



MEMPHIS THEOLOGICAL SEMINARY

Drug-Free Schools and Campuses Regulations [Edgar Part 86]

Biennial Review: Academic Years *2015-2016* & *2016-2017*

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INTRODUCTION

In compliance with Drug Free Schools and Campuses Regulations (EDGAR Part 86), a conference met on Tuesday, March 14, 2017 in the Brockwell Room of Memphis Theological Seminary (MTS)'s Founders Hall, Memphis, TN, to conduct a Biennial Review of the efficacy of the MTS alcohol and other drug (AOD) program. The Biennial Review Committee meeting was led by Greg Spencer, Director of Facilities & Safety.

Biennial Review Committee membership included:

Dr. Stan Wood, Vice President of Academic Affairs, Dean
Dr. Barry Anderson, Executive Director of Student Services
Dr. Gail Robinson, Associate Dean of Institutional Effectiveness, Director of Academic Records/Registrar
Laurie Sharpe, Executive Assistant to the President
Dr. John Stygles, Director of Financial Aid
Elaine Morrow, Administrative Assistant to Vice President of Operations
Dr. Tiffany McClung, Chaplain, Director of Theology & Arts
Greg Spencer, Director of Facilities & Safety
Rheanne Williams, Administrative Assistant to Director of Facilities & Safety

Additional contributors to the Biennial Review not present included:

Dr. Peter Gathje, Associate Dean for Curriculum and Instruction
Cassandra Price-Perry, Vice President of Operations and Chief Financial Officer

OBJECTIVES

As outlined by *Complying with the Drug-Free Schools and Campuses Regulations: A Guide for University and College Administrators*, compiled and published by the Higher Education Center for Alcohol and Other Drug Abuse and Violence Prevention and funded by the Department of Education, the purpose of the required review is:

1. To determine the effectiveness of, and to implement any needed changes to, the university's AOD program.
2. To ensure that the disciplinary sanctions for violating standards of conduct are enforced consistently.

The Biennial Review Committee applied the *Complying with the Drug-Free Schools and Campuses Regulations Manual's Appendix 2: Part 86 Compliance Checklist* to guide their analysis. In addition, *Appendix 6: Supplemental Checklist* was utilized to direct discussion about the following specific topics, regarding AOD issues at Memphis Theological Seminary:

- A. Description of the AOD Program Elements
- B. A Statement of AOD Program Goals and a Discussion of Goal Achievement
- C. Summaries of AOD Program Strengths and Weaknesses (SWOT Analysis)
- D. AOD Policy, including distribution
- E. Recommendations for Revising AOD Prevention Programs

The result of the review by checklist and ensuing discussions are presented in this report.

PART 86, COMPLIANCE CHECKLIST

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

Yes, Memphis Theological Seminary does maintain a copy of its comprehensive drug prevention program. This information is outlined and distributed in Memphis Theology Seminary's annual Alcohol & Other Drug (AOD) notification.

- a. If yes, where is it located?

Hard copies of the current AOD notification are located at Memphis Theological Seminary in the office of the Director of Facilities & Safety.

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

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

i. Students: Yes Staff and Faculty: Yes

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

i. Students: Yes Staff and Faculty: Yes

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

Students: Yes Staff and Faculty: Yes

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

Students: Yes Staff and Faculty: Yes

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

Students: Yes Staff and Faculty: Yes

3. Are the above materials distributions in one the following ways?
- a. Mailed to each student (separately or included in another mailing): No
 - b. Through campus post office boxes: No
 - c. Class schedules which are mailed to each students: No
 - d. During freshman orientation: No
 - e. During new student orientation: Yes
 - f. In another manner:
 - Memphis Theological Seminary’s Department of Facilities & Safety provides the annual AOD notification via a broadcast email to the entire student body and all faculty & staff at the time of publication, which is by October 1st of each calendar year.
 - In additional, the AOD notice is included in the New Student Orientation packet, issued to incoming students at the start of each new semester.
 - When the Annual Campus Safety and Security Report, required by the Clery Act, is distributed, the Annual AOD notification is included with this communication to all students, faculty, and staff.
 - The Annual AOD notification is also available online:
<http://memphisseminary.edu/wp-content/uploads/2016/06/MTS-Drug-and-Alcohol-Prevention-and-Penalty-Policy.pdf>

Please see *Supplemental Review – Section E* for Committee Recommendations.

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

Yes, the Biennial Review Committee determined that Memphis Theological Seminary is able to provide reasonable assurance that each student receives the materials annually through the methods of distribution described in this report.

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

Yes, the Biennial Review Committee found that Memphis Theological Seminary provides the annual notification after initial distribution by the following means:

- Distribution of the current AOD notification to each new student at enrollment.
- Distribution of the current AOD notification to each new employee at hire date.
- Continuous availability of the current AOD notification on the MTS website.

