2024

Brigham Young University

Drug-Free Compliance Committee



BIENNIAL REPORT OF INSTITUTIONAL COMPLIANCE WITH DRUG-FREE SCHOOL AND WORKPLACE REQUIREMENTS

Review Period: Sept. 1, 2022 - Aug. 31, 2024

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I. General Statement

Brigham Young University is a private institution of higher education affiliated with The Church of Jesus Christ of Latter-day Saints. As such, the university has a code of conduct (the Honor Code), which is based upon religious standards of The Church of Jesus Christ of Latter-Day Saints. The Honor Code requires all students and employees to completely "abstain from alcoholic beverages, tobacco, tea, coffee, vaping, marijuana, and other substance abuse" (Church Educational System Honor Code) as a condition of admission, enrollment, and/or employment at the university.

It is also Brigham Young University policy to comply with the Drug-Free Workplace Act of 1988 and Drug-Free Schools and Communities Act Amendments of 1989. In accordance with these laws, BYU has adopted a BYU Drug-Free School Policy (Appendix A) and a BYU Drug-Free Workplace Policy (Appendix B). These policy statements are designed to help promote the health, safety, and welfare of all university members, as well as augment and support the university's Honor Code.

BYU students' and employees' commitment to the Honor Code is evaluated annually through a process of continuing ecclesiastical endorsement (see: https://honorcode.byu.edu/ecclesiastical-endorsements-and-resources). For employees who are members of The Church of Jesus Christ of Latter-Day Saints, the Ecclesiastical Clearance Office (ECO) certifies their adherence to the Honor Code as a condition of continued employment. Employees who are not members of the church are certified by their director or dean. In addition, each year all personnel and students are provided access to the university's Drug-Free School Policy (see Appendix A) and Drug-Free Workplace Policy (see Appendix B), information on university and legal sanctions for inappropriate drug use, and the known health risks associated with drug use. This information is shared through the Annual Security Report. The Annual Security Report is available online at https://compliance.byu.edu/annual-security-and-fire-safety-reports.

BYU operates a Substance Abuse Prevention Program through Substance Abuse Prevention Services (SAPS), a component of Counseling and Psychological Services (CAPS). The prevention program consists of three main components: (1) information dissemination, (2) consultation, and (3) referral to outside services. Students can phone (801-422-1942), email (saps@byu.edu), or visit the office (Ste. 1500 WSC) in person for assistance. A CAPS counselor is assigned to respond to phone and email messages requesting substance abuse counseling services. Students who contact the office are assisted by a CAPS counselor and then, depending on the individual's circumstances, referred to external substance abuse support services.

II. Brigham Young University Drug-Free Compliance Committee

Brigham Young University has appointed a standing Drug-Free Compliance Committee (DFCC) to review the university's student and personnel Substance Abuse Prevention Program on a biennial basis. The committee is charged with (1) determining the effectiveness of the program and recommending changes, as needed; and (2) ensuring that appropriate disciplinary sanctions are consistently enforced for individuals who violate the university's drug and alcohol-related policy.

Committee membership consists of representatives from the following areas of the university:

- Chair, Sr. Consultant Assessment, Evaluation, & Research, Dean of Students Office
- Associate Student Life VP Advisement
- Attorney, Office of the General Counsel
- Director, Student Health Center
- Director, Residence Life
- Associate Athletic Director

- Director, Honor Code Office
- Director, Counseling Center
- Drug Test Program Administrator
- Representative, University Police
- Representative, Student Health Center Pharmacy
- Representative, Human Resources Services

The committee produces and maintains the biennial report, so that if requested, the university can submit compliant documentation to the U.S. Department of Education. The report is intended to certify that Brigham Young University has properly adopted and implemented policies and programs to prevent the abuse of alcohol and drugs on campus and as part of any of its activities. The report is also available online at https://deanofstudents.byu.edu/byu-drug-free-school-policy.

III. Biennial Review Requirement

The university's Drug-Free Compliance Committee (DFCC) convened on 4/18/2025 for the purpose of reviewing the university's Substance Abuse Prevention Program and related policies for the period of **September 1, 2022 through August 31, 2024**. The meeting was the culmination of advanced consultation and data compilation. Information collection was consistent with duties formalized in the committee's charter and in accordance with the established biennial review of two consecutive academic cycles. The committee last convened in February 2023.

Prior to the meeting, committee members were invited to review the Drug-Free School and Drug-Free Workplace Policies, university statistics about drug and alcohol use, comparative statistics from other universities, and statistics from the university's information dissemination efforts. At the meeting, the committee reviewed the data described above and discussed implications it may have for service need or provision. The committee considered the effectiveness of the university's substance abuse prevention efforts and the appropriateness of disciplinary consequences for substance abuse and discussed potential alterations to services, policies, and procedures that could improve or enhance services.

IV. Review of BYU's Substance Abuse Prevention Program and Drug Free School Policy

Brigham Young University maintains a Substance Abuse Prevention Program in addition to a Drug Free School Policy. The program and policy are described below, alongside recommendations identified by the Drug Free Compliance Committee in their 2022-2024 review.

