoholic Beverages - Usage Regulation

This Administrative Regulation prohibits the use of District funds to purchase alcoholic beverages or services related to them except in small amounts to be used in cooking for the District's culinary programs. Additionally, it generally prohibits the presence of alcoholic beverages on premises owned by the District, or those leased or rented by the institution. It permits a few, narrow exceptions to that latter prohibition. The exceptions are not available to the general population of District employees or officials. More importantly, they are established to ensure that the District's actions stay within the boundaries of state law and the District's insurance coverage. Therefore, strict compliance with this regulation is essential.

1. **No Funds.** No funds under the jurisdiction of the governing board of the District may be used to purchase alcoholic beverages, except for the limited purposes of purchasing small amounts of them for use solely as ingredients in food preparation for classes and at the District's culinary institutes. Alcoholic beverages may not be stored on premises owned, leased, or rented by MCCCCD except as provided in Paragraph 8.
2. **No Service or Sale of Alcoholic Beverages.** The law of the state of Arizona strictly regulates the service, sale, distribution and consumption of alcoholic beverages. In light of that law, the District does not permit alcoholic beverages to be served, sold or distributed on or in the premises owned by the District or leased or rented by the Maricopa Community Colleges for District-approved educational, fund-raising or other community purposes, except as provided in Paragraphs 3 and 7.
3. **Service at District Events on District-owned Property.** The Chancellor has the sole authority to approve the service, but not the sale or other distribution, of wine or beer at District events on district-owned property that the Chancellor either sponsors or approves. The only District employees authorized to request the Chancellor's approval are the College Presidents and the Vice Chancellors. Additionally, the law strictly limits the service of wine or beer by the District on District-owned property, and those restrictions are specified in Paragraph 5. Unless approved by the Chancellor in compliance with the law and this regulation, alcoholic beverages may not be served on District-owned property.
4. **Event Form Required.** A College President or Vice Chancellor who wishes to obtain the Chancellor's approval for the service of wine or beer at a District-

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sponsored event on District-owned property shall forward a completed written request to the Chancellor no later than 30 days before the event. The request form is available at: [AS-6 - Notice of Intent to Serve Beer and Wine](#). On signing the form, the Chancellor will provide a copy of it to the requestor and to the MCCCCD Risk Manager. For events that the Chancellor sponsors, he or she will complete the form, sign it and provide it to the MCCCCD Risk Manager no later than 10 business days before the event.

5. **Service restrictions required by law.** An event approved under Paragraph 4 must, by law, comply with the all of the following restrictions: Additionally, beer and wine may only be served by a beverage service contractor whose liquor license with the state of Arizona is in good standing, except as provided in Paragraph 6. The contractor must provide all of the beverages served and well as the servers or bartender. Before the event, the contractor must provide a certificate of insurance that meets the requirements of the District's Risk Manager and that adds the District as an additional insured. The contractor must also agree in writing to indemnify the District regarding the service of the beverages.
 - A. The only alcoholic beverages that may be served and consumed are wine and beer. Wine consumption is limited to 6 oz. per person, and beer consumption is limited to 24 oz;
 - B. The gathering must be by invitation only, and not open to the public;
 - C. The gathering may not exceed 300;
 - D. Invitees may not be charged any fee for either the event or the beer or wine; and
 - E. The consumption may only take place between noon and 10:00 p.m.
6. **Culinary Institutes.** The Chancellor may sponsor or approve an event at one of the District's culinary institutes. Students may serve wine and beer at the event as part of their class requirements, subject to the limitations of Paragraph 5. Any student serving those beverages must, by law, be 19 years or older.
7. **Third-Party Event.** The Maricopa County Community College District Foundation and the Friends of Public Radio Arizona may, with the approval of the Chancellor, sponsor an event on District-owned property under this regulation. The City of Phoenix and the Friends of the Phoenix Public Library may also do so, with the approval of the Chancellor, at the joint library on the campus of South Mountain Community College. These third-party, non-district entities are solely responsible for determining the steps that they are required to take to comply with Arizona's alcoholic beverages laws. Additionally, they must comply with the following steps:
 - A. The entity obtains a liquor license, if required by law, from the Arizona Department of Liquor Licenses and control for each event and fully

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- complies with the laws, rules and other requirements applicable to that license;
- B. The entity completes the form available at [AS-7 - Request to Serve Beer and Wine - Third Party](#). And provides it to the Chancellor for approval along with a copy of the liquor license no later than 30 days before the event, unless the Chancellor approves a shorter period of time in a particular case;
 - C. The entity provides or currently has on file with the District a certificate of insurance demonstrating that it has liquor liability coverage and that adds the District as an additional insured;
 - D. The entity agrees in writing to indemnify the District from any claims of any kind arising out of the event;
 - E. Beer and wine are the only alcoholic beverages served and only served through a beverage service contractor whose liquor license with the state of Arizona is in good standing;
 - F. The contractor provides all of the beverages served and well as the servers or bartenders;
 - G. Before the event, the contractor provides a certificate of insurance that meets the requirements of the District's Risk Manager and that adds the District as an additional insured; and
 - H. The contractor agrees in writing to indemnify the District regarding the service of the beverages.
8. **Receipt of beverages; storage.** It is not permissible to store wine or beer on premises owned, leased or rented by MCCCCD, except as provided in this paragraph. Alcoholic beverages purchased for use in cooking in District culinary courses must be stored in such a way that it is inaccessible to anyone except the Director or designee of the culinary program. For wine and beer to be used for receptions at the district's culinary institutes, as authorized by this administrative regulation, the following storage requirements apply:
- A. Wine and beer to be served may only be brought to MCCCCD property no sooner than four hours prior to the event, and remain there no longer than four hours after the event; and
 - B. Once the wine and beer arrives on MCCCCD property, the Director the culinary program shall assign an MCCCCD employee to ensure that it is not stolen or that it is not opened until ready to be served.
9. **Compliance with law.** In compliance with applicable law, any persons planning an event under this administrative regulation are required to familiarize themselves with the pertinent laws and other requirements established by the state of Arizona for the service of alcoholic beverages, particularly those in Arizona Revised Statutes Title 4 (Alcoholic Beverages) Chapters 1 (General Provisions), 2 (Regulations and Prohibitions) and 3 (Civil

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Liability of Licensees and Other Persons) as well as Arizona Administrative Code Title 19, Articles 1 (State Liquor Board) and 3 (Unlicensed Premises Definitions and Licensing Time-Frames).

10. **Residential Housing.** Lawful occupants of residential housing under the jurisdiction of the Governing Board, if over the age of 21 years and not otherwise lawfully barred from such practice, may possess and consume alcoholic beverages in the privacy of their respective leased housing facility. Guests of such occupants over the age of 21 years shall have the same privilege. No alcohol is permitted in public areas (nor common areas of a dormitory) at any time.
11. **Personal Responsibility.** The personal or individual purchase of alcoholic beverages by individuals attending District-approved functions held in places serving alcoholic beverages is a personal and individual responsibility. Administrative discretion shall be exercised in the approval of the location of such activities, as such decision pertains to the nature of the group involved.
12. **Miscellaneous Usage Issues.** Any issues that are not specifically addressed within this regulation require the review and determination by the Chancellor or Executive Vice Chancellor and Provost on matters related to culinary programs, academic or student affairs.

AMENDED through the Administrative Regulation Approval Process, June 27, 2011

AMENDED through the Administrative Regulation Approval Process, January 10, 2011

AMENDED by the Governing Board, July 22, 2008, Motion Number 9504

ADOPTED into Governance, September 24, 1996

AMENDED Motion No. 8894

AMENDED Motion No. 8895

AMENDED Motion No. 8896


Founding Source:

Governing Board Minutes, March 28, 1995, Motion No. 8378

Governing Board Minutes, September 15, 1975, Motion No. 2747

Appendix G

Auxiliary Services 6 Notice of Intent to Serve Beer and Wine Form



MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT
2411 West 14th Street, Tempe, AZ 85281-6942

**REQUEST FOR APPROVAL TO SERVE WINE AND BEER
AT AN EVENT ON DISTRICT PROPERTY (Part I)**

This form must be used to ask for permission to serve wine and beer at an event on MCCCCD property. Only the Chancellor, or their designee, may give permission under Administrative Regulation 4.13.3¹.

Steps		
Action	Recipient	Comment
If the Maricopa County Community College District Foundation ("The Foundation") is going to pay for the licensed beverage service or the beer/wine for an MCCCCD event, this completed form must be submitted to the Foundation for its approval and signature before the form is provided to Risk Management and <u>prior to providing to the Chancellor.</u> (submitter, see Approval portion of this form)	Brian Spicker President and Chief Executive Officer Maricopa Community Colleges Foundation 2419 W. 14 th Street Tempe, Az 85281 480-731-8403 480-731-8411 (fax)	
A Submitter (see Approvals) for the College, the District Office, Maricopa County Community College District Foundation, Friends of Public Radio Arizona, or City of Phoenix/Friends of the Phoenix Public Library completes and submits this form signed by a Requester (College President or Vice Chancellor) (see Approvals). This form must be submitted to Risk Management at least 30 days before the event or, for a Chancellor event, no later than 10 business days before the event.	Sheri Swain Director of Enterprise Risk Management 2411 West 14 th Street Tempe AZ 85281 480-731-8879	NOTE: The event must be sponsored by one of the entities specified under the "Action" section. No other entity using MCCCCD's facilities may apply to serve alcohol and an MCCCCD entity – the District Office or a College – may not submit this form as a sponsor for an outside entity.
Risk Management approves or makes recommendations to the Chancellor and signs the form, then forwards it to the Chancellor for review and approval.	Chancellor's Office Executive Assistant, Sr. 2411 West 14th Street Tempe, Arizona 85281 480-731-8108 480-731-8120 (Fax)	The form for an event that the Chancellor does not approve will be returned unsigned to the Submitter.
Risk Management will forward the approved Request to Serve Alcohol (Part I) to the Submitter. The Submitter will initiate an Agreement to Serve Alcoholic Beverages (Part II) in CLM which will include both this request to serve alcohol and the Agreement to serve Alcoholic Beverages (Part II). Vendor will only be receiving an executed copy of Part II	Submitter	
Submitter completes the Agreement to Serve Alcoholic Beverages (Part II) for a licensed beverage contractor. Submitter forwards it to the licensed beverage contractor for signature and to obtain an insurance certificate and a copy of the contractor's liquor license. ²	Licensed Beverage Contractor	
Once the Submitter receives vendor-signed form, certificate of insurance, and liquor license, they should be attached to the record in CLM and forwarded through CLM for proper approvals.	Submitter	
Name and Title of Person Submitting this Form ("Submitter"):	E-mail: Phone Number:	

¹ Under Paragraph 4.13.3 of the Administrative Regulation, the Chancellor "has the sole authority to approve the service" of limited amounts of beer and wine.
² The Agreement to Serve Alcoholic Beverages (Part II) is available at: <https://maricopa.sharepoint.com/sites/DOLegal/BLC/Pages/default.aspx>
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APPROVALS

1. Identification of Sponsor of the Event:

- ☐ Chancellor ☐ Vice Chancellor ☐ College President ☐ The Foundation ☐ Friends of Public Radio Arizona
☐ City of Phoenix/Friends of the Phoenix Public Library.