6. Are the above materials distributed to staff and faculty in one of the following ways?
- a. Mailed
 - i. Staff: No Faculty: No
 - b. Through campus post office boxes
 - i. Staff: No Faculty: No
 - c. During new employee orientation
 - i. Staff: Yes Faculty: Yes
 - d. In another manner:
 - Memphis Theological Seminary’s Department of Facilities & Safety provides the annual AOD notification via a broadcast email to the entire student body and all faculty & staff at the time of publication, which is by October 1st of each calendar year.
 - All new employees are provided a copy of the AOD notice at the time of employment as part of their New Employee information packet. They must sign a statement verifying that they have received this information at the time of employment and then annually thereafter. Confirmation of employee compliance with this policy is maintained by the MTS President’s office.
 - When the Annual Campus Safety and Security Report, required by the Clery Act, is distributed, the Annual AOD notification is included with this communication to all students, faculty, and staff.
 - The Annual AOD notification is also available online:
<http://memphiseminary.edu/wp-content/uploads/2016/06/MTS-Drug-and-Alcohol-Prevention-and-Penalty-Policy.pdf>

Please see *Supplemental Review – Section E* for Committee Recommendations.

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

Staff: Yes Faculty: Yes

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

Staff: Yes Faculty: Yes

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

- a. Conduct student alcohol and drug use survey: No
- b. Conduct opinion survey of its students, staff, and faculty
Students: No Staff and Faculty: No
- c. Evaluate comments obtained from a suggestion box
Students: No Staff and Faculty: No
- d. Conduct focus groups
Students: No Staff and Faculty: No
- e. Conduct intercept interviews
Students: No Staff and Faculty: No
- f. Assess effectiveness of documented mandatory drug treatment referral for students and employees
Students: No Staff and Faculty: No
- g. Assess effectiveness of documented cases of disciplinary sanctions imposed on students and employees
Students: No Staff and Faculty: No

h. Other:

While Memphis Theological Seminary does maintain an up-to-date crime log and statistics as required by the Clery Act, which is published in the Annual Security Report by October 1st of every academic year, the Biennial Review Committee found that Memphis Theological Seminary's measures to determine the effectiveness of its AOD program through the collection and analysis of data, relating specifically to the AOD program, requires revision and improvement.

Please see *Supplemental Review – Section E* for Committee Recommendations.

10. Who is responsible for conducting these biennial reviews?

The office of the Director of Facilities & Safety in collaboration with various MTS departments and offices conducts a review by committee for the current AOD prevention program each biennium.

These areas include but are not limited to the following:

- Dean of Academic Affairs
- The MTS President's Office
- Vice President of Operations/CFO
- Office of the Registrar
- Department of Student Services
- Department of Financial Aid
- Chaplain/Director of Theology & Arts

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

Yes, the Biennial Review Committee determined that Memphis Theological Seminary is willing and able to make each requested item in the drug prevention program and the result of its biennial review available to the Department of Education and the public as required by federal regulations.

12. Where is the biennial review documentation located?

Name: Greg Spencer

Title: Director of Facilities & Safety

Department: Facilities & Safety

Phone: (901) 334-5834

Email: gspencer@memphisseminary.edu

13. Comments: Please see *Supplemental Review – Section E* for Committee Recommendations.

SUPPLEMENTAL CHECKLIST

A. DESCRIPTIONS OF THE AOD PROGRAM ELEMENTS

1. Alcohol-Free Options: How does your campus provide an environment with Alcohol-Free Options?
 - a. Creation and Promotion of Alcohol-Free Events
 - b. Creation, Publication, and Promotion of Volunteer Opportunities
 - c. Academic Curriculum Requirement of Community Service Work
 - d. Alcohol-Free Settings Offered
 - e. Alcohol-Free Student Lounge and Other Options with Expanded Hours
 - f. Promotion of Nonalcoholic Beverages at MTS Events

2. Normative Environment: How does your campus create a social, academic, and residential environment that supports health-promoting norms?
 - a. Promotion of Healthy Environment Through College Admission Procedures
 - b. Offering of Core Classes on Thursday, Fridays, and Saturdays
 - c. Requirement of Class Attendance and Academic Responsibility
 - d. Availability of Substance-Free Residence Options
 - e. Campus Encouragement of Increasing Academic Standards
 - f. Education of Faculty & Staff about Behavior Indicators, Student Norms, and Cultural Attitudes Related to High-Risk or Illegal Alcohol Use
 - g. Education of Faculty & Staff about Behavior Indicators, Student Norms, and Cultural Attitudes Related to Illicit Drug Use
 - h. Encouragement of Faculty to Engage in Higher Level of Contact with Students
 - i. Education of Students about Misconceptions of Drinking Norms
 - j. Opportunities for Students to Advise and Mentor Peers

3. Alcohol Availability: How does your AOD prevention program limit alcohol availability?
 - a. Campus Ban on Alcohol & Other Drugs
 - b. Prohibition of Keg or Common Containers on Campus

4. Marketing & Promotion of Alcohol: How does your AOD prevention program limit alcohol availability?
 - a. Campus Ban on Alcohol Advertising
 - b. Limitations on Content of Party or Event Announcement
5. Policy Development & Enforcement: How does your AOD prevention program develop and enforce AOD policies on and off campus?
 - a. Mandatory Registration of All On-Campus Functions
 - b. Increasing Disciplinary Sanctions for Violation of Campus AOD Policies

B. A STATEMENT OF AOD PROGRAM GOALS AND A DISCUSSION OF GOAL ACHIEVEMENT

1. AOD Program Goals:
 - a. Prevent substance abuse through strong educational efforts.
 - b. Encourage and facilitate the use of counseling services and rehabilitation programs by those members of MTS community who require assistance with substance abuse problems.
 - c. Establish disciplinary procedures for those members of MTS community who engage in activities related to illegal substance abuse.