Program Description

Brigham Young University's Substance Abuse Prevention Program consists of three main parts:

- Information dissemination. Information on the health risks, legal implications, and university
 sanctions associated with drug use are emailed to students and employees annually through the
 annual Security Report. The email also informs students of Counseling and Psychological
 Services (CAPS) and Substance Abuse Prevention Services (SAPS) and provides contact
 information for both.
 - a. Students can contact SAPS via in-person visit, phone, or email:
 - i. SAPS confidential phone line: (801) 422-1942
 - ii. SAPS confidential email: saps@byu.edu
 - iii. Visiting CAPS in person: Suite 1500 Wilkinson Student Center

- 2. **Consultation**. Students can meet with counselors through CAPS or SAPS who help identify the assistance students may need most.
- 3. **Referral**. Students can receive ongoing assistance from CAPS but most situations involving significant drug or alcohol problems are referred to external resources with greater capacity and expertise in addressing addiction. Students are also referred to other campus resources that can help support the student's efforts to succeed at the university (such as academic advising, financial aid, Title IX, and involvement opportunities).

Information Availability

Information regarding the university's drug policy, prevention education programs, available counseling and treatment, legal sanctions, and health risks associated with illegal drug use and alcohol abuse is delivered annually through a link to the BYU Annual Security Report. The report is sent via email to all employees and students. A report on the "open" and "click" rates by students and employees for Fall semester 2021 through Winter semester 2024 is shown below. In addition to these emails, the committee developed a pamphlet explaining the Drug Free School Policy and highlighting SAPS and CAPS resources for students in need of assistance to help address their drug or alcohol abuse. This pamphlet was updated in early 2025 and is available to offices for display at their front desk and to employees who may want copies in their offices.

Fall 2022 – Winter 2024: Clery Report Email Open & Click Rates; Students & Employees

Tutt 2022 - Winter 2024. Cles	ry Kepori Emaii Open & Ciick I	Adies, Siddenis & Employees
	Fall 2021	
	Open	Clicks
Students: 34,737	71.6%/24,871	6.6%/2,292
Employees: 6,305	51.3%/3,234	11.7%/737
	Fall 2022	
	Open	Clicks
Students: 34,390	78.8%/27,099	6.3%/2,166
Employees: 6,619	59.9%/3,964	9.0%/595
	Fall 2023	
	Open	Clicks
Students: 33,883	58.3%/19,754	3.1%/1,050
Employees: 6,552	63.7%/4,174	5.3%/347
	Fall 2024	
	Open	Clicks
Students: 36,059	55.1%/19,869	4.1%/1,478
Employees: 5,484	57.3%/3,142	6.7%/367

Student open rates declined by 20 percent between 2022 and 2023. Click rates increased from three percent to four percent in that same timeframe. The decline in open rates may relate to a change in policy requiring university departments to exclusively utilize students' BYU email addresses for emails. Many students are still adjusting to not receiving university communications to their personal email accounts.

During the 2018-2020 biennial review, the committee recommended inclusion of additional information about available resources on campus and that addressed frequently asked questions (FAQs) on the Dean of Students website. The Dean of Students website was updated to include this information, in line with the committee's recommendations. The site can be viewed at https://deanofstudents.byu.edu/byu-drug-free-school-policy. For the 2022-2024 reporting period, the webpage has seen the following usage:

Pageviews:

Sep 1, 2022 - Aug 31, 2023: 96 Sep 1, 2023 - Aug 31, 2024: *123*

Consistent with other datapoints, webpage visits and use were limited to a very small percentage of students (.34 percent of the total student population). Many of these visits were also a result of webpage vetting conducted each semester by the Dean of Students Office employees to verify information accuracy and test links.

Program Discussion

The committee reviewed the university's information dissemination efforts, including the decline in number of students who opened the Annual Security Report and clicked on the file. The committee concluded the most plausible explanation for the decline in opens and clicks related to the university's new policy of only emailing students at their BYU email address. The committee anticipates these numbers will return to the percentages included in past reporting periods as use of students' BYU emails normalizes for students. The committee also reviewed the number of website views on the Dean of Students Drug Free School website.

Klint Hobbs (Student Development Services Executive Director), who oversees CAPS and SAPS indicated that there is very little drug and alcohol abuse counseling in CAPS. When or if a student presents challenges with addiction, immediate support is provided through CAPS, after which referral is made to external counselors who can provide direct, ongoing addiction support.

Committee members suggested there may be value in seeking to redistribute an updated version of the Drug Free School trifold that has previously been provided to college advisement centers. Since they were initially delivered, a few things have changed (e.g. office numbers). The committee recommended updating the trifold and redistributing it to several on-campus groups to ensure employees who work individually with students are aware of available resources.

Drug testing procedures were reviewed and streamlined during the reporting period, addressing some of the questions that were raised by committee members in the 2020-2022 report. Committee members stated that they had confidence in the testing processes as described in the meeting.

Program Findings

Committee members found that current information dissemination, consultation, and referral are addressing needs on BYU campus. With such a small percentage of the student body experiencing drug or alcohol addiction and/or abuse, it is challenging to ensure information reaches the students who need it.