2. Name of Requestor:	3. Title of Requestor:
4. Requestor E-mail:	5. Name of Event:
6. Purpose of Event: <i>NOTE: For an MCCCCD event, the purpose must be for the benefit of MCCCCD, and not for the benefit of an unrelated outside party. An MCCCCD entity – the District Office or a College – may not submit this form as a sponsor for an outside entity.</i>	7. Date of Event:
8. Start and End Times for Event:	9. Name and Address of Proposed Beverage Contractor:
10. Location of Event at MCCCCD:	

THE REQUESTOR SIGNING THIS FORM MUST ACKNOWLEDGE HIS OR HER UNDERSTANDING OF THE REQUIREMENTS OF THE ADMINISTRATIVE REGULATION AS A CONDITION FOR APPROVAL OF THIS FORM.

PLEASE INITIAL NEXT TO EACH PARAGRAPH.

1. _____ No MCCCCD or other funds of any sort from an MCCCCD account may be used to purchase either the alcohol or the services of the licensed beverage contractor. The wine and beer must be served by a licensed beverage contractor and must be donated or purchased solely with funds other than those from an MCCCCD account.
2. _____ The wine and beer to be served may not be stored on MCCCCD property, and may only be brought on MCCCCD property no sooner than four hours before the event.
3. _____ The event must be limited to 300 persons and be by invitation only.
4. _____ Attendees may not be charged any fee for either the event or the beer or wine.
5. _____ The event must occur between noon and 10:00 p.m.
6. _____ Wine consumption is limited to 6 oz. and beer limited to 24 oz.
7. _____ MCCCCD employees, officers, volunteers may not serve alcoholic beverages. All alcoholic beverages must be served by a licensed beverage contractor.

In signing this form, the requestor certifies that he or she has a duty under law to familiarize him or herself with the pertinent laws and other requirements established by the State of Arizona for the service of alcoholic beverages, especially Arizona Revised Statutes Title 4 (Alcoholic Beverages) Chapters 1 (General Provisions) 2 (Regulations and Prohibitions) and 3 (Civil Liability of Licensees and Other Persons) as well as Arizona Administrative Code Title 19, Articles 1 (State Liquor Board) and 3 (Unlicensed Premises Definitions and Licensing Time-Frames).

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Forms for events at which the service of wine and beer are not approved will be returned to the Requestor without the Chancellor's signature.

MCCCD
MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT
 for its Colleges and Skill Centers

REQUESTOR

Signature: _____

Sheri Swain
 Director, Risk Management

Date: _____

Signature: _____

Dr. Steven Gonzales
 Chancellor (or designee)

Date: _____

MCCCD FOUNDATION (if applicable)

Signature: _____

Brian Spicker
 Executive Vice President and Chief Operating Officer

Date: _____

Signature: _____

Name
 College President or Vice Chancellor

Date: _____


Email: _____

ALL OF THE FOLLOWING MUST BE IN PLACE BEFORE ALCOHOL MAY BE SERVED:

- From the Chancellor's Office - An approved and signed copy of this form (Part I)
- Agreement to Serve Alcoholic Beverages (Part II)
 - Fully executed contract – Part II
 - A copy of its liquor license and
 - A certificate of insurance demonstrating liquor liability insurance coverage

Appendix H

Auxiliary Services 7 Request to Service Beer and Wine, Third Party Form

 MARICOPA <small>COMMUNITY COLLEGES</small>	MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT 2411 West 14 th Street, Tempe, AZ 85281-6942
AGREEMENT TO SERVE ALCOHOLIC BEVERAGES (Part II)	

This Agreement to Serve Alcoholic Beverages ("Agreement") is between the Maricopa County Community College District ("MCCCD") and [REDACTED] ("Contractor").

BACKGROUND

A. The MCCCD Chancellor has approved the service of wine and beer at [REDACTED], an event sponsored by MCCCD ("Event"), under the limited authority granted to MCCCD under the laws of the State of Arizona, and to the Chancellor through applicable MCCCD administrative regulations.

B. Contractor will provide the wine and beer for the Event and, if qualified, either serve the wine and beer itself or engage a qualified beverage server to provide that service ("Licensed Server").

C. The sole purpose of this Agreement is to set forth the terms under which MCCCD will permit Contractor to serve wine and beer at the Event.

AGREEMENT

The parties agree as follows:

- Description of Work.** Contractor or Licensed Server agrees to provide licensed beverage service at the Event specified in Paragraph 2 ("Services"). Only beer and wine will be served at the Event.
- Event.**
 - Date of Event:** [REDACTED]
 - Name of Event:** [REDACTED]
 - Start Time:** [REDACTED] **End Time:** [REDACTED] (times must be between 12:00 p.m. and 10:00 p.m.)
 - Location** (address, building name, and room number): [REDACTED]
 - Estimated Attendance:** [REDACTED] (attendance may not exceed 300.)

Contractor and, if applicable, its Licensed Server shall strictly adhere to the service start and end times, and shall provide only enough wine and beer to serve the expected attendance within the limits specified in this Paragraph 2.
- Closed Event.** Contractor shall ensure that the Event is open only to those who have been invited, and not to the general public.
- Service Limits.** Contractor and, if applicable, its Licensed Server understands and acknowledges that the law permits only the service of 24 ounces of beer per person, and 6 ounces of wine per person. Contractor and, if applicable, its Licensed Server shall be solely responsible for ensuring that the Event complies with this requirement.
- No Sale.** Contractor and, if applicable, its Licensed Server may not charge Event attendees any fee for the wine or beer.

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6. **Liquor License Required.** Contractor understands and acknowledges that either the Contractor or its Licensed Server must have a liquor license under this Agreement. Contractor's Arizona Liquor License, if applicable, is attached and is Number [REDACTED]. If Contractor is not licensed in the State of Arizona to serve liquor, it shall subcontract the requirements of this Agreement to a Licensed Server. The Licensed Server under this Agreement is:

Name: [REDACTED]

Address: [REDACTED]

Liquor License Number (also attach copy of license): [REDACTED]

Phone: [REDACTED]

Licensed Server is a: ☐ Corporation ☐ LLC ☐ Partnership ☐ Sole Proprietorship (an individual)

7. **Server Certification.** Even though the beer and wine to be served under this Agreement will not be sold, MCCCC requires that the person serving the beer and wine under this Agreement be certified in on-sale basic training, Serve Safe or equivalent training through a program approved by the Arizona Department of Liquor Licenses and Control. Contractor or its Licensed Server confirms that the person(s) serving the wine and beer under this Agreement shall have current certification in good standing.
8. **No Claims Against MCCCC.** Contractor understands, in signing this Agreement, that MCCCC, as a public entity, is prohibited from paying for the beer or wine or for the services of someone to serve it (including Licensed Server). MCCCC shall have no obligation to pay Contractor for the beer, wine, services, or any other expense under this Agreement, and Contractor shall have no claim of any kind against MCCCC relating to the service of beer and wine at the Event. The Maricopa Community Colleges Foundation or, as applicable, other third party identified to Contractor is responsible for paying for the beer or wine and for the services of someone to serve the beer or wine.
9. **Indemnification.** To the fullest extent permitted by law, Contractor and, if applicable, its Licensed Server will defend, indemnify, and hold harmless MCCCC, its agents, officers, officials, employees, and volunteers from and against all claims, damages, losses, and expenses (including but not limited to attorney fees and court costs) arising from breach of a material term of this Agreement, or from negligent or intentional acts, or omissions of the Contractor, its agents, employees, its Licensed Server, or any tier of its subcontractors in the performance of this Agreement. If applicable, Contractor or its Licensed Server will also indemnify, defend, and hold harmless MCCCC and its officers, officials, employees and agents against any claim (including but not limited to attorney fees and court costs) that their authorized use of Contractor's services under this Agreement violates the claimant's property rights. The amount and type of insurance coverage requirements of this Agreement will in no way be construed as limiting the scope of indemnification in this Paragraph. All claims, damages, losses and expenses that arise from the operations of the Contractor and, if applicable, its Licensed Server as described in this Agreement, are the sole responsibility of the Contractor and its Licensed Server and this indemnification provision shall apply.
10. **Insurance.** Contractor shall maintain during the term of this Agreement insurance policies described below issued by companies licensed in the State of Arizona or hold approved non-admitted status on the Arizona Department of Insurance List of Qualified Unauthorized Insurers. Insurers shall have an A.M. Best rating of A-VIII or better. Before the start of the Agreement, Contractor will furnish to the college with certificates of insurance evidencing coverage, conditions, and limits required by this Agreement at the following address to:

DO/College | ATTN: Name
Address | CSZ | or by email to: [REDACTED]

The insurance policies, except Worker's Compensation must be endorsed as required by this written Agreement to name Maricopa Community Colleges, its agents, officers, officials, employees, and volunteers as additional insureds with the following language or its equivalent:

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Maricopa County Community College District, its agents, officers, officials, employees, and volunteers are hereby named as additional insureds as their interest may appear.