2. Achievement of AOD Program Goals:

- a. Prevent substance abuse through strong educational efforts.

Memphis Theological Seminary facilitates a consistent educational program through *Safe Colleges* training site for the prevention of drug and alcohol abuse, which is available to all students, faculty, and staff. These courses incorporate information about the incompatibility of the use or sale of illegal substances with the goals of Memphis Theological Seminary. These modules also outline the health hazards associated with such behaviors and the potential legal consequences for involvement with illegal drugs or alcohol.

- b. Encourage and facilitate the use of counseling services and rehabilitation programs by those members of MTS community who require assistance with substance abuse problems.

Any faculty, staff, or students who require assistance with substance abuse-related problems are provided information about alcohol and other drug counseling and rehabilitation services offered through Memphis Theological Seminary and other community organizations in the Memphis area that offer these services.

- c. Establish disciplinary procedures for those members of MTS community who engage in activities related to illegal substance abuse.

Any member of the MTS community who violates laws regarding possession of a controlled substance is subject to criminal prosecution, possible conviction by local authorities, and disciplinary proceedings by the Seminary. Memphis Theological Seminary students, faculty, and staff who use alcoholic beverages are required to do so only in the matter prescribed by the laws of the State of Tennessee and within the regulations of the institution. They are obliged to conduct themselves in a manner that does not disrupt campus activities. Any individuals whose conduct is found to be outside of these parameters will be subject to the judicial rules and procedures of MTS. As appropriate, MTS initiates its own disciplinary proceedings against a student or an employee when the alleged conduct is deemed in violation of current MTS drug free policies. Sanctions are imposed by MTS in accordance with applicable Seminary policies.

C. SUMMARIES OF AOD PROGRAM STRENGTHS AND WEAKNESSES (SWOT ANALYSIS)

1. AOD Program Strengths

- a. Memphis Theological Seminary's Annual AOD Notification Process is compliant with federal requirements, including utilizing multiple sources to distribute and redistribute the annual publication to all students, faculty, and staff. (Please see *Part 86 Compliance Checklist*, questions 3-8, pages 4-6 for further information).
- b. Memphis Theological Seminary's Annual AOD Notification meets the information requirements as defined in EDGAR Part 86.100. (Please see *Part 86 Compliance Checklist*, question 2, page 3 for further information).
- c. Memphis Theological Seminary's AOD Prevention Program provides consistent verification of employee and student receipt of its Drug Free Policies. (Please see *Part 86 Compliance Checklist*, questions 3-6, pages 4-5 for further information).
- d. Memphis Theological Seminary's AOD Prevention Program uses a best practices approach for its alcohol and other drug prevention methods by diversification. (Please see *Supplemental Checklist*, Section A, pages 8-9 for more information.)

2. AOD Program Weaknesses

- a. Memphis Theological Seminary's AOD Prevention Program does not currently capitalize on some current resources that could be used in tandem with the current AOD prevention program. For example, many faculty as pastoral counselors are involved in drug prevention and rehabilitation ministry, and these individual programs could be utilized by MTS as part of the AOD prevention program.
- b. The methods of statistical data collection specific to the AOD Prevention Program effectiveness require improvement and revision.

3. AOD Program Opportunities

- a. Memphis Theological Seminary will work in partnership with multiple departments to form a subcommittee to meet at least once a year to evaluate program effectiveness and improve training choices. This measure seeks to improve lateral and vertical communication within the MTS community.
- b. Memphis Theological Seminary will make better utilization of renowned faculty, staff, and alumni to provide more educational options. (e.g., AOD Prevention Educational Workshops, Sermon Series During Weekly Chapel Services relating to AOD Prevention)
- c. Memphis Theological Seminary will reexamine the usage of current resources to make improvements to any gaps in the AOD Prevention Program.