Program Recommendations

The following recommendations were provided by committee members as part of the review meeting:

- Update the Drug Free School trifold
 - o Include website address for Women's Services on trifold
- Redistribute the Drug Free School trifold to academic advisors
- Create a sign for the Y Trailhead indicating it is BYU property and that drug, alcohol, and tobacco use are not allowed
- Invite committee members to present on drug and alcohol abuse related resources to:
 - Advisor Inservice, Athletics academic advisors and coaches, Campus Life employees

Drug Free School Policy Introduction & Review

As noted above, the CES Honor Code, which establishes conduct requirements for employment or enrollment at BYU, prohibits alcohol consumption, tobacco use, and illegal drug use. In addition to the Honor Code, BYU has two related, drug-specific policies (Drug-Free Schools Policy & Drug-Free Workplace Policy) that set forth standards of conduct clearly prohibiting the unlawful possession, use, or distribution of illicit drugs and improper use of alcohol or tobacco. The university's Drug-Free School Policy articulates that drug use is not permissible, provides information on available resources for students struggling with addiction, outlines the Substance Abuse Prevention Program, and provides contact information for pertinent resources. BYU students and personnel receive an annual notice of policies outlining the expected standards of conduct related to drugs and alcohol for all university members and available resources for students dealing with drug or alcohol abuse. As part of the annual notification, the university also provides:

- 1. descriptions of the applicable legal sanctions under local, state, and federal law that may arise from the unlawful possession or distribution of illicit drugs.
- 2. descriptions of the health risks associated with the use of illicit drugs.
- 3. a clear statement of the university's disciplinary sanctions that may be imposed for violations of the standard of conduct.

See Appendix A to review the current policy.

Drug-Free School Policy Discussion

Committee members discussed the current Drug Free School Policy. Committee members expressed support for the current policy.

Drug-Free School Policy Findings

The committee found that the current Drug-Free School policy provides the information needed by students and personnel to understand university expectations and identify drug and/or alcohol related resources as needed.

Drug-Free School Policy Recommendations

• Put a link to the CAPS and Women's Services and Resources website in one of the tabs on the left-hand side of the Drug Free School Policy (under the heading "Resources").

Drug-Free Workplace Policy Introduction & Review

The Drug Free Workplace Policy and procedures (Appendix B) articulates that substance and/or alcohol use are prohibited for all BYU employees. Procedures for implementing the policy when violations occur are established and carried out by Human Resources. Finally, SAPS is listed as a resource for employees dealing with substance abuse issues in the procedures.

The Employee Assistance Program (EAP) is included on the Drug-Free Workplace Policy as a resource for employees struggling with addiction. A link to information about the EAP was added to the policy page under "Resources", providing employees reviewing the policy with information about available services (see https://policy.byu.edu/view/drug-free-workplace-policy).

Drug-Free Workplace Policy Discussion

The committee discussed the current policy. John Flinders (Human Resources Vice President) presented that the current policy is clearly understood by the Human Resources department, and they are confident carrying it into effect as needed. No other committee member had comments regarding the current policy.

Drug-Free Workplace Policy Findings

The committee found that the current Drug-Free Workplace Policy provides the information needed by student, part-time, full-time, and faculty employees to understand university expectations and identify drug and/or alcohol related resources as needed.

Drug-Free Workplace Policy Recommendations

 Put a link to the CAPS and Women's Services and Resources website in one of the tabs on the left-hand side of the Drug Free School Workplace Policy page under the heading "Resources"

V. Review: Conduct and Disciplinary Sanctions for Drug and Alcohol Related Violations

Brigham Young University enforces its Drug Free School Policy through the university's student conduct office, the Honor Code Office. The Honor Code Office process is well established and helps ensure that appropriate disciplinary and educational sanctions are consistently enforced for individuals who violate the university Honor Code, which prohibits substance abuse. Determinations are made and interventions are applied based on factors such as (a) age and maturity of the student, (b) level of experience or involvement with behavior, (c) history, (d) seriousness of behavior, (e) impact on others, and (f) criminal/legal implications. Drug and alcohol cases reviewed by the Honor Code Office commonly include other violations of the Honor Code. As a result, comparing drug or alcohol related cases can only be accurately accomplished on a case-by-case basis.

When Honor Code investigations involving drug or alcohol use include sexual assault, the Honor Code Process stops immediately, and the case is referred to the Title IX Office for ongoing investigation.

Disciplinary Process Discussion

Kevin Utt described the Honor Code Process. This process is applied to any Honor Code violations reported to the office. The process entails fact finding (if it is not a police report or student self-report), determination, discussion with the student about why they were using drugs or alcohol, referral to additional resources (e.g. mental health counseling), and identification of any sanctions that may be imposed. Kevin shared that, as noted above, the sanctions are based on myriad factors and that drug and alcohol related violations often include violations of other components of the BYU Honor Code. As a result, comparison of drug or alcohol related cases and their outcomes can only accurately occur on a case-by-case basis.

Committee members discussed the length of time that suspensions typically last. Kevin indicated that most last for one semester to one year. The longest suspensions occur for two years; students who receive a two-year suspension most often decide to transfer to another institution. Kevin indicated (and the data bears out) that students who use drugs or alcohol are most often placed on probation or a lesser sanction. The Honor Code Office administrators work with students individually after their violation, meeting occasionally over a several month period. Students are provided with a set of requirements intended to help them stop their behavior and recommit to the standards of the Honor Code.

Kevin indicated that prior to 2020, the Honor Code Office acted on anonymous reports (meaning if a student reports another student's Honor Code violation, the reported student has a right to know who reported them). Kevin indicated it is likely that this change is a major factor in the decline in total

number of drug and alcohol related violations for the past two reporting cycles. Kevin indicated that Honor Code Office administrators will refer students to CAPS as needed and that, for students who are under 21, there is a provision in FERPA allowing the university to contact students' parents. The Honor Code Office does this every time there is a violation that qualifies under this provision.