The insurance policies shall contain a waiver of subrogation endorsement, as required by this written Agreement, in favor of Maricopa County Community College District, its agents, officers, officials, employees, and volunteers for losses arising from work performed by or on behalf of the Contractor.

Each insurance policy required by the insurance requirements of this contract shall provide the required coverage and shall not be suspended, voided, or canceled except after thirty (30) days' prior written notice has been given to the College Representative, except when cancellation is for non-payment of premium; then ten (10) days' prior notice may be given. Such notice should be sent directly to College Representative. If any insurance company refuses to provide the required notices, the Contractor or its insurance broker shall notify the College Representative of any cancellation, suspension, or non-renewal of any insurance within seven (7) days of receipt of insurer's notification to that effect. The Contractor's insurance must be primary, and any insurance or self-insurance maintained by MCCCDC will not contribute to it. If any part of the Contract is subcontracted, these insurance requirements also apply to all subcontractors.

Any modification or variation of the insurance requirements in this contract shall be made by the risk management department, whose decision shall be final. Such action will not require a formal contract amendment, but may be made by administrative action.

- **Commercial General Liability (CGL) – Occurrence Form**
Policy shall include bodily injury, property damage, liquor liability and broad form contractual liability coverage, including, but not limited to, the liability assumed under the indemnification provisions of this Agreement.

• General Aggregate	\$2,000,000
• Products – Completed Operations Aggregate	\$1,000,000
• Personal and Advertising Injury	\$1,000,000
• Damage to Rented Premises	\$50,000 ¹
• Liquor Liability	\$1,000,000
• Each Occurrence	\$1,000,000
- **Commercial Automobile Liability** insurance with a combined single limit for bodily injury and property damage of not less than \$1,000,000.00 each occurrence with respect to the Contractor's and, if applicable, the sub-contractor's owned, hired, and non-owned vehicles.
- **Worker's Compensation** insurance with limits statutorily required by any Federal or State law and **Employer's Liability** insurance of not less than \$1,000,000 for each accident, \$1,000,000 disease for each employee, and \$1,000,000 disease policy limit.

Signature page follows.

¹ limit can change depending on type of risk

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<p>MCCCD MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT for its Colleges and Skill Centers</p>	<p>CONTRACTOR Name of Contractor</p>
<p>Signature: _____</p> <p style="margin-left: 100px;">Name Title</p> <p>Date: _____</p>	<p>Signature: _____</p> <p style="margin-left: 100px;">Name Title</p> <p>Date: _____</p> <p>Address: _____</p> <p style="margin-left: 100px;">_____</p> <p>Email: _____</p> <p>Phone: _____</p> <p>Tax ID No: _____</p>
<p>ACKNOWLEDGED, IF APPLICABLE, BY LICENSED SERVER</p>	
<p>Signature: _____</p> <p style="margin-left: 100px;">Name Title</p> <p>Date: _____</p>	
<div style="display: flex; justify-content: space-between;"> MC-ASA2-022221 Page 4 of 4 </div>	

Appendix I

Administrative Regulation S-16 Statement on the Arizona Medical Marijuana Act (Proposition 203)

S-16 Statement on the Arizona Medical Marijuana Act (Proposition 203)

In 2010, Arizona voters approved the Arizona Medical Marijuana Act (Propositions 203), a state law permitting individuals to possess and use limited quantities of marijuana for medical purposes. Because of its obligations under federal law, however, the Maricopa Community Colleges will continue to prohibit marijuana possession and use on campus for any purpose.

Under the Drug Free Workplace Act of 1988, and the Drug Free Schools and Communities Act of 1989, "...no institution of higher education shall be eligible to receive funds or any other form of financial assistance under any federal program, including participation in any federally funded or guaranteed student loan program, unless it has adopted and has implemented a program to prevent the use of illicit drugs and abuse of alcohol by students and employees." Another federal law, the Controlled Substances Act, prohibits the possession, use, production, and distribution of marijuana for any and all uses, including medicinal use. This law is not affected by the passage of the Arizona Medical Marijuana Act. Because Maricopa Community Colleges could lose its eligibility for federal funds if it fails to prohibit marijuana, it is exempt from the requirements of the Arizona Medical Marijuana Act. Therefore, Maricopa Community Colleges will continue to enforce its current policies prohibiting the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on its property or as part of any of its activities.

Employees and students who violate Maricopa Community Colleges policy prohibiting the use or possession of illegal drugs on campus will continue to be subject to disciplinary action, up to and including expulsion from school and termination of employment.

ADOPTED through the Administrative Regulation approval process, March 13, 2012

Appendix J

Administrative Regulation 4.14 Motor Vehicle Usage

4.14 Motor Vehicle Usage

1. Each college president shall designate an official at his/her respective college who shall ensure that any employee at that college who is authorized to operate a college or district-owned motor vehicle or vehicle rented, borrowed or leased for college or district purposes:
 - A. has completed a driver training program approved by the district Risk Manager; and
 - B. has been the subject of an authorized motor vehicle record review conducted on behalf of the college.

The Vice Chancellor for Human Resources shall designate an official at the district office to ensure that any employee at the district office who is authorized to operate a college or district-owned, -rented, or -borrowed motor vehicle has completed such training program and been the subject of a motor vehicle record review. The training and motor vehicle record review shall be completed for an employee before that employee is permitted to operate a motor vehicle. The District Risk Manager shall coordinate the training program and processes for motor vehicle record review required under this regulation.

2. A college or District-owned, -rented or -borrowed motor vehicle may be operated only by an employee of the Maricopa County Community College District. A Maricopa Community Colleges student may operate such a motor vehicle only in the event of an emergency as determined at the time of the emergency by a responsible college or district employee.
3. A college or district driver shall report to his/her supervisor and the manager responsible for authorizing the use of college vehicles within 48 hours any conviction for driving under the influence of alcohol or drugs, moving traffic violations, license suspension, or license revocation that occurs regardless of whether or not the driver was operating a college or district-owned, rented or borrowed vehicle. The driver's supervisor shall immediately forward this information to the district Risk Manager. Failure to report information as required under this paragraph may result in disciplinary action and the loss of authority to operate a vehicle in the performance of employment responsibilities.

4. The driver of a college or District-owned, -rented or -borrowed motor vehicle shall not use a cellular telephone or similar communication device while operating the vehicle.

Adopted through the Administrative Regulation approval process, August 7, 2003

***Note:** The training component of this regulation will be administered through a web-based program that will allow employees to complete training on-line. Implementation of this regulation is expected to begin October 1, 2003.*

Appendix K

Administrative Regulation 2.5.2 Student Conduct Code

2.5.2 Student Conduct Code

The purpose of this Student Code of Conduct is to help ensure a productive and safe environment for students, employees, and visitors. This conduct code is not a stand-alone policy. This code is subject to the provisions outlined in AR 5.1.16, generally known as the Title IX policy, and AR 6.24, generally known as the Free Expression policy, and AR 5.1, generally known as the Non-Discrimination policy. There are other policies that may intersect with other administrative regulations.

Article I: Definitions

The following are definitions of terms or phrases contained within this Code:

1. **"College"** means a Maricopa County Community College District (MCCCD) College or center/site.
2. **"College premises"** means all land, buildings, facilities and other property in the possession of or owned, used, or substantially controlled by the college or MCCCD.
3. **"College official"** means any person employed by the college or MCCCD, performing assigned administrative or professional responsibilities pursuant to this Student Conduct Code. The college President shall designate the college/center official who is responsible for the administration of the Student Conduct Code.
4. **"Complainant"** means any person who submits a complaint alleging that a student violated this Student Conduct Code. When a student believes they have been a victim of another student's misconduct, the student who believes they have been a victim will have the same rights under this Student Conduct Code as are provided to the Complainant, even if another member of the college community submitted the complaint itself.
5. **"Day"** means business day when college is in session, and shall exclude weekends and college/MCCCD holidays.
6. **"Disruptive behavior"** means conduct that materially and substantially interferes with or obstructs the teaching or learning process in the context of a classroom or educational setting/ facility, which includes educational or professional internships, clinical placements, or other experiential learning opportunities. Disruptive behavior also includes conduct that materially interferes with or obstructs college business operation.

7. **“District”** means the Maricopa County Community College District (MCCCD).
8. **"Faculty member"** means any person hired by the college or MCCCD to conduct classroom or teaching activities or who is otherwise considered by the college to be a member of the faculty in credit / non-credit courses and clock hour courses and programs.
9. **"Member of the college community"** means any person who is a student, faculty member, college official, or any other person employed by the college or center/site. A person's status in a particular situation shall be determined by the college President.
10. **"Organization"** means any number of persons who have complied with the formal requirements for college recognition.
11. **"Policy"** is defined as the written regulations of the college and/or MCCCD as found in, but not limited to, this Student Conduct Code and MCCCD Governing Board policy.
12. **"Respondent"** means any student accused of violating MCCCD's Student Conduct Code. Respondents enjoy the presumption of innocence until such time as the Respondent is adjudicated to have violated the Student Conduct Code.
13. **"Student"** means any individual who is currently admitted or registered in credit or non-credit college programs on a full or part time basis, or who participates in a college function (such as orientation, in anticipation of enrollment) or who was enrolled in the immediate previous term or is registered for a future term, including college employees so admitted, registered, or enrolled.
14. **"Student Conduct Administrator"** means a college official authorized by the college official responsible for administration of the Student Conduct Code to impose sanctions upon students found to have violated this Student Conduct Code.
15. **“Threatening behavior”** means any written or oral statement, communication, conduct or gesture directed toward any member of the college community, which causes a reasonable apprehension of physical harm to self, others, or property. It does not matter whether the person communicating the threat has the ability to carry it out, or whether the threat is made on a present, conditional, or future basis.