4. AOD Program Threats

Noncompliance with EDGAR Part 86 is a violation of federal law, which could result in:

- a. The loss of federal grants & funds
- b. The loss of the ability to accept financial aid
- c. The requirement of repayment of previously received federal funds
- d. The lost of MTS's current accreditation from ATS and SACS
- e. The implements of sanctions by the Department of Education, including costly fines

D. AOD POLICY*

1. Policy Contents: What information do you distribute to employee and students (taking one or more classes for academic credit, not including continuing education)?
 - a. A description of the health risks associated with alcohol abuse and the use of illegal drugs.
 - b. A description of applicable legal sanctions under local, state, and federal laws.
 - c. A description of any treatment, counseling, rehabilitation, or re-entry programs available at your institution.
 - d. A statement of the institution's disciplinary measures regarding alcohol and illegal drug use by students and employees.
2. Policy Distribution: Where does your institution publicize its alcohol or other drug policy?
 - a. Student Handbook
 - b. Employee Handbook
 - c. Admission Materials
 - d. Students' Academic Orientation
 - e. Student Housing Policies
 - f. Employee Orientation

***Please see appendices for copies of the policies distributed to students and employees.**

E. RECOMMENDATIONS FOR REVISING AOD PREVENTION PROGRAMS

In addition to completing the *Part 86 Drug-Free Schools and Campuses Regulations Compliance Checklist* and the *Supplemental Checklist: Section A-D*, committee members addressed each of the areas below and provided the following recommendations pertinent to these items during the Biennial Review:

1. Biennial Review Process

The Biennial Review Committee found that Memphis Theological Seminary is compliant with the mandatory Biennial Review requirement as it relates to establishing a method of review for the MTS AOD prevention program. Memphis Theological Seminary does perform this internal audit every biennium as outlined by EDGAR Part 86.100. (Please see *Part 86: Compliance Checklist*, questions 10-12 on page 7 for more information).

However, as previously stated in *Part 86: Compliance Checklist*, Question 9 on page 6, the Biennial Review Committee found that Memphis Theological Seminary's methods of gathering and analyzing fundamental statistical data, relating specifically to the effectiveness of its AOD prevention program, requires revision.

The committee recommended the following remedies and improvements for the Biennial Review Process:

- a. In a cooperative, interdepartmental project, rewrite, update, and publish new standard operating procedures for data collection for not only AOD prevention but all federal compliance reporting (e.g., Title IX, Clery Act, etc.).
- b. Collect statistical information, focused exclusively on the AOD program and its effectiveness, through multiple sources during the calendar year, including:
 - i. Student Alcohol & Other Drug Use Surveys
 - ii. AOD Prevention Program Opinion Surveys for Students, Faculty, and Staff
 - iii. Intercept Interviews at Campus Events
 - iv. Focus Groups of Students, Faculty, and Staff
 - v. Tracking the Number of Student Referrals for Alcohol & Drug Counseling
 - vi. Tracking the Number of Employee Referrals to the EAP Program & Results
- c. After periodic statistical data collection, compile and analyze this information for reporting. This will include a benchmark comparison with local, state, and federal statistics that mirror the MTS community's current demographics.
- d. Publish the findings of this scheduled evaluation in the Annual AOD program notification.
- e. After the data analysis, meet with the Review Committee to track and discuss any trends discovered from the results. The Review Committee will make recommendations to revise and improve the AOD prevention program as needed. This meeting will occur at least once per annum.
- f. Implement changes to the AOD prevention program as advocated by the Review Committee's decision on an annual basis.

2. Annual Notification Process

The Biennial Review Committee found that Memphis Theological Seminary is compliant with the mandatory AOD Prevention Program Annual Notification requirements as outlined by EDGAR Part 86.100-103. (See *Supplemental Review: Section D* on page 12 for specific compliance information.)


Committee members discussed and made the following recommendations to improve the AOD Notification Process:

- a. Provide published hard copies of the AOD Notification to all students, faculty, and staff via their on-campus mailboxes at the time of annual publication.

CONCLUSION

The Memphis Theological Seminary's Biennial Review committee, through the discussion and examination of its AOD prevention program, revealed both the strengths and weaknesses of the current alcohol and other drug prevention policies and procedures. The committee determined that only through frequent and honest engagement with faculty, staff, and students and systematic collection and analysis of AOD data can an accurate picture be drawn concerning the existence of substance abuse issues within the MTS community. The gathering and distribution of this information is crucial in the determination of the AOD prevention program's effectiveness. Understanding the importance of early detection and intervention for substance abuse issues, the Seminary is committed to enforcing and improving its drug and alcohol prevention policies and applying necessary penalties as circumstances warrant. The highest priority of MTS continues to be the help and healing of the individual in need; it is a mantra of this institution and mirrors the mission and commitment of Scholarship, Piety, and Justice.

The Biennial Review Committee Meeting ended at approximately 10:15 AM.

 Date 7/6/17

 Date 7/6/17

APPENDICES

Appendix A: *Memphis Theological Seminary 2016 Drug and Alcohol Prevention & Penalty Program* (Pages 2-4)

Appendix B: *Memphis Theological Seminary Catalog and Student Handbook* (Page 80)

Appendix C: *Memphis Theological Seminary Employee Handbook* (Pages 41, 45-46)

Appendix D: *Addressing the Use of Alcohol* (Pages 1-6)

Appendix A: Memphis Theological Seminary 2016 Drug and Alcohol Prevention & Penalty Program

(Pages 2-4)

<http://memphisseminary.edu/wp-content/uploads/2016/06/MTS-Drug-and-Alcohol-Prevention-and-Penalty-Policy.pdf>