Disciplinary Process Findings

The Honor Code Process is adequately tailored to BYU's unique standards and mission and focused on helping students make and keep commitments to abstain from alcohol or tobacco use. The Honor Code Process prioritizes keeping students in school when appropriate (as evidenced by the low number of separations) and seeks to support students' long-term success at BYU.

Disciplinary Process Recommendations

• Committee members provided no recommendations for the disciplinary process

VI. Campus Statistics on Drug and Alcohol Violations, Legal Violations, and Requests for Services

Brigham Young University collects and maintains information about on- and off-campus drug and alcohol related incidents involving students and employees. The committee reviewed the following reports to better understand the extent and context of substance and alcohol use by BYU students and employees. Data from other Utah universities are included in Appendix E.

Honor Code Office
HCO Summary Alcohol/Drugs/Tobacco Violations by Type:
September 2016 through August 2024

Violations	2016-2018	2018-2020	2020-2022	2022-2024
Alcohol – Criminal	14	14	19	17
Alcohol – Word of Wisdom/Policy Violation	59	30	15	19
Alcohol Related	23	6	NA*	NA*
Alcohol Underage Drinking – Criminal	11	3	NA*	NA*
Drug Distribution – Criminal	0	0	0	0
Drug Use/Possession - Criminal	39	22	26	24
Drugs, Abuse of – Behavior/Prescription and OTC	12	8	2	1
Other – Word of Wisdom	3	18	3	3
Tobacco – Word of Wisdom	10	5	6	4
DUI/OWI	In other	3	1	3
Reporting Period Totals	171	109	72	71

^{*}Due to adoption of Maxient as the new case management system (2020), in addition to updates to violation terminology, these categories are no longer tracked specifically but instead are tracked under the other categories.

Explanation of Violation Types

Violation	Explanation
Alcohol - Criminal	Violation of alcohol laws including providing alcohol to a minor, etc. (Not including underage drinking or DUI)
Alcohol - Word of Wisdom	Includes providing alcohol to others, being present where alcohol is being possessed or consumed (such as at a party), consuming alcohol (over age 21), etc., not generally rising to a criminal level
Alcohol Related	Other alcohol violations of the Honor Code
Alcohol Underage Drinking - Criminal	Violation of alcohol laws for underage consumption
Drug Distribution - Criminal	Distribution of illegal drugs and/or distribution of legal, but unprescribed, drugs
Drug Use/Possession - Criminal	Use or possession of illegal drugs and inappropriate use of legal drugs
Drugs Abuse of - Behavior	Abuse of legal drugs or substances, including over-the-counter drugs, not rising to a criminal level
Other – Word of Wisdom	Other substance related violations of the Honor Code not rising to a criminal level
Tobacco - Word of Wisdom	Tobacco use violating Honor Code policy
DUI/OWI	Driving under the influence / Operating while intoxicated

The violations reported for the period of Sept. 1, 2022- Aug. 31, 2024, included 71 unique drug- or alcohol-related cases. Total violations declined by one between the 2020-2022 reporting period and the current reporting period. Due to BYU's relatively small number of violations, a single event (party, gettogether, etc.) can have a significant impact on the overall changes between reporting periods for specific violation types. Additionally, violations involving drug or alcohol abuse often include other Honor Code violations, which directly impact the sanction type given by the university—as a result, comparison of sanctions can only be meaningfully accomplished by comparing individual cases.

HCO Summary Alcohol/Drugs/Tobacco Violations & Resulting Actions September 2022 through August 2024

Action Types	Alcohol- Criminal	Alcohol- Word of Wisdom	Drug	Drug Use/Possession Criminal	Drug Abuse- - Behavior Pre or OTC	Other- Word of Wisdom	Tobacco, Vaping - Word of Wisdom	DUI/OWI	Total by Action
Open, Hold Until Resolved	1	1	0	4	0	0	0	0	6
Responsible - No Action	0	0	0	0	0	0	0	0	0
Notice/Counsel & Education	0	0	0	0	0	0	0	0	0
Warning	0	0	0	0	0	0	0	0	0
Warning with Conditions	0	2	0	0	0	1	0	0	3
Probation	15	13	0	18	0	1	3	2	52
Suspension Withheld	2	1	0	3	0	1	0	0	7
Short-Term Suspension	0	0	0	0	0	0	0	0	0
Suspension	2	1	0	3	0	1	0	0	7
Expulsion	0	0	0	0	0	0	0	0	0
Totals by Violation	20	18	0	28	0	4	3	2	75*

*Please note, there are four more sanctions than violations; this is due to violations that occurred outside of the reporting period but the sanction was applied after the start of the 2022-2024 reporting period.

Seventy-five total actions were taken based on student violations of the university Honor Code during the reporting period. Over 90 percent (68 out of 75) of violations resulted in suspension withheld, probation or a lesser sanction. All of these sanctions allow a student to stay in school. Probation and suspension withheld require the student to actively reflect on and demonstrate their commitment to the Honor Code through various activities. These requirements help students not to repeat their violation in the future. Suspensions occurred for 7 (9.9%) students; suspensions require students to take one or more semesters off before being able to re-enroll in school. No students were expelled for drug or alcohol related violations during the reporting period. As noted above, instances of drug- or alcohol-use often coincide with other Honor Code violations or Title IV violations and this complexity should be considered when comparing action types with violation types. See Appendix C for a list of Actions and their corresponding definitions.