Article II: Judicial Authority

1. Decisions made by a Student Conduct Administrator shall be final, pending the normal appeal process.

2. Matters pertaining to sexual harassment must always be referred first to the college Title IX Coordinator for review under AR 5.1.16. Conduct that does not meet the definition of sexual harassment as outlined in AR 5.1.16, or otherwise do not meet the definition of an educational program or activity, do not occur against a person within the United States, or are otherwise dismissed either under the mandatory or discretionary dismissal provisions will be referred by the Title IX Coordinator back to the college's respective Student Conduct Administrator for investigation and adjudication under the Student Conduct Code.

Article III: Prohibited Conduct

1. Jurisdiction

The Student Conduct Code shall apply to conduct that occurs on any college or MCCCCD premises, or at any center/site or MCCCCD-sponsored event or activity that adversely affects the college community and/or the pursuit of its objectives.

A. Jurisdiction may be applied against student behavior conducted online, via email, or other electronic medium provided that it meets the criteria listed above. Further, jurisdiction under this policy applies to any person who is currently admitted or in credit or non-credit college programs or who participates in a college function (such as orientation, in anticipation of enrollment) or who was enrolled in the immediate previous term or is registered for a future term, including college employees so admitted, registered, or enrolled.

B. The Student Conduct Code shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending.

2. Title IX Sexual Harassment

Matters pertaining to sexual harassment/misconduct that do not meet the definition of sexual harassment as outlined in Administrative Regulation 5.1.16 or otherwise do not meet the definition of an educational program or activity and do not occur against a person within the United States will be referred by the Title IX Coordinator to the college's respective Student Conduct Administrator for investigation and adjudication under the Student Conduct Code.

3. Disruptive Behavior In Class (Temporary Removal of Student)

Disruptive behavior includes conduct that distracts or intimidates others in a manner that interferes with instructional activities, fails to adhere to a faculty member's appropriate classroom rules or instructions, or interferes with the normal operations of the college. Students who engage in disruptive behavior

or threatening behavior may be directed by the faculty member to leave the classroom or by the college official responsible for administration of the Student Conduct Code to leave the college premises. (Academic Misconduct AR 2.3.11). If the student refuses to leave after being requested to do so, college police may be summoned to provide assistance. For involuntary removal from more than one (1) class period, the faculty member should invoke the procedures outlined below.

4. Conduct - Rules and Regulations

Any student found to have committed the following misconduct is subject to the disciplinary sanctions outlined in Article IV:

A. Acts of dishonesty, including but not limited to the following:

- i. Knowingly furnishing false information to any college official or officer (including filing a false report or complaint), including during an official investigation (i.e. Title IX, conduct, or campus police investigation).
- ii. Forgery, alteration or misuse of any college document, record or instrument of identification, even if there is no reliance on the forged or altered document in the posting of grades or other academic/financial benefit.
- iii. Tampering with the election of any college- recognized student organization.
- iv. Financial aid fraud or corresponding behaviors that would allow a student to receive a monetary benefit for which they are not eligible.
- v. Misrepresentation of one's identity (see also Identity Theft Red Flag and Security Incident Reporting AR 6.11).
- vi. Misuse of the colleges copyrighted content and trademark (Copyright Act Compliance AR 2.4.5).
- vii. Knowingly filing a false report (Title IX, conduct, or campus police investigation) to a college official or campus police.

B. Obstruction or disruption of teaching, research, administration, disciplinary proceedings or other college activities, including its public service functions on campus, in clinical settings or other authorized non-college activities.

C. Conduct that intentionally or recklessly causes physical harm or that otherwise threatens or endangers the health or safety of any person.

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- i. Physical abuse – hitting, pushing, use of a weapon, beating or other such activity resulting in or, intended to cause physical harm.
 - ii. Making a threat(s) of violence (including verbal, written, or virtual communication) that does or could cause(s) a reasonable expectation of harm to the health or safety of a specific person.
 - iii. Substantial or repeated acts and/or harassment directed at a person or group of people that would cause a reasonable person to feel fearful and/or find intimidating, hostile, or offensive, including but not limited to, bullying, stalking, and hazing (Hazing Prevention Regulation AR 2.6) as defined in Article I.
 - iv. Any form of retaliation towards a Complainant or any participant in an investigation or conduct process.
- D. Attempted or actual theft of, damage to, or unauthorized use of property of the college or property of a member of the college community or other personal or public property.
- E. Trespassing or unauthorized access to physical or virtual/cyber property or services of the college.
- F. Having an animal in a campus building, other than in accordance with MCCCDC policy (Domesticated Animals on Campus AR 3.9 and Guidelines for Service Animals on Campus) and ADA laws, such as permitted service animals individually trained to perform tasks for the benefit of an individual with a disability.
- G. Failure to comply with direction of college officials or law enforcement officers in the performance of their duties and/or failure to properly identify oneself to these persons when requested to do so.
- H. Unauthorized possession, duplication or use of keys to any college premises, or unauthorized entry to or use of college premises.
- I. Violation of any college or MCCCDC policy, rule or regulation published in hard copy or online, such as a college catalog, handbook, etc. or available electronically on the college's or MCCCDC's website.
- J. Violation of federal, state or local law.
- K. Use, possession, manufacturing or distribution of illegal or other controlled substances except as expressly permitted by law, unless such use is prohibited due to a program of study for fields that are deemed safety sensitive positions. (Abuse-Free Environment AR 2.4.7, S-16 statement on the Arizona Medical Marijuana Act Proposition 203).
- L. Illegal use, possession, manufacturing or distribution of alcoholic beverages or public intoxication.
- M. Smoking tobacco products, using e-cigarettes, or any other violation of the Smoke-Free/Tobacco-Free Environment policy (AR 4.12).

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- N. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on college premises, or use of any such item, even if legally possessed, in a manner that harms, threatens, or causes fear to others, or property damage (Weapons policy AR 4.6).
- O. Participation in a demonstration, riot or activity that disrupts the normal operations of the college and infringes on the rights of other members of the college community; leading or inciting others to disrupt scheduled and/or normal activities within any college building or area.
- P. Obstruction of the free flow of pedestrian or vehicular traffic on college premises or at college-sponsored or supervised functions.
- Q. Conduct that is disorderly, lewd or indecent; breach of the peace; or aiding, abetting or procuring another person to breach the peace on college premises or at functions sponsored by or participated in by the college or members of the academic community. Disorderly conduct includes but is not limited to: any unauthorized use of electronic or other devices or to make an audio or video record of any person while on college or MCCCDCD premises without their prior knowledge, or without their effective consent or when such a recording is likely to cause injury or distress. This includes, but is not limited to, secretly taking pictures of another person in a gym, locker room, or restroom.
- R. Engaging in individual conduct that materially and substantially infringes on the rights of other persons to engage in or listen to expressive activity is subject to discipline under this conduct code. (Free Expression policy AR 6.24).
- S. Attempted or actual theft or other abuse of technology facilities or resources, including but not limited to:
 - i. Unauthorized entry into a file, to use, read or change the contents or for any other purpose
 - ii. Unauthorized transfer of a file
 - iii. Unauthorized use of another individual's identification and/or password
 - iv. Use of technology facilities or resources to interfere with the work of another student, faculty member or college official
 - v. Use of technology facilities or resources to send obscene or abusive messages
 - vi. Use of technology facilities or resources to interfere with normal operation of the college technology system or network
 - vii. Use of technology facilities or resources in violation of copyright laws (Copyright Act Compliance AR 2.4.5)
 - viii. Any violation of the MCCCDCD's technology resource standards (Technology Resource Standards AR 4.4)

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- ix. Use of technology facilities or resources to illegally download files
 - x. Unauthorized use of intellectual property (Intellectual Property policy)
- T. Abuse of the Student Conduct system, including but not limited to:
- i. Falsification, distortion or misrepresentation of information before a Student Conduct Official.
 - ii. Invoking a Student Conduct Code proceeding with malicious intent or under false pretenses
 - iii. Attempting to discourage an individual's proper participation in, or use of, the Student Conduct system
 - iv. Attempting to influence the impartiality of the member of a judicial body prior to, and/or during the course of, the Student Conduct proceeding
 - v. Harassment, either verbal or physical, and/or intimidation of a Student Conduct Administrator prior to, during and/or after a Student Conduct proceeding
 - vi. Failure to comply with the sanctions imposed under this Student Conduct Code
 - vii. Influence or attempting to influence another person to commit an abuse of the Student Conduct Code system
 - viii. Failure to obey the notice from a Student Conduct or college official to appear for a meeting or hearing as part of the Student Conduct system.
- U. Engaging in irresponsible social media conduct. All Student Conduct policies apply to social networking platforms.
- V. Attempt to bribe a college or MCCCCD employee.
- W. Stalking behavior, which occurs if a student intentionally or knowingly maintains visual or physical proximity toward another person on two (2) or more occasions over a period of time and such conduct would cause a reasonable person to fear for their safety.
- X. Sexual misconduct, including but not limited to:
- i. The use or display in the classroom, including electronic, of pornographic or sexually harassing materials such as posters, photos, cartoons or graffiti without pedagogical justification.

- ii. Explicit sexual comments by one (1) or more students about another student, or circulating drawings or other images depicting a student in a sexual manner.
- iii. Unwelcome sexual advances, repeated propositions or requests for a sexual relationship to an individual who has previously indicated that such conduct is unwelcome, or sexual gestures, noises, remarks, jokes, questions, or comments by a student about another student's sexuality or sexual experience.
- iv. Harassment based on sex, pregnancy, gender identity, gender expression, or sexual orientation that creates a hostile environment. A hostile environment exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the MCCCDC education programs and/or activities. The existence of a hostile environment is to be judged both objectively (meaning a reasonable person would find the environment hostile) and subjectively (meaning the impacted individual felt the environment was hostile).