Policy Statement for MTS Drug and Alcohol Abuse Prevention

*This policy has been developed to provide a comprehensive overview of the health risks and legal implications related to alcohol and other drug use and to serve as a reference for on-and off-campus resources that are available to students, faculty and staff at Memphis Theological Seminary (“MTS;” “The Seminary;” “The Institution”). These policies are intended to establish standards of personal and professional conduct must be maintained by faculty, staff and students. The unlawful manufacturing, distribution, acquisition, possession, or use of alcohol and illegal drugs on the campus of Memphis Theological Seminary, on property owned or controlled by the Seminary, or as part of any campus activity adversely affects the mission of the Seminary and is therefore **strictly prohibited**. Moreover, any member of the MTS community who uses illegal drugs or abuses any drug (including alcohol) may be subject to criminal prosecution by local law enforcement authorities and/or to institutional disciplinary proceedings.*

Memphis Theological Seminary has adopted the following policy consistent with federal, state and local laws. The policy is intended to:

- 1. Prevent substance abuse through strong educational efforts.*
- 2. Encourage and facilitate the use of counseling services and rehabilitation programs by those members of MTS community who require assistance with substance abuse problems.*
- 3. Establish disciplinary procedures for those members of MTS community who engage in activities related to illegal substance abuse*

Educational Efforts to Prevent Substance Abuse

Memphis Theological Seminary will facilitate a consistent educational program through the Safe Colleges training and education modules for the prevention drug and alcohol abuse. This program is for all members of the MTS community and will include information about the incompatibility of the use or sale of illegal substances with the goals of Memphis Theological Seminary, the health hazards associated with illegal drugs or alcohol use, the incompatibility of substance abuse with the maximum achievement of education, career and other personal goals and the potential legal consequences of involvement with illegal drugs or alcohol.

Counseling and Rehabilitation Services to Prevent Substance Abuse

Any faculty members, staff or students who require assistance with a substance abuse-related problem will be provided with information about alcohol and other drug counseling and rehabilitation services through Memphis Theological Seminary and other community organizations. All applicable standards of confidentiality will be observed for those who choose to use services available through the Seminary.

Disciplinary Actions to Prevent Substance Abuse

Any member of MTS community who violates laws regarding possession of a controlled substance is subject to criminal prosecution and possible conviction by local authorities and to disciplinary proceedings by the Seminary. Memphis Theological Seminary students, faculty and staff who use alcoholic beverages will do so as legally prescribed by the laws of the State of Tennessee and within the regulations of the institution and conduct themselves in a manner that does not disrupt campus

activities; an individual whose conduct is found to be outside of these parameters will be subject to the judicial rules and procedures of MTS. It is not considered "double jeopardy" for both local law enforcement and the Seminary to proceed against and punish a person for the same specified conduct. MTS will initiate its own disciplinary proceeding against a student or employee when the alleged conduct is deemed to adversely affect the interests of the institution. Sanctions will be imposed by MTS in accordance with this and other applicable Seminary policies (e.g., Staff Handbook, Faculty Handbook, Student Code of Conduct).

Disciplinary Actions to Prevent Substance Abuse

Students, faculty and staff members of Memphis Theological Seminary with substance abuse problems are encouraged to take advantage of available counseling and prevention services; however, employees and students using these services will not be granted special privileges or exemptions from standard academic and student conduct requirements. Moreover, the Seminary will not excuse acts of misconduct committed by employees and students whose judgment is impaired due to substance use. Students at Memphis Theological Seminary (i.e., any person who is registered for study for any academic period) could be subject to one (or more) of the following disciplinary sanctions for failure to comply with the terms of this policy:

1. Expulsion
2. Suspension
3. Probation
4. Mandatory educational program

In addition to the above, students may be required to successfully complete a substance abuse rehabilitation program.

As a condition for receiving Federal Title IV financial aid, each student must certify that he/she will not engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance and must notify the Director of Student Financial Aid and the Director of Facilities and Safety of any conviction within five (5) days. A student convicted of violating this regulation may lose his/her federal financial aid and may be subject to disciplinary action under the Seminary's Student Code of Conduct.

Institutional Compliance

The Director of Facilities and Safety and the Human Resource Department are responsible for overseeing institutional compliance with the Drug-Free Schools and Communities Act regulations and its biennial review.

Appendix B: Memphis Theological Seminary 2016 Drug and Alcohol Prevention & Penalty Program

(Pages 80)

http://memphisseminary.edu/wp-content/uploads/2017/03/Catalog_2015-2017-final.pdf

Drug-Free Campus Policy

As a federal contractor and/or grantee, Memphis Theological Seminary complies with the requirements of the Drug-Free Workplace Act of 1988. For this reason, MTS has established as a condition of enrollment/employment with the seminary the following drug and alcohol free work-place/campus policy. MTS prohibits the possession, use or distribution of alcohol and illegal drugs by students on seminary property (including but not limited to Founders Hall, Cumberland Hall, Hilliard Hall, Brown Shannon Hall, Student and Guest Housing, Maintenance Office Facilities, campus grounds, and parking lots) or as any part of the seminary's social functions. Communion wine may be used in chapel services with prior approval of the President. Students are to notify the MTS President or VPAA/Dean within five (5) days of any observed violation of this policy. All students are subject to applicable laws related to this matter. Disciplinary action related to any MTS student/student employee who is in violation of this policy may include: oral reprimand, writ-ten reprimand, suspension mandatory successful participation in a drug abuse assistance

or rehabilitation program or termination of student tenure student employment with the seminary. The MTS staff and faculty stand ready to assist students who may need counseling and treatment for drug/alcohol-related problems.