University Police

Drug & Alcohol Law Violation by Type: University Police Aug. 2020 - Sept. 2022

	Sep 1, 20	22 - Aug 31, 2023	Sep 1, 2		
Violation Type	Campus	Residential Living	Campus	Residential Living	Totals
Alcohol	1	1	3	0	5
Drugs	0	6	1	0	7
Totals	1	7	4	0	12

As demonstrated by the numbers above, there were few total drug and alcohol legal violations on campus proper or within residential living during the reporting period.

To provide the most accurate view of drug and alcohol use surrounding campus, the following information was requested from BYU Police. The table below shows the number of drug and alcohol related violations on adjacent streets, "Other Campus" areas (for instance, BYU owns a motion picture studio on the Provo River among a few other locations; these generally do not have much student traffic), and at the Y-Trail and Trailhead. BYU owns Y-Mountain and has law enforcement jurisdiction over the trailhead and trail. While not constant, there were regular instances of drug and alcohol abuse at the trailhead which boasts a nice view of the valley and is often used as a scenic lookout for community members. To curb drug and alcohol use at the trailhead, the police have started closing the trailhead gate each evening at sundown. Preliminary reports indicate this has largely eliminated drug and alcohol use at the trailhead and on the trail.

	Sep 1,	Sep 1, 2022 - Aug 31, 2023 Sep 1, 2023 - Aug 31, 2024					
Violation Type	Adjacent Street	Campus Other	Y Trail/ Trailhead	Adjacent Street	Campus Other	Y Trail/ Trailhead	Totals
Alcohol	0	0	12	2	0	18	32
Drugs	3	0	16	1	1	8	29
Totals	3	0	28	3	1	26	61

^{*}For this table, Driving Under the Influence (DUI) and drunkenness are included in alcohol related incidents

Drug Law Violations: The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and use. This includes the unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance, as well as any arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. Included in this classification are the following: all drugs, without exception, that are illegal under local or state law, and all illegally obtained prescription drugs.

Liquor Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages*. The following are included in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging, operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; and drinking on a public conveyance.

Substance Abuse Prevention Services (801-422-1942 Hotline and associated saps@byu.edu email)

During the biennial review period (Sept. 1, 2022 – Aug. 31, 2024), the Substance Abuse/Drug Abuse hotline listed in the BYU Directory received six calls. When SAPS administrators called these numbers back, three did not answer or call back. The other three were not related to drugs or alcohol use.

Both the email and voicemail were tested as part of this review; the phone number was operating correctly and a counselor responded quickly to our test call. The email (saps@byu.edu) was not operational at the time of testing due to back-end technical issues. After investigation, it was determined that when an employee who had responsibility for the email left the university, the SAPS email had not been updated to forward emails to the new administrator. BYU's Student Life Technology resolved the issue, and the correct administrator is receiving these emails now.

Counseling and Psychological Services

Counseling and Psychological Services reported the percentage of total intakes at CAPS who answered the following questions reflecting concerns about substance or alcohol abuse. Overall, BYU's student intakes had significantly lower percentages of students who reported drug or alcohol related concerns when compared with the average of over 600 colleges and universities nationally.

Counseling & Psychological Services Intake Questionnaire Report: 2020 - 2024

School Years 2021-22 Question (Lifetime Prevalence) 2020-21 2022-23 2023-24 CCMH* Average Felt the need to reduce alcohol 2.7% 2.7% 2.3% 2.9% 26.2% or drug use Others expressed concerns about 1.6% 1.5% 1.6% 1.5% 13.5% alcohol or drug use Prior treatment for alcohol or 0.1% 0.1% 0.1% 0.1% 1.8% drug use 5,487 4,873 4,300 4,235

Employee Relations

Employee Drug Violations: Employee relations

There were no reported drug policy violations or related disciplinary actions for full-time, part-time, or student employees during the review period.

Faculty Relations

Faculty Drug Violations: Employee Relations

There were no reported faculty violations or related disciplinary actions for during the review period.

^{*}Center for Collegiate Mental Health is "a collaborative network of over 600 college and university counseling centers and supportive organizations". See https://ccmh.psu.edu/ for more information

VII. Conclusion

BYU's Drug-Free School Policy and Drug Free Workplace policies complement principles of the BYU Honor Code, eschewing the use of harmful drugs and alcohol by BYU employees or students. The policies and Honor Code represent deeply held convictions of the members of the campus community, based in adherence to the doctrines of The Church of Jesus Christ of Latter-day Saints, the university's sponsoring organization, and the counsel of its leaders. It is understood by students, staff, and faculty that any violation of the policy has serious consequences from the university.

The university's drug and alcohol policies and Honor Code continue to effectively contribute to relatively low violation rates. Information collection from students and employees who may be violating the law or BYU policies is challenging to obtain, making it difficult to ascertain additional services or opportunities that would decrease use further.

Existing substance abuse resources are meeting demand and could facilitate a significant increase in use without expanding current services. As a result, the Drug Free Compliance Committee finds that the university's Substance Abuse Prevention Program offers sufficient services for present student and employee needs.

The Drug-Free Compliance Committee remains prepared to address additional concerns or issues as they arise.