Y. Sexual Exploitation

- i. Taking non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited. Examples of behavior that could rise to the level of Sexual Exploitation include:
 - a. Recruiting, harboring, transporting, providing, or obtaining another person for the purpose of sexual exploitation;
 - b. Non-consensual visual (e.g., video, photograph) or audio-recording of sexual activity;
 - c. Non-consensual distribution of photos, other images, or information of an individual's sexual activity, intimate body parts, or nakedness, with the intent to or having the effect of embarrassing an individual who is the subject of such images or information;
 - d. Going beyond the bounds of consent (such as letting your friends hide in the closet to watch you having consensual sex);
 - e. Engaging in non-consensual voyeurism;
 - f. Knowingly transmitting an STI (sexually transmitted infection), such as HIV, to another without disclosing one's STI status;

- g. Exposing one's genitals in non-consensual circumstances, or inducing another to expose their genitals;
- h. Possessing, distributing, viewing or forcing others to view obscenity.

5. Violation of Law and College Discipline

- A. Disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and this Student Conduct Code (that is, if both possible violations result from the same factual situation) without regard to pending civil or criminal litigation. If a criminal investigation and/or prosecution results from the same factual situation, proceedings under this Student Conduct Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the college official responsible for administration of the Student Conduct Code. Determinations made or sanctions imposed under this Student Conduct Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of college rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.
- B. When a student is charged by federal, state or local authorities with a violation of law, the college will not request or agree to special consideration for that individual because of their status as a student. If the alleged offense is also being processed under this Student Conduct Code, however, the college may advise external law enforcement and other authorities of the existence of this Student Conduct Code and of how such matters will be handled internally within the college community. The college will cooperate fully with the law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students and faculty members, acting within their personal capacities, remain free to interact with governmental representatives as they deem appropriate.
- C. The Student Code of Conduct may apply to off-campus behavior that affects a substantial interest of the college. A substantial college interest means:
 - i. Any situation where it appears that the student's conduct may present a danger or threat to the health or safety of themselves or others; and/or

- ii. Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- iii. Any situation that is detrimental to the educational mission and/or interests of the college, unless it is protected by a student's constitutional right to free expression.

Article IV: Student Conduct Code Procedures

1. Allegations and Resolution Options

- A. Any member of the college community may file a complaint against a student for violations of this Student Conduct Code. A complaint may be in writing or verbally given to the Student Conduct Administrator. Once the complaint has been made, it shall be put in writing and a notice of allegation should be submitted to the Respondent. A Respondent must receive written notice of the allegations before a meeting is held with the Respondent regarding the conduct. The notice of allegations should outline the particulars of the complaint, the presumption of innocence, an outline of the Respondent's due process rights, and the contact information for the Student Conduct Administrator.
- B. There is no statute of limitations for bringing a complaint under the Student Conduct Code, but it is advisable to bring a complaint as soon after the conduct being reported occurred.
- C. Both the Complainant and the Respondent shall have the right to be assisted by an advisor of their choosing. A party who elects to be assisted by an advisor must notify the Student Conduct Administrator of the name and contact information of the Advisor not less than two (2) days before the scheduled meeting with the party. Advisors may not be an attorney. Both the Complainant and the Respondent are responsible for presenting their own information during the course of the meeting. Advisors are not permitted to speak or participate directly in any Student Conduct meeting or proceeding and can be removed from proceedings by not abiding by these parameters.
- D. Misconduct that would fall under the jurisdiction of AR 5.1.16, meaning it alleges sexual harassment, discrimination, sexual assault, dating/domestic violence, or stalking should be forwarded to the Title IX Coordinator for a jurisdictional review. In such cases where the conduct

alleged does not meet the definition of sexual harassment, as outlined in the Title IX Regulations (and MCCCCD policy AR 5.1.16) or is otherwise subject to mandatory or discretionary dismissal, the alleged conduct will be referred back to the Student Conduct Code for investigation and adjudication.

- E. After receiving information on alleged violations of the Student Conduct Code, the Student Conduct Administrator will review the information, gather facts, and make a determination on the appropriate next steps. Documentation regarding the aforementioned steps must be maintained. Next steps are:
- i. Dismiss the case due to insufficient evidence, lack of jurisdiction, or the alleged behavior, even if proven true, would not violate the code.
 - ii. Proceed with a full, thorough, and impartial investigation with formal disciplinary proceedings.
 - iii. Initiate an informal resolution outside of formal disciplinary proceedings provided involved parties mutually agree and the Student Conduct Administrator determines this option is appropriate given the nature of the allegations. An informal resolution can also be an option when the Respondent accepts responsibility for the behavior.
 - iv. If the informal resolution option is initiated, the determination with regard to responsibility and sanctions is final and cannot be appealed.

2. Informal Resolution Options

- A. Informal resolution options include, but are not limited to: administrative dispositions, mediation, facilitated dialogue, and restorative justice practices.
- B. Determinations regarding the type of informal resolution offered in a particular case will be made in consultation with the Student Conduct Administrators, other MCCCCD leadership, as necessary, and the students at issue. Staff outside of the Student Conduct Administrator's office may be involved in facilitating the agreed upon option.
- C. Informal resolutions can result in the same sanctions and institutional responses as are reserved for matters that have been addressed through a full investigation.
- D. The Student Conduct Administrator will make the determination with regard to responsibility.
- E. Should new facts come forward during the informal resolution process that significantly alter the nature of the allegations, the Student Conduct

Administrator has the discretion to initiate a full investigation. If one of the involved parties decides that the informal resolution option is not appropriate, they may request a full investigation. This request must be submitted to the Student Conduct Administrator before the conclusion of the informal resolution process. If this action is taken, the Student Conduct Administrator will document the end of the informal resolution process and shall initiate a formal investigation.

- F. Both the Complainant and the Respondent must sign an agreement to engage in the informal resolution process.

3. Interim Actions

- A. If the Student Conduct Administrator is in receipt of information indicating that the Respondent poses a threat of harm or substantial disruption, the Student Conduct Administrator may take administrative action(s) to restrict, suspend, or alter the rights of a student for a temporary period. The interim action(s) will be communicated in writing to involved parties and will remain in place until a final decision on the pending allegations has been made or until the Student Conduct Administrator believes the reason(s) for issuing the interim action(s) no longer exists. These administrative actions are not designed to be punitive, and they are not issued as sanctions.
- B. A student who is restricted from campus or suspended due to interim action(s) may appeal the interim action(s) in writing to the Dean or Vice President of Student Affairs (VPSA) who is over the Student Conduct Administrator, and in the case that a VPSA is the Student Conduct Administrator, to the President of the college, no later than five (5) business days following the effective date of the interim action(s). This person will determine, within five (5) business days of receipt of the appeal, if the interim action(s) should remain in place, be modified, or lifted.
- C. Examples of interim actions include, but are not limited to, no contact directives, removal from a class or classes or specific MCCC locations, administrative removal from campus, administrative/enrollment holds, and temporary suspension.
- D. Factors considered before issuing interim actions include, but are not limited to, individual safety, community safety, and the need to maintain an academic and work environment free from disruption. If the interim action is temporary suspension or removal from campus, the Student Conduct Administrator will consult with the college's behavioral assessment team as part of the decision-making process.

4. Notice of Allegations and Investigations

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- A. The notice of allegations letter sent to the Respondent will also be sent to the Complainant. The notice of allegation should specify that the investigation will be done to determine, under the preponderance of the evidence standard, if a violation of the policy has taken place. The notice of allegations should outline the particulars of the complaint, the presumption of innocence, an outline of the Respondent's due process rights, and the contact information for the Student Conduct Administrator.
- B. Investigations will be conducted in a fair and impartial manner. Respondents are treated with a presumption of innocence until such time as it has been adjudicated that a violation of the Student Conduct Code has taken place.
- C. If during the investigation additional allegations are presented or if allegations outlined in the original notice of allegations have been retracted, the Respondent must receive an amended notice of allegations and shall be allowed to address the new allegations.

5. Investigation Process

- A. At the beginning of the investigation interview, the Student Conduct Administrator will review with the party being interviewed: the Student Conduct Code, the investigation process, how determinations are made, possible sanction(s), the prohibition against retaliation, and appeal options.
- B. Students are expected to comply with requests and directives issued by the Student Conduct Administrator performing duties connected to an investigation. Should a student choose to not participate in the conduct process, the Student Conduct Administrator will proceed with the investigation and make determinations without gaining input from the non-participating student.
- C. After the investigative interview, Respondents will be given up to five (5) days to reflect upon and respond to the allegations(s) in writing. The written response should be delivered to the Student Conduct Administrator within that time period. Likewise, Complainants and witnesses will be given up to five (5) days to reflect upon and respond to the information presented and outlined during the investigative interview. The Student Conduct Administrator does not need to provide interview notes or additional information to the student to facilitate this process.
- D. A student can have an advisor present in all conduct proceedings, but the advisor cannot speak on the student's behalf.
- E. Involved parties can identify witnesses who have information relevant to the investigation. These witnesses will be contacted by the Student

Conduct Administrator who will assess the relevance of the witnesses and conduct interviews as appropriate.

- F. Complainants and Respondents will be notified in writing when an investigation has concluded and the investigative report has been completed, which will encompass all information except for a final determination.

6. Determinations

- A. The Student Conduct Administrator will determine whether it is more likely than not that a student and/or student organization violated the Student Conduct Code.
- B. The Student Conduct Administrator will consider any mitigating or aggravating factors and determine the appropriate sanctions.
- C. Within five (5) business days of the determination, the Student Conduct Administrator will provide the parties a written decision. The written decision will indicate whether or not the charge(s) was substantiated and, if the charge(s) was/were substantiated, will outline the remedial action(s) taken including sanctions if applicable, to be issued by the college. The determination letter will summarize the investigation and outline the determination made regarding the allegations outlined in the complaint, as well as state any issued sanction(s) based on a finding of responsibility.
- D. Respondent will be informed of the right to appeal the determination and will be given instructions on how to do so in the decision letter.