Appendix C: Memphis Theological Seminary Employee Handbook (Pages 41, 45-46)

Employee Handbook is available at all times on the Faculty and Staff Intranet, Documents and Forms heading, Human Resources Docs and Forms section at:

<https://sites.google.com/a/memphisseminary.edu/fsaintranet/documents-and-forms/human-resources-docs-and-forms>

To access the document, employees must sign in with their MTS username and password.

Page 41:

Each Employee's Responsibility

Safety can only be achieved through teamwork at MTS. Each employee must practice safety awareness by thinking defensively, anticipating unsafe situations and reporting unsafe conditions immediately.

Please observe the following precautions:

Notify your immediate supervisor of any emergency situation. If you are injured or become sick at work, no matter how slightly, you must inform your immediate supervisor immediately.

The use of alcoholic beverages or illegal substances during working hours will not be tolerated. The possession of alcoholic beverages or illegal substances on the Seminary's property is forbidden. (For additional information, refer to the Drug Free Work Place section of this handbook.)

Page 45-46:

Drug and Alcohol Free Workplace

*Memphis Theological Seminary has vital interests in ensuring a safe, healthy and efficient working environment for our employees, their colleagues and the students we serve. The unlawful or improper use of controlled substances or alcohol in the workplace presents a danger to everyone. In addition, as a federal contractor and/or grantee we have a duty to comply with the requirement of the **Drug-Free Workplace Act of 1988**. For these reasons, we have established as a condition of employment and continued employment with the Seminary the following drug and alcohol free workplace policy.*

Employees are prohibited from reporting to work or working while using illegal or unauthorized substances. Employees are prohibited from reporting to work or working when the employee uses any drugs, except when the use is pursuant to a doctor's orders and the doctor has advised the employee that the substance does not adversely affect the employee's ability to safely perform his or her job duties. Employees are also prohibited from reporting to work or remaining on the job with any alcohol in their systems. Employees are also prohibited from consuming alcohol during working hours, including meal and break periods.

In addition, employees are prohibited from engaging in the unlawful or unauthorized manufacture, distribution, sale or possession of illegal or unauthorized substances and alcohol in the workplace including: on student paid time, on student premises, in student vehicles or while engaged in student activities.

In accordance with the Drug-Free Workplace Act of 1988, employees must notify your immediate supervisor of any criminal drug statute conviction for a violation occurring within the workplace within five days of such conviction.

Your employment or continued employment with the Seminary is conditioned upon your full compliance with the foregoing drug and alcohol free workplace policy. Any violation of this policy may result in disciplinary action, up to and including

discharge. Furthermore, any employee who violates this policy who is subject to termination may be permitted in lieu of termination, at the Seminary's sole discretion, to participate in and successfully complete an appropriate treatment, counseling or rehabilitation program as recommended by a substance abuse professional as a condition of continued employment and in accordance with applicable federal, state and local laws.

Consistent with its fair employment policy, MTS maintains a policy of non-discrimination and reasonable accommodation with respect to recovering addicts and alcoholics, and those having a medical history reflecting treatment for substance abuse conditions. We encourage employees to seek assistance before their drug and alcohol use renders them unable to perform their essential job functions or jeopardizes the health and safety of themselves, or others. The Seminary will attempt to assist its employees through referrals to rehabilitation, appropriate leaves of absence and other measures, consistent with the Seminary's policies and applicable federal, state or local laws.

The Seminary further reserves the right to take any and all appropriate and lawful actions necessary to enforce this drug and alcohol free workplace policy including, but not limited to, the inspection of Seminary issued lockers, desks or other suspected areas of concealment, as well as an employee's personal property when the Seminary has reasonable suspicion to believe that the employee has violated this drug and alcohol free workplace policy.

Annually, each MTS employee is required to complete and sign the MTS DRUG FREE WORKPLACE AGREEMENT found on page 12 of Section 5 in this Employee Handbook. The original, signed copy of the agreement is to be turned in to the employee's supervisor/dept. director, to be kept in the personnel files in the Office of the President.

This policy represents administrative guidelines. For more information, please speak to your immediate supervisor.

Appendix D: Addressing the Use of Alcohol (Pages 1-6)

<http://www.memphisseminary.edu/wp-content/uploads/2013/08/Substance-Abuse.doc>

Addressing the Use of Alcohol

Illicit drugs and alcohol are dangerous because they are addictive both physically and psychologically. Memphis Theological Seminary prohibits the possession, use of distribution of alcohol and illegal drugs by students and employees on the property (including Founders' Hall, Cumberland Hall, Hilliard Hall the Student Center and parking lots) or as any part of the Seminaries social functions. Communion wine may be used in chapel service with prior notification to the President. Employees or students must notify the President or Dean of any observed violation within five days of the offense.