Appendix A: University Drug-Free School Policy Statement

DRUG-FREE SCHOOL POLICY

14 May 2021

Brigham Young University encourages an academic environment that promotes the health, safety, and welfare of all university members. As a condition of enrollment or employment, the university requires that all students and personnel abide by the Church Educational System Honor Code (Honor Code), which includes a personal commitment to abstain, both on and off campus, from alcoholic beverages, tobacco, tea, coffee, vaping, and substance abuse. The possession, use, or distribution of illegal drugs or alcohol is prohibited.

The Drug-Free Schools and Communities Act Amendments of 1989 provides that, as a condition of receiving federal funds under any federal program, a higher education institution must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of drugs and alcohol by students and personnel. To comply with this law and further its commitment to support society's effort to eliminate drug and alcohol abuse, the university has adopted this Drug-Free School Policy to supplement the Honor Code.

This Drug-Free School Policy should not be confused with the university's Drug-Free Workplace Policy, which is designed to comply with the Drug-Free Workplace Act of 1988, and which governs the workplace environment of university personnel engaged in research sponsored by the Federal government.

Drug Prevention Program

The university has adopted and implemented a drug prevention program for its students and university personnel. This program includes annual distribution in writing to each student—regardless of the length of the student's program of study—and to all personnel the following information: (1) the standard of conduct expected of students and personnel in relation to the possession, use, or distribution of drugs and alcohol; (2) the standard of conduct related to the misuse of prescription drugs, alcohol, and tobacco; (3) a description of the applicable legal sanctions under state and federal law that may arise from the unlawful possession or distribution of drugs; (4) a description of the health risks associated with the use of illegal drugs; (5) a description of the university's substance abuse counseling and treatment resources available to students and personnel; and (6) a clear statement of the disciplinary sanctions that may be imposed upon students and personnel for violations of the university's Drug-Free School Policy.

Disciplinary Sanctions for Drug Violations

Personnel or students found to be knowingly possessing, using, or distributing illegal drugs, alcohol, or tobacco are subject to university disciplinary action and, if applicable, to legal sanctions pursuant to federal, state, or local law. A student or employee who violates this policy or the related prohibitions on alcohol, tobacco, vaping, and substance abuse in the Honor Code will be subject to applicable disciplinary sanctions up to and including dismissal from the university or termination of employment. The university will determine the appropriate sanction(s) on a case-by-case basis and may consider all of the circumstances involved, including, but not limited to, the following factors: (1) whether the violation constitutes a first offense; (2) the scope and duration of the individual's alcohol or tobacco use, vaping, or substance abuse; (3) whether the individual has requested assistance to obtain substance abuse treatment; and (4) any other efforts the individual has undertaken to correct the misconduct, such as counseling with an ecclesiastical leader. In applicable cases, discipline may involve referral to local law enforcement for criminal prosecution.

Individuals involved in the unintentional misuse of prescription drugs are not subject to the sanctions stated in this policy but rather are encouraged to seek assistance from the university's services detailed below.

Available Drug Counseling and Treatment

The university supports student and personnel participation in programs to prevent alcohol and tobacco use, vaping, use of illegal drugs, and abuse of prescription drugs.

Substance Abuse Prevention Services (SAPS), a service housed in Counseling and Psychological Services (CAPS), has been established to provide students with confidential assistance for drug and alcohol abuse problems. Students in need of these services, or who are concerned about another student, can visit 1500 WSC, call 801-422-1942, or email saps@byu.edu for assistance. Students who reach out will be contacted by a trained counselor who can help connect them with training programs, health information, preliminary evaluations, and counseling for possible referral to an outside medical provider. CAPS counselors are experienced professionals who offer support for students in an atmosphere of understanding and confidentiality. Student meetings with CAPS counselors are confidential unless there is a threat of harm to self or others, a student reveals abuse of a child or vulnerable adult, or in the case of legal subpoenas. All programs offer individual assessment and referral to both on- and off-campus resources. Several independent off-campus entities also offer counseling services that are not affiliated with the university or its sponsor, The Church of Jesus Christ of Latter-day Saints.

The <u>Employee Assistance Program</u> (EAP), offered through Deseret Mutual Benefit Administrators, provides personnel with confidential assistance related to substance abuse, mental health, goal achievement, and more. Personnel can seek assistance from EAP by calling 1-844-280-9629 or visiting https://myeaphelper.mybeaconwellbeing.com/.

The general university prevention program of information dissemination, consultation, and referral is available as follows:

- The university educates students and personnel about the detrimental effects of illegal drugs, misuse of prescription drugs, alcohol, and tobacco through the university's Clery Act annual security report (Security Report) publication and distribution. Additional educational training may consist of university-sponsored workshops, seminars, informational materials, and lectures as determined appropriate by the SAPS director and approved by university administration.
- A description of the health risks associated with any particular drug (e.g., physical and psychological addiction; physical, psychological, and spiritual deterioration; disease; and death) may be obtained from the university's <u>Security Report</u>, which can be requested in hard-copy form from BYU Police.
- The university recognizes that potential legal sanctions may accompany an individual's use of drugs. The applicable legal sanctions under federal, state, or local law may include significant fines and imprisonment. A summary of applicable legal sanctions from the unlawful use of drugs may be obtained from the university's <u>Security Report</u>, which can be requested in hard-copy form from BYU Police.
- Students and personnel involved in intentional alcohol or tobacco use, vaping, or substance
 abuse may seek a consultative interview through SAPS for possible referral to an outside
 medical provider. All discussions will be handled in a confidential manner to the extent
 permitted by law.