7. Appeals

- A. The Respondent must submit a written appeal request to the supervising Dean of Students or Vice President of Student Affairs (VPSA), or in the case that the Student Conduct Administrator is the VPSA, the President, no later than five (5) days from the date of the written determination.
- B. If no appeal is filed within the five (5) day window, the determination regarding responsibility for a violation under this policy and sanctions is final.
- C. Pending the filing of a timely appeal request, the decision by the Dean of Students or VPSA will delay the effective date of the disciplinary sanction.
- D. The grounds for an appeal are restricted to the following:
 - i. Procedural irregularity that affected the outcome of the matter, and
 - ii. New evidence that was not reasonably available at the time determinations regarding responsibility was made, or that could affect the outcome of the matter.

E. The Dean of Students or VPSA will notify the involved parties of a decision regarding the appeal within five (5) days of receiving the appeal request. Both parties to the original investigation will be notified of the appeal decision.

- i. If the appeal is denied, the decision by the Student Conduct Administrator shall be considered final and binding upon all concerned.
- ii. If the appeal is granted, the rationale for the decision will be outlined in the decision letter as will the next steps in the process.
 - a. The appellate body has discretion upon granting an appeal to refer the matter back to the Student Conduct Administrator for re-consideration, or alter the sanction(s) only (including issuing more severe sanctions).

8. **Matters Related to Infringement of the Right to Free Expression**

A. As outlined in Arizona Revised Statute 15-1866, any student who engages in individual conduct that materially and substantially infringes on the rights of other persons to engage in or listen to expressive activity is subject to discipline under this conduct code.

B. In all disciplinary proceedings involving students, including proceedings involving expressive conduct, a student is entitled to a disciplinary hearing under published procedures that include, at a minimum, all of the following:

- i. The right to receive advanced written notice of the allegations.
- ii. The right to review the evidence in support of the allegations.
- iii. The right to confront witnesses who testify against that student.
- iv. The right to present a defense.
- v. The right to call witnesses.
- vi. A decision by an impartial person or panel.
- vii. The right to appeal.
- viii. If either a suspension of more than thirty (30) days or expulsion is a potential consequence of a disciplinary proceeding under this section, the right to active assistance of counsel.

9. **Sanctions**

A. The following sanctions may be imposed upon any student found to have violated the Student Conduct Code:

- i. **Warning** - a written notice to the student that the student is violating or has violated institutional rules or regulations.
- ii. **Disciplinary Probation** - a written reprimand for violation of specified rules or regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary

sanctions if the student is found to violate any institutional rules or regulation(s) during the probationary period.

- iii. **Loss of Privileges** - denial of specified privileges for a designated period of time which can include, but is not limited to, eligibility for some leadership roles, scholarships, membership in college-affiliated organizations, programs, and activities, and restricted access to college premises.
 - iv. **Restitution** - compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
 - v. **Discretionary Sanctions** - work assignments, essays, service to the college, or community, apology letters, educational programs, or other related discretionary assignments. (Such assignments must have the prior approval of the Student Conduct Administrator and will have specific due dates.)
 - vi. **Behavioral Requirement** - engagement with services or programs designed to address behaviors of concern through education and skill-building.
 - vii. **College Suspension** - separation of the student from all the colleges in MCCCCD for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. Suspension from ONE college means a suspension from ALL colleges in MCCCCD.
 - viii. **College Expulsion** - permanent separation of the student from all the colleges in MCCCCD. Expulsion from one college means expulsion from all MCCCCD colleges.
 - ix. **Degree/Certificate Revocation** - permanent revocation of a student's degree and/or certificate.
 - x. **Other Sanctions** - additional or alternative sanctions may be created and designed as deemed appropriate to the offense with the approval of the Student Conduct Administrator.
- B. More than one of the sanctions listed above may be imposed for any single violation.
- C. Disciplinary sanctions are part of a student's educational record.

10. Miscellaneous

A. Administrative Hold

The Student Conduct Administrator may place a temporary administrative hold preventing a student's registration, transcript release, or graduation if it is necessary to secure the student's cooperation in the

investigation or compliance with an administrative direction. This hold is not a sanction but a necessary step to resolve the complaint promptly.

B. Academic Consequences

Violations of the Student Conduct Code can have academic consequences if the violation also constitutes failure to meet standards of performance or professionalism set by the instructor or the program, or if it constitutes cheating, plagiarism, falsification of data, or other forms of academic dishonesty. In such cases, the instructor may award a failing grade for the assignment or the course in such cases, and the program faculty may decide that the student is ineligible to continue in the program. Academic consequences are determined by the faculty and academic administration, and are not dependent on the decisions of the college officials charged with the administration of the Student Conduct Code.

Article V: Interpretation and Revision

Any question of interpretation regarding the Student Conduct Code shall be referred to the college official responsible for administration of the Student Conduct Code for final determination.

AMENDED through the Administrative Regulation Process, May 24, 2022

AMENDED through Direct Approval by the Chancellor, August 11, 2020

AMENDED through Direct Approval by the Executive Vice Chancellor and Provost, January 31, 2017

AMENDED through the Administrative Regulation Process, March 25, 2013

AMENDED through the Administrative Regulation Process, March 13, 2012

AMENDED through the Administrative Regulation approval process, March 4, 2011

AMENDED through the Administrative Regulation approval process, February 23, 2010

ADOPTED through the Administrative Regulation approval process, June 24, 2002

Appendix L

Staff Policy Manual A-4 Employment Standards



STAFF POLICY MANUAL

Policy A-4	EMPLOYMENT STANDARDS		
<u>Effective Date:</u> 05/22/2018	<u>Applicable Law/Statute:</u> None	<u>Source Doc/Dept:</u> None/HR	<u>Authorizing GB Pol/Reg:</u> Admin. Reg. 6.7

A. PURPOSE. To set out the rules of performance and conduct applicable to certain MCCCC employees.

B. APPLICABILITY. All appointed, classified, and non-classified MCCCC employees.

C. POLICY.

- Rules.** All covered employees shall to adhere to the following rules of performance and conduct. These rules include the employment standards established by the Governing Board in Administrative Regulation 6.7 in addition to other rules as described below. These rules are examples of expected performance and conduct and are not all-inclusive. Other rules are contained in applicable laws or specific college/division/department policies. MCCCC reserves the right to amend these rules and establish additional rules as necessary. There are three separate categories of rules divided by type of conduct. There are two separate groups divided by seriousness in each type.

Offense Type	Group One Offenses	Group Two Offenses
A. Conduct	<ol style="list-style-type: none"> Willful and intentional violation of any state or federal law, applicable ordinance, MCCCC Governing Board policy, or MCCCC administrative regulation that affects the employee's ability to perform his or her job. Making a false statement of or failing to disclose a material fact in the course of seeking employment or re-assignment of position at MCCCC. Willful and intentional commitment of acts of fraud, theft, embezzlement, misappropriation, falsification of records or misuse of MCCCC funds, goods, property, services, technology or other resources. Conviction of a felony or misdemeanor that adversely affects an employee's ability to perform job duties or has an adverse effect on MCCCC if employment is continued. Fighting with a fellow employee, visitor, or student, except in self-defense. Committing acts of intimidation, harassment or violence, including (but not limited to) oral or written statements, gestures, or expressions that 	<ol style="list-style-type: none"> Unintentional or unknowing violation of any state or federal law, applicable ordinance, MCCCC Governing Board policy, or MCCCC administrative regulation that affects the employee's ability to perform his or her job. Unknowing violation of MCCCC's Hiring of Relatives policy or Administrative Regulation 4.18 - Consensual Relationships policy. Unintentional possession, use, neglect, misuse, abuse, or destruction of MCCCC funds, goods, property, services, technology or other resources or the private property or assets of another employee which occurs during work time. Failure of an employee authorized to drive MCCCC vehicles to report to the employee's immediate supervisor and the district Risk Manager a

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communicate a direct or indirect threat of physical harm, or other violations of MCCCC Administrative Regulation 6.21 - Workplace Violence Prevention policy.

6. Reporting to work under the influence of alcohol and/or illegal drugs or narcotics; the use, sale, dispensing, or possession of alcohol and/or illegal drugs or narcotics on MCCCCD premises, while conducting MCCCCD business, or at any time which would interfere with the effective conduct of the employee's work for the MCCCCD; the use of illegal drugs; or testing positive for illegal drugs. The exception would include the consumption of alcohol at a reception or similar event at which the employee's presence is clearly within the scope of employment.

7. Possessing firearms or other weapons on MCCCCD property, except as may be required by the job or as otherwise permitted by law.

8. Knowing failure of an employee who is authorized to drive MCCCCD vehicles to report to the supervisor, the district Risk Manager, and the manager responsible for authorizing the use of college vehicles, within 48 hours or when reasonable in the event of vacation, sick leave, or other approved time away, any conviction for driving under the influence of alcohol or drugs, moving traffic violations, or drivers' license suspension or revocation that occurs, regardless of whether or not the driver was operating a college or district-owned, privately owned, rented or borrowed vehicle, or other violation of Administration Regulation 4.14 – Motor Vehicle Usage.

9. Knowing failure of an employee to maintain an acceptable conditional driving record.

10. Engaging in sexual harassment or other illegal discrimination based on race, color, religion, gender, sexual orientation, gender identity, national origin, citizenship status (including document abuse), age, disability, veteran status or genetic information, or other violation of MCCCCD Administrative Regulation 5 – Non-Discrimination Policy.

11. Dishonesty or dishonest actions, including but not limited to lying, deceitfulness, or making false statements.

12. Soliciting or accepting a gift, gratuity, bribe, or reward for the private use of the employee, or otherwise using one's position,

conviction for a serious traffic violation that occurred in a private vehicle during non-work time. Examples of a serious traffic violation include, but are not limited to, DUI, Extreme DUI, reckless driving, racing on highways, aggressive driving, and/or any offense which results in automatic 10 points which renders the employee as an unacceptable driver.