All employees and students are subject to applicable laws related to this matter. Any violation of this policy will result in disciplinary action up to and including termination of employment or student tenure with the Seminary and mandatory satisfactory participation in a drug abuse assistance or rehabilitation program.

The administration, faculty and staff at Memphis Theological Seminary stand ready to make referrals for persons who may need counseling for drugs and alcohol related problems. Disciplinary action will be taken with any employee or student who is in violation of these regulations. This action may include the following:

1. *Oral reprimand*
2. *Written reprimand*
3. *Suspension*
4. *Termination*

Regarding Drug and Alcohol Free Workplace

Memphis Theological Seminary has vital interests in ensuring a safe, healthy and efficient working environment for our employees, their colleagues and the students we serve. The unlawful or improper use of controlled substances or alcohol in the workplace presents a danger to everyone.

In addition, as a federal contractor and/or grantee we have a duty to comply with the requirement of the Drug-Free Workplace Act of 1988. For these reasons, we have established as a condition of employment and continued employment with the Seminary the following drug and alcohol free workplace policy. Employees are prohibited from reporting to work or working while using illegal or unauthorized substances.

Regarding Drug and Alcohol Free Workplace

Employees (This includes regular and temporary employees, student employees and employees working at the Seminary under the guidelines of federal contract or grant. Compliance with the policy is considered a condition of employment under terms of the employment.)

Employees are prohibited from reporting to work or working when the employee uses any drugs, except when the use is pursuant to a doctor's orders and the doctor has advised the employee that the substance does not adversely affect the employee's ability to safely perform his or her job duties.

Employees are also prohibited from reporting to work or remaining on the job with any alcohol in their systems. Employees are also prohibited from consuming alcohol during working hours, including meal and break periods.

In addition, employees are prohibited from engaging in the unlawful or unauthorized manufacture, distribution, sale or possession of illegal or unauthorized substances and alcohol in the workplace including: on student paid time, on student premises, in student vehicles or while engaged in student activities.

Disciplinary Actions to Prevent Substance Abuse

In accordance with the Drug-Free Workplace Act of 1988, employees must notify your immediate supervisor of any criminal drug statute conviction for a violation occurring within the workplace within five days of such conviction.

As a condition of employment, each employee must abide by the terms of this statement and must notify the Director of Safety and the Human Resources Department of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

Failure to provide this notification within five days after conviction will result in termination of employment.

A conviction includes a finding of guilt, a plea of nolo contendere, or imposition of a sentence by any state or federal judicial body. Possible disciplinary sanctions for failure to comply with this statement, other than notification, may include one or more of the following:

- 1. Termination*
- 2. Suspension*
- 3. Mandatory participation in, and satisfactory completion of, a substance abuse program or rehabilitation program; and, recommendation for professional counseling.*

Disciplinary Actions to Prevent Substance Abuse

Your employment or continued employment with the Seminary is conditioned upon your full compliance with the foregoing drug and alcohol free workplace policy. Any violation of this policy may result in disciplinary action, up to and including discharge.

Furthermore, any employee who violates this policy who is subject to termination may be permitted in lieu of termination, at the Seminary's sole discretion, to participate in and successfully complete an appropriate treatment, counseling or rehabilitation program as recommended by a substance abuse professional as a condition of continued employment and in accordance with applicable federal, state and local laws.

Consistent with its fair employment policy, MTS maintains a policy of nondiscrimination and reasonable accommodation with respect to recovering addicts and alcoholics, and those having a medical history reflecting treatment for substance abuse conditions.

We encourage employees to seek assistance before their drug and alcohol use renders them unable to perform their essential job functions or jeopardizes the health and safety of themselves, or others.

The Seminary will attempt to assist its employees through referrals to rehabilitation, appropriate leaves of absence and other measures, consistent with the Seminary's policies and applicable federal, state or local laws.

This policy does NOT punish people who seek rehabilitation. All information provided by people who voluntarily avail themselves of alcohol or other drug counseling or rehabilitation services will be confidential. It will NOT be used against the individual seeking assistance.

The Seminary further reserves the right to take any and all appropriate and lawful actions necessary to enforce this drug and alcohol free workplace policy including, but not limited to, the inspection of Seminary issued lockers, desks or other suspected areas of concealment, as well as an employee's personal property when the Seminary has reasonable suspicion to believe that the employee has violated this drug and alcohol free workplace policy.

Annually, each MTS employee is required to complete and sign **the MTS DRUG FREE WORKPLACE AGREEMENT** found on page 12 of Section 5 in the Employee Handbook. The original, signed copy of the agreement is to be turned in to the employee's supervisor/dept. director, to be kept in the personnel files in the Office of the President.

Drug and Alcohol Free Workplace

This policy has been developed to provide a comprehensive overview of the health risks and legal implications related to alcohol and other drug use, and to serve as a reference for on-and off- campus resources that are available to students, faculty and staff at Memphis Theological Seminary.