Personnel and students should cooperatively help one another to solve alcohol, tobacco, vaping, and substance abuse problems. Persons aware of those with substance abuse problems enrolled at or employed by the university are encouraged to act responsibly by consulting with SAPS, Faculty Relations, Employee Relations, the Honor Code Office, or BYU Police. Remaining silent or waiting until a situation has escalated is unwise and often dangerous.

Biennial Drug-Free School Program Review

The university has appointed a standing Drug Free Compliance Committee, which meets at least once every two years or more often as needed. The committee reviews the university's substance abuse prevention program to determine its effectiveness, implement changes to the program as needed, and confirm that appropriate disciplinary sanctions are consistently enforced against students and personnel who violate this policy.

Approved: 24 May 2021

Appendix B: University Drug-Free Workplace Policy Statement

Policy

The university absolutely prohibits the unlawful manufacture, use, dispensing, possession, or distribution of controlled substances by any employee, student, volunteer, or other individual participating in the university workplace (collectively referred to in this policy as "workforce participant(s)").

As a condition of employment or participation in the university workplace, BYU requires all workforce participants, to abide by this BYU Drug-Free Workplace Policy. The <u>Church Educational System Honor Code</u> also addresses workforce participants' use of controlled substances or abuse of medically prescribed substances. In addition to the requirement to abide by this policy, all workforce participants are also required to adhere to the more restrictive prohibitions outlined in the <u>Church Educational System Honor Code</u>.

Procedures

All workforce participants at the university will receive a copy of the Drug-Free Workplace Policy at least annually.

Any workforce participant at the university convicted of violating a criminal drug statute inside OR outside of the workplace must notify his or her immediate supervisor or the principal investigator (in the case of federal research grant or contract) of the conviction, in writing, no later than five calendar days after the conviction. The immediate supervisor or principal investigator is responsible to immediately notify either Employee Relations or Faculty Relations, as appropriate.

If a workforce participant who violates this policy is engaged in a federally funded contract or award, the supervisor or principal investigator must also inform the director of the Research Administration Office. The director of the Research Administration Office will then notify all affected federal agencies within ten days of receiving notice of the conviction in compliance with 34 C.F.R. §84.225(a).

If any workforce participant violates this policy, Employee Relations or Faculty Relations, as appropriate and in consultation with the appropriate unit management, will take appropriate employment action against the individual, up to and including termination of employment, consistent with the requirements of the Rehabilitation Act of 1973 (29 U.S.C. § 794), as amended.

In the event the individual was engaged in the performance of a federal award or contract, these actions must be taken within 30 calendar days of learning about an individual's conviction. The affected individual may be subject to criminal penalties under applicable federal and state law.

The principal investigator specifically, and not the university, is responsible for ensuring compliance with all terms of a federal grant or contract.

Other disclosures associated with the university's drug-free workplace responsibilities are available in the annual campus security report available at https://police.byu.edu/annual-security-report.

Drug Prevention Assistance

In an effort to deter drug abuse, the university has established Substance Abuse Prevention Services. For individual assistance, please contact (801) 422-1942.

Approved: 9 Jan 2012 [Revised 13 Dec 2024]

Appendix C: Honor Code Office Actions Definitions

Records Retained: This is a case status in the old tracking system that could either have been the above-described "Open, Hold Until Resolved", or it could have been the below-described "Responsible, No Action". With the implementation of the new case management system, we separated these two case outcomes. The university retains all records, regardless of outcome, for at least seven years after creation date.

Responsible, No Action: This case outcome is commonly used for cases in one of the possible scenarios.

- 1. The student technically violated the Honor Code, but the behavior was very minor.
- 2. The first-time low-level behavior was already addressed by another office, such as Residence Life, Copyright Office, or Academic Affairs. The HCO creates a record in case the behavior is repeated.

Notice (Counsel and Education): A student is given notice for a first-time minor infraction of the Honor Code when they have already demonstrated steps to resolve their behavior, or if they were reasonably unaware that their conduct was an infraction of the Honor Code. The student remains in good Honor Code standing and has no further interaction with the HCO.

Warning: A student is given a warning to refrain from further conduct which violates the Honor Code, and to avoid similar action in the future which could result in their falling out of good Honor Code standing. The student remains in good Honor Code standing and has no further interaction with the HCO.

Warning with Conditions: A student is given a warning to refrain from further conduct which violates the Honor Code, and to avoid similar action in the future which could result in their falling out of good Honor Code standing. The student remains in good Honor Code standing and is assigned one or two reflective/learning activities.

Probation: A student is placed on probation for serious or patterned behavior. Probation allows a student to continue at BYU while providing time to reflect upon the significance of the Honor Code, and to demonstrate a commitment to it. As part of this probation and in order to be returned to good Honor Code standing, the student is required to complete a series of conditions.

Probation Terminated: This case action was used in the old tracking system. When the student completed their probation/suspensions conditions, the case outcome was changed to Probation Terminated to document the completion of the process. The current software has a button to mark "complete" so the original case action is still retained in the system.

Suspension Withheld: A student is suspended for egregious or patterned behavior. However, based upon the facts and circumstances surrounding the behavior, the separation is withheld. The student remains fully enrolled at the university.