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	<p>identification, name, photograph or title for personal gain, or otherwise violating the State of Arizona's conflict of interest laws for public employees or MCCCDC Administrative Regulation 1.18 – Gifts, Gratuities and Unrelated Compensation.</p> <p>13. Unauthorized possession, use, neglect, misuse, abuse, or destruction of the private property or assets of or another employee that occurs during work time.</p> <p>14. Willful and intentional violation of MCCCDC's Hiring of Relatives policy or Administrative Regulation 4.18 - Consensual Relationships policy.</p> <p>15. Providing false testimony; making or publishing a false, vicious or malicious statement concerning other employees, MCCCDC, or its operations; or refusing to provide testimony or information in an investigation when properly required per MCCCDC policy.</p>	
B. Performance	<p>1. Willful and intentional failure to perform job duties that have first been communicated to an employee and are within the employee's scope of employment.</p> <p>2. Intentional destruction or threat of destruction of MCCCDC property, with malicious intent.</p> <p>3. Performing acts or executing job responsibilities in a reckless manner that poses a threat to the physical safety of the employee or another person.</p> <p>4. Failure by the College President, appropriate District Officer, Chancellor or other senior level administrators to notify appropriate law enforcement authorities of any potential theft of District funds or assets.</p> <p>5. Performing personal work while on-duty.</p> <p>6. Knowing failure to obtain, maintain and/or report to the immediate supervisor the loss, suspension or other restriction of a license, certification, or other qualification of an employee's position.</p> <p>7. Driving a motor vehicle on duty without a valid, applicable operator's license.</p> <p>8. Misuse, removal or destruction of MCCCDC documents or records, or revealing or</p>	<p>1. Neglect of duty, including but not limited to, failure to observe MCCCDC or college/division rules, policies, or procedures; lack of application or effort; or reading for pleasure, viewing TV or sleeping, etc. during work time.</p> <p>2. Discourteous treatment of the public or a fellow employee.</p> <p>3. Failure to cooperate or interference with the work performance of other employees.</p> <p>4. Failure to observe official health, safety, and sanitation rules, or common health, safety, and sanitation practices.</p> <p>5. Failure to report to appropriate MCCCDC authority the receipt of a request for information, a subpoena or a court order from an attorney, court of law or administrative body concerning MCCCDC business.</p> <p>6. Substandard performance of assigned duties; or performance below minimum required standards of performance.</p> <p>7. Unknowing failure to obtain, maintain and/or report to the immediate supervisor the loss, suspension or</p>

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	disclosing MCCCCD information of a confidential nature without prior authorization.	other restriction of a license, certification, or other qualification of an employee's position.
	9. Obligorating MCCCCD for a serious expense, service, or performance without prior authorization.	8. Violation of MCCCCD guidelines for incidental computer or telephone usage, District-wide message posting, or similar violations of MCCCCD Administrative Regulations, procedures or guidelines.
	10. Unauthorized possession, use, neglect, misuse, or abuse of the property or assets of MCCCCD, including but not limited to: MCCCCD vehicles, tools, equipment, supplies, e-mail, telephones, television, internet services; seal, logo, name, and other intellectual property of MCCCCD; MCCCCD keys, identification/entry badges; bulletin board notices and signs.	9. Failure of a supervisor to communicate, enforce, counsel, and correct an employee regarding violations of expected job performance and standards of conduct.
C. Attendance	1. Abandonment of one's position. 2. Willful failure to properly and completely document or report one's hours of work.	1. Unintentional failure to properly and completely document or report one's hours of work. 2. Tardiness, defined as the unexcused reporting to work after the scheduled starting time. 3. Failure to observe time limits and scheduled starting and ending times of meal or break periods or taking an excessive number of break periods during a work shift.

2. Penalties for Violations. Violations of these standards may result in corrective action as provided in [Policy C-4 – Progressive Discipline Policy](#).
3. Not Eligible for Rehire Provision. Employees who are terminated or non-renewed due to a determination that the employee has violated Maricopa Employment Standards set forth in Administrative Regulation 6.7, or who resign in lieu of such termination or non-renewal by agreement or otherwise, are not eligible for rehire within the Maricopa Community College District. Employees will be afforded notice of such a determination and an opportunity to be heard pursuant to the applicable employee policy or administrative regulation.
4. Recommendations. The Chief Human Resources Officer or designee is responsible for reviewing documented violations of employment standards, establishing procedures for the review of recommended disciplinary action to be taken, and determining whether the recommended disciplinary action is consistent with the documented violations of the employment standards. The Chief Human Resources Officer or designee shall have final authority to recommend disciplinary action under this policy and shall document the rationale for all decisions. To the extent that the recommendation for disciplinary action by the Chief Human Resources Officer or designee differs from the recommendation of the employee's College President or appropriate District Officer or other Chancellor's Executive Council Member, the Chancellor shall be consulted and shall make the final

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recommendation on disciplinary action. The Chief Human Resources Officer or designee shall make recommendations that involve the Chancellor.

5. Report to Governing Board. Quarterly, a summary report shall be submitted to the Governing Board on disciplinary actions taken pursuant to this policy.

REVISIONS

Type	Date	Description
Effective	5/01/2013	Initial Policy
Revision	05/22/2018	Reason for Change: May 22, 2018 (Item No.10.2, Motion No.10567).
Revision	04/23/2019	Reason for Change: April 23, 2019 (Item No.12.1, Motion No.10567).

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Appendix M

Staff Policy Manual A-18 Drug Free Workplace



STAFF POLICY MANUAL

Policy A-18	DRUG FREE WORKPLACE		
<u>Effective Date:</u> 08/01/2014	<u>Applicable Law/Statute:</u> 41 USC 701-707	<u>Source Doc/Dept:</u> None/HR	<u>Authorizing GB Pol/Reg:</u> GB Policy 3.3

A. PURPOSE. To promote and support a drug-free workplace for MCCCCD employees.

B. APPLICABILITY. All MCCCCD employees.

C. POLICY.

1. Generally. The District supports the Drug Free Workplace Act of 1988, and complies with all federal, state, and local laws pertaining to controlled substances. The manufacture, sale, possession, distribution, dispensing, or use by employees of controlled substances in the workplace is prohibited.
2. Notification and Sanctions. As a condition of employment, each employee shall agree to abide by the terms of this policy and notify the Chief Human Resources Officer of any criminal drug conviction for a violation that occurs in whole or in part in the District's workplace, within five days of such conviction. Besides the sanctions imposed by federal and state courts concerning controlled substance violation(s), the District will respond administratively when the offense involves an employee as the offender. Sanctions may include required participation in a drug rehabilitation program or termination of employment.
3. Drug Abuse Prevention. The District sponsors and/or participates in the following drug prevention activities:
 - a. Counseling services provide individual sessions on the topic of substance abuse. When necessary, counselors will provide referral services to community-based agencies.
 - b. Drug awareness workshops are offered through the District's Fitness Center Wellness Workshops.
4. Assistance. Employees with a drug problem can also receive assistance by calling:
 - a. The MCCCCD Employee Assistance Program (EAP) at 1-800-603-2970
 - b. National Institute on Drug Abuse Hotline at 1-800-662-4357
 - c. DRUGHELP at 1-800-378-4435

REVISIONS

Type	Date	Description
Effective	08/01/2014	Initial Policy
Revision	5/22/20018	Reason for Change: May 22, 2018 (Item No 10.4, Motion No 10567)
Revision	04/23/2019	Reason for Change: April 23, 2019 (Item No.12.1, Motion No 10567)

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STAFF POLICY MANUAL

Policy A-19	INTERNAL CONTROL		
<u>Effective Date:</u> 05/22/2018	<u>Applicable Law/Statute:</u> None	<u>Source Doc/Dept:</u> None/HR	<u>Authorizing GB Pol/Reg:</u> Admin. Reg. 6.12

- A. PURPOSE.** To set out the obligation of all Maricopa management employees to operate within a system of internal control.
- B. APPLICABILITY.** All MCCCDC employees deemed to be "management" employees as defined in Administrative Regulation 6.12, defined therein as members of the Chancellor's Executive Council (CEC), the Management, Administrative & Technological (MAT) employee group, as well as members of any other employee groups that are exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA), or other employees who serve as directors or coordinators of a program, service, institute or other initiative.
- C. POLICY.**
1. Management Responsibility. MCCCDC's management employees, as defined herein, are responsible for establishing a system of internal controls, risk management and organizational processes over the operations of MCCCDC in a manner which provides the MCCCDC Governing Board reasonable assurance that:
 - a. Risks are appropriately identified and managed.
 - b. Interaction with the various organizational groups occurs as needed.
 - c. Significant financial, managerial, operational information is accurate, reliable and timely.
 - d. Employees' actions are in compliance with policies, standards, procedures and applicable laws and regulations.
 - e. Resources are acquired economically, used efficiently and protected.
 - f. Programs, plans and objectives are achieved.
 - g. Significant legislative or regulatory issues impacting MCCCDC are recognized and addressed appropriately.
 2. Managing Operations. The system of internal controls over the operations is a function of management and is an integral part of the overall process of managing operations. As such, it is the responsibility of managers at all levels of the organization to:
 - a. Identify and evaluate the exposures to loss which relate to their operations.
 - b. Specify and establish plans and operating standards, procedures, systems, and other disciplines to be used to minimize, mitigate and/or limit the risks associated with the exposures identified.
 - c. Establish practical systems of internal control processes that require and encourage employees to carry out their duties and responsibilities in a manner that achieves the seven (7) control objectives outlined in Section C (1) above.

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- d. Maintain the effectiveness of the systems of internal control processes for which they are responsible.

REVISIONS

Type	Date	Description
Effective	08/01/2014	Initial Policy
Revision	07/01/2015	Reason for Change: Governing Board delegation to Chancellor on December 9, 2014 (Item No. 14-1, Motion No 10259).
Revision	05/22/2018	Reason for Change: May 22, 2018 (Item No 10.1, Motion No 10567).