In keeping with its primary purpose, Memphis Theological Seminary will utilize educational strategies as its major approach to its problem of alcohol and other drug use. It is important, however, that everyone be aware that any member of the Seminary community who uses illegal drugs or abuses any drug including alcohol may be subject to prosecution and punishment by the civil authorities and to disciplinary proceedings by the Seminary.

Memphis Theological Seminaries interest in punishing offenders is not punitive, but rather to establish clear limits of conduct for all members of the campus community.

It is the policy of this institution that the unlawful manufacture, distribution, acquisition, possession, or use of alcohol and illegal drugs on the Memphis Theological Seminary campus, on property owned or controlled by Memphis Theological Seminary, or as part of any activity of Memphis Theological Seminary is strictly prohibited.

Memphis Theological Seminary is dedicated to the pursuit and dissemination of knowledge and, as such, expects all members of the academic community to behave in a manner conducive to that end. The highest standards of personal and professional conduct must be maintained by faculty, staff and students.

Illegal or abusive use of alcohol and other drugs by members of the Seminary community adversely affects the mission of the Seminary and is prohibited.

Accordingly, Memphis Theological Seminary adopts the following policy, consistent with federal, state and local laws. The policy is intended to accomplish the following:

- 1. Prevent substance abuse through strong educational efforts.**
- 2. Encourage and facilitate the use of counseling services and rehabilitation programs by those members of the Seminary community who require assistance in stopping substance abuse.**
- 3. Discipline appropriately those members of the Seminary community who engage in illegal substance-related behaviors. Educational Efforts to Prevent Substance Abuse**

In keeping with its primary mission Memphis Theological Seminary will conduct a strong educational program aimed at preventing drug abuse and illegal drug or alcohol use.

Educational efforts shall be directed toward all members of the Seminary community and will include information about the incompatibility of the use or sale of illegal substances with the goals of Memphis Theological Seminary the health hazards

associated with illegal drugs or alcohol use; the incompatibility of substance abuse with the maximum achievement of education, career and other personal goals; and the potential legal consequences of involvement with illegal drugs or alcohol.

Counseling and Rehabilitation Services to Prevent Substance Abuse

Those faculties, staff or students who seek assistance with a substance abuse related problem shall be provided with information about alcohol and other drug counseling and rehabilitation services through Memphis Theological Seminary and also through community organizations. Those who voluntarily avail themselves of Seminary services shall be assured that applicable professional standards of confidentiality will be observed.

Disciplinary Actions to Prevent Substance Abuse

Students, faculty and staff are responsible, as citizens, for knowing about and complying with the provisions of Tennessee law that make it a crime to possess, sell, deliver or manufacture those drugs designated collectively as "controlled substances" in 39-17-405--39-17-426 of the Tennessee Code Annotated.

Any member of the Seminary community who violates those laws is subject both to prosecution and punishment by the civil authorities and to disciplinary proceedings by the Seminary.

It is expected that Memphis Theological Seminary students, faculty and staff who use or possess alcoholic beverages will do so as legally prescribed by the laws of the state of Tennessee, within the regulations of Memphis Theological Seminary and live in a manner that does not disrupt the lives of others.

A person whose conduct is outside these parameters will be subject to the judicial rules and procedures of the Seminary. It is not "double jeopardy" for both the civil authorities and the Seminary to proceed against and punish a person for the same specified conduct. The Seminary will initiate its own disciplinary proceeding against a student or employee when the alleged conduct is deemed to affect the interests of the Seminary

Sanctions will be imposed by the Seminary in accordance with this policy, Staff Handbook, Faculty Handbook, Student Code of Conduct and other appropriate Seminary policies.

Disciplinary Actions to Prevent Substance Abuse

Students, faculty and staff members of Memphis Theological Seminary with substance abuse problems are encouraged to take advantage of available diagnostic, referral, counseling and prevention services.

However, employees and students availing themselves of these services will not be granted special privileges and exemptions from standard academic and student conduct requirements.

Memphis Theological Seminary will not excuse acts of misconduct committed by employees and students whose judgment is impaired due to substance use. This policy represents administrative guidelines. For more information, please speak to your immediate supervisor.

Students (This shall mean any person who is registered for study at Memphis Theological Seminary for any academic period. A person shall be considered a student during any period that follows the end of an academic period which the student has completed until the last day for registration for the next succeeding regular academic period, and during any period while the student is under suspension from the Seminary.) Possible disciplinary sanctions for failure to comply with the terms of this statement may include one or more of the following:

1. *Expulsion*
2. *Suspension*
3. *Probation*
4. *Mandatory educational program.*

In addition to the above, students may be required to participate in, and satisfactorily complete a substance abuse program or rehabilitation program. In addition to imposed Seminary sanctions, a student may be referred for criminal prosecution. As a condition for receiving Federal Title IV financial aid, each student must certify that he/she will not engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance and must notify the Director of Student Financial Aid and the Director of Facilities and Safety of any conviction within five days after such conviction. A student convicted of violating the regulation may lose his/her federally funded financial aid and may be subject to disciplinary action under the Student Code of Conduct.