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Appendix N

Staff Policy Manual C-4 Progressive Discipline

**STAFF POLICY MANUAL**

Policy C-4	PROGRESSIVE DISCIPLINE (formerly Principles of Corrective Actions)		
<u>Effective Date:</u> 05/22/2018	<u>Applicable Law/Statute:</u> None	<u>Source Doc/Dept:</u> HR	<u>Authorizing Pol/Reg:</u> Admin. Reg. 6.7; Policy 3.3

A. APPLICABILITY. All employees subject to this manual.

B. POLICY.

1. Generally, Maricopa County Community Colleges District (MCCCD) provides employees who violate policy, or exhibit unsatisfactory job performance, an opportunity to comply with MCCCD or departmental requirements by means of progressive disciplinary actions.
 - a. *Performance Expectations*. Employees are expected to abide by the established rules and policies of their departments, MCCCD Administrative Regulations, and MCCCD Employee Policies and Procedures. To enable employees to perform adequately, supervisors are expected to:
 - i. Develop clear and reasonable departmental policies and performance expectations.
 - ii. Examine the circumstances of apparent policy or rule violations or unsatisfactory performance before taking disciplinary action.
 - iii. Ensure that prompt, consistent disciplinary action is administered.
 - b. *Disciplinary Action*. The intent of this policy is to use a series of progressive disciplinary actions, when appropriate, as a means to assist and encourage employees to correct their conduct and to achieve satisfactory work performance. Particular circumstances may dictate that the disciplinary action be tempered or expanded because of the facts of the situation. Specific disciplinary measures, including discharge, may result from violation of any:
 - i. State or federal law,
 - ii. Applicable ordinance, MCCCD Governing Board Policy, or MCCCD Administrative Regulations, and/or
 - iii. MCCCD Employee or departmental rules or policies.
2. Progressive Discipline. Outlined below are the steps of corrective action and progressive discipline from least to most severe. Steps prior to written warning are not considered formal discipline. MCCCD reserves the right to combine or skip steps depending on the facts of each situation and the nature of the offense.
 - a. *Feedback/Coaching*. Counseling or coaching involves a cooperative attempt between the employee and the supervisor to determine and correct performance problems.

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- b. *Verbal Warning.* A verbal warning is a documented conversation between the employee and the supervisor. The purpose of a verbal warning is to clarify policies and expectations.
 - c. *Written Warning.* A written warning consists of a formal written communication from the supervisor to the employee, providing notice of the unacceptable conduct and outlining expectations.
 - d. *Suspension without Pay.* A suspension without pay is the temporary involuntary separation of the employee from MCCCCD service without compensation. Classified employees, who receive a suspension without pay of more than 30 days, shall have the right to notice and an appeal pursuant to the Notice and Appeal of Certain Disciplinary Measures Policy. Unpaid suspensions of 30 days or less shall be subject to MCCCCD's Grievance Policy.
 - e. *Involuntary Demotion.* An involuntary demotion is the involuntary movement of an employee to a position in a lower-graded job classification. Classified employees, who are involuntarily demoted, shall have the right to notice and an appeal pursuant to the Notice and Appeal of Certain Disciplinary Measures Policy. Voluntary demotions are not appealable.
 - f. *Involuntary Termination of Employment.* Termination is the dismissal of an employee for conduct that involves dishonesty, violation of the law, significant risk to MCCCCD's operations, the safety or well-being of oneself or others, repeated or serious violations of MCCCCD's policies, procedures, or Administrative Regulations, Employment Standards, other serious misconduct or sustained unsatisfactory performance. Classified employees, who are terminated, shall have the right to notice and an appeal pursuant to the Notice and Appeal of Certain Disciplinary Measures Policy.
3. Cumulative Discipline. Discipline is cumulative, and unrelated instances of misconduct may be considered in determining the appropriate level of discipline. For example, an employee who has received a written warning related to attendance and who subsequently demonstrates substandard performance, may be disciplined in the form of suspension without pay (or demotion or termination, if warranted), even though there were no prior instances of substandard performance.
4. Impact of Written Warning, Suspension, or Demotion.
- a. *Internal Transfers.* An employee seeking an internal transfer is required to share the circumstances and severity of any formal disciplinary action as outlined in Section 2 of this policy with a hiring manager, prior to the job offer. Failure to disclose a disciplinary action prior to accepting an offer of transfer may result in additional discipline, up to and including termination.
- Annual Increase.* Employees who have received a written warning or have been suspended or involuntarily demoted within the last twelve months are not eligible for an annual increase.

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5. Approval

a. *Human Resources*. All decisions relating to unpaid suspensions, demotions, and terminations shall be made in consultation with Human Resources and are subject to approval by the Chief Human Resources Officer.

b. *Governing Board*. All involuntary terminations for classified employees shall be approved by the Governing Board.

6. Resources Available to Employees. The Employee Assistance Program ("EAP") is available to provide resources and suggestions as an employee is taking steps to ensure that impermissible conduct or a policy violation does not reoccur.

7. Cross-References

a. Progressive Discipline ([Policy C-4](#))

b. Leaves of Absences ([Policy B-7](#))

c. Grievance Process ([Policy C-2](#))

d. Administrative Regulations

i. [Employment Standards 6.7](#)

ii. [Administrative Leave 6.1](#)

iii. [Administrative Regulation 5: EEO](#)

iv. [Administrative Regulation 2.4](#) (Title IX)

e. Procedures for Processing Termination of Employment

REVISIONS

Type	Date	Description
Effective	05/01/2013	Initial Policy issued as Principles of Corrective Action
Revision	05/22/2018	Reason for Change: May 22, 2018 (Item No 10.1, Motion No 10567). Corrected references in B.7. Cross Reference Policy C-4 and C-2
Revision	04/23/2019	Reason for Change: April 23, 2019 (Item No. 12.1, Motion No 10567).

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Appendix O

Student Athletic Code of Conduct

When you participate in intercollegiate athletic competition, you represent GateWay Community College and will be in the public eye. Your personal conduct must reflect favorably upon your team and GWCC. As a member of a GWCC athletic team, you are expected to demonstrate acceptable behavior. The acceptance of athletic scholarships and participation as a member of an athletics team holds academic and athletic responsibilities for the student-athlete. These are as follows:

ACADEMIC

- Attend classes regularly and complete all academic work;
- Meet with academic advisors each semester, attend study hall and complete progress reports, as directed;
- Maintain an academic load of at least 12 credit hours per semester and make satisfactory progress toward a degree

ATHLETIC

- Abide by all team, departmental, college, and NJCAA rules;
- Follow a nutrition and exercise program as recommended by your coach;
- Abide by all rules imposed during practice and competitions, and at any other time when representing GWCC;
- Take proper care of equipment and return it in good condition; and
- Treat all players, officials, spectators and coaches courteously and with respect (see Sportsmanship Policy below)

GENERAL

- When representing Athletics and GWCC, act in an appropriate manner in both behavior and dress.
- Obey all federal, state and city laws; and
- Do not use tobacco, alcohol and non-therapeutic drugs (see Tobacco, Alcohol/drugs Policy below)

NJCAA CODE OF CONDUCT

A) Sportsmanship: Certain standards of behavior are expected of all student-athletes and team personnel participating in any NJCAA event. Student-athletes are guests at any event; their participation is a privilege not a right. Sportsmanship and citizenship are modes of conduct that promote and develop respect for fellow participants, coaches, and teammates. That respect should also be reflected in the behavior of each student-athlete toward officials and spectators.

B) Alcohol/Drugs: The use of all alcohol/drugs at any NJCAA sponsored event is prohibited. Any game official having reasonable cause to believe a student-athlete is using or is sufficiently impaired so as to endanger the individual or other individuals participating in said event by virtue of injury, use of alcohol, or drugs (including but not limited to performance enhancing or pain killing drugs) may remove or disqualify said individual from further participation in the sporting event.

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C) Tobacco: The use of all tobacco products shall be prohibited in all practices and athletic events conducted under the auspices of the NJCAA and member institutions. The event official shall immediately enforce event disqualification and/or additional penalties.

The Code of Conduct will be strictly enforced--warnings will NOT be given. Student-athletes are reminded that participation in athletics is a privilege and not a right. Additional disciplinary actions, above those stipulated by a game official, for any violation of the Code of Conduct will be assessed by the Athletic Director and may vary based on the type and severity of the violation. Penalties for violation of any part of the code may include:

- Event disqualification;
- Future game suspensions;
- Suspension, modification, cancellation, and/or non-renewal of athletic related financial aid;
- Permanent dismissal from the athletic program.

Examples of actions for which student athletes may be subject to disciplinary action:

- Cheating on exams, laboratory work, written work (plagiarism); falsifying, forging, or altering college documents.
- Intentionally or recklessly interfering with normal college or college-sponsored activities.
- Unlawfully taking the personal property of another.
- Destroying property of GWCC, property of a student, or other property.
- Using or possessing, or distribution of marijuana, narcotics, or dangerous drugs on or off the GWCC campus.
- Using intoxicating liquors or alcoholic beverages on the GWCC campus and/or while traveling with the team.
- Violating Arizona statutes and/or college regulations and policies.

Student-athletes can also be subjected to the GateWay Community College Code of Conduct.

If the Department of Athletics becomes aware of an alleged violation of this Code of Conduct not reported by the student-athlete, the Director of Athletics or will take reasonable steps to verify the validity and accuracy of the report. These steps may include interviews of students and employees, or of non-college persons having knowledge of relevant facts and the examination of documents. The Athletic Director will normally meet with the student athlete prior to the imposition of discipline; however, in extenuating circumstances, the AD may suspend the student-athlete before the meeting.

I have read and understand the Code of Conduct as it relates to my participation in athletics at GateWay Community College. I understand that I am responsible for my actions and that a violation of the Code of Conduct may result in a variety of penalties including permanent dismissal from the GWCC athletics program.

Student-Athlete Electronic Signature