Short-Term Suspension. A student is suspended for egregious or patterned behavior. Short-Term Suspension requires separation from BYU for no more than one major semester. The student is ineligible to be enrolled in classes and hold an on-campus job, but is able to remain in BYU-contracted housing. During the time away, the student should be working to discontinue the behaviors associated with the Honor Code violation(s) and complete any assigned conditions in order to demonstrate that they are able to abide by the principles of the Honor Code.

Suspension: A student is suspended for egregious or patterned behavior. Suspension requires separation from BYU for a specified period of time, at least one major semester. The student is ineligible to be enrolled in classes, hold an on-campus job, and live in BYU-contracted housing. During the time away, the student should be working to discontinue the behaviors associated with the Honor Code violation(s) and complete any assigned conditions in order to demonstrate that they are able to abide by the principles of the Honor Code.

Expulsion: This action permanently separates the student from all Church Education System (CES) institutions. This includes enrollment in any CES classes, employment in on-campus student positions

and living in BYU-contracted housing. This action is taken when a student has exhibited behavior that is either egregious or patterned, and poses and academic, safety, or other risk to the institution. **Left on Own**: This case outcome is no longer used in the new case management system. Either the case is resolved or the case is marked as "Open, Hold Until Resolved" as outlined above.

Appendix D: 2025 Drug Free Compliance Committee Meeting Agenda & Minutes

In attendance:

Kyle Slaughter - Sr Consultant, Campus Life
Toni Nelson - Office Specialist, Dean of Students
Klint Hobbs - Director, Student Development
Paul Barton - Director, Residence Life
Ellen Martin - Advocate for Crime Prevention Sergeant, BYU Police
Stephen Craig - University Counsel
Kevin Utt, Director - Honor Code Office
John Flinders - Vice President, Human Resources
Jeff Hurst - Athletic Trainer, Olympic Sport Medicine & Performance

Not in Attendance:

Brad LeBaron – Director, Student Health Services Trevor Wilson – Associate Athletic Director

Legal violations and disciplinary actions

Kevin: We used to act on confidential reports (different from anonymous reports.) Sometimes we get an email that says this person has been using drugs, and they may not have. Even if they don't contact us back, we act on the report. Now, if we're moving forward, the student has a right to know that they're being reported. There have been exceptions where there's a true threat to the safety of the reporter.

Conversation regarding Honor Code Summary Alcohol/Drugs/Tobacco Violations & Resulting Actions table

Klint: These numbers are reported or substantiated?

Kevin: They are substantiated. There are alcohol violations that are illegal, and there are just policy violations.

Kevin: We don't see very many expulsions because we don't feel like this behavior is so severe and disruptive that they are never allowed to attend again. With alcohol and drug use, we don't feel like that's an appropriate outcome. Suspensions mentioned here are about 2 years in length.

Jeff: Is that a typical suspension?

Kevin: Most are for a semester or year. 2-year is we are inviting them to move on. There are numbers of people that have worked with our process and have taken a break while we work with them. We ask that once they are committed, then they can come back. 2-year suspensions are very rare.

Kyle: If a student comes in for an alcohol violation, what is that process?

Kevin: They will come in as self-reported, reported by housing, they are arrested, etc. After having had life epiphanies, etc., they will come in when they are ready to talk and are then ready to work with us to make some changes. There's not usually a dispute of the facts (it's a fact that you got arrested.) It's

about why they are drinking. Is it self-medication? Dumb kid drinking? What are the motivating factors? It is diagnosing and getting good outcomes. They help get new habits in place. If there's a letter, it is more strongly worded. Warning with conditions is probation with light. We will still meet and go through some reflective outcomes and meet every so often.

Kyle: What would you have a student do?

Kevin: If they are dishonest, it causes them problems because they're not confronting it. Part 1: Let's get back on good habits, going to devotionals, journal, 5-6 hours of service, developing good habits, being in good environments, etc. Part 2: Personal plans. Who is influencing you? Do you need therapy? We don't mandate therapy or counseling. What do they need to be put in place to address alcohol or drug use? If drug use, we do include a drug test, and we pay the cost of that. They can choose to go off-campus to keep it separate. It really is getting them back in good habits and good situations, and the behavior dissipates alongside it.

John: A number of these are student employees. Our land is often more harsh than formal. It's a sad side product of this.

Stephen: What happens in semester 3?

John: If it's an RA, it's off the table for them to return. If they have done what Kevin has asked them to do, then they can be on track to come back.

Kevin: One thing all universities do if they are under 21 with alcohol or drug violation is notify parents. This doesn't go against FERPA. We engage with parents. 9 times out of 10, parents support students through the process. Some schools have thousands of incidents, and they just send a letter. We have students call their parents first and then we have a 3-way phone call. We fill in the gaps to make sure they know what's going on.

Jeff: Is it only if the student agrees?

Kevin: It's because we have FERPA. There's sometimes a situation where their mom is there with them, and then we know that mom and dad were the first phone call. We can choose when we want to call their parents.

Conversation regarding Drug & Alcohol Law Violation by Type table

Stephen: You can park in the lots that are south of the trail, but that's not BYU property.

Ellie: Having cameras up there [at the trailhead] now is helpful. They can address [problems] quickly.

Jeff: We are much lower than the average.

Regarding Failed Drug Tests table

Kevin: All these reports are included in Honor Code, also.

Ellie: Is this Athletics?

Jeff: Yes. Our testing has changed significantly in the last 5-6 years. We see more of this than what we saw before.

Kyle: Is it randomized by team and athlete unless there's a credible report?

Jeff: Yes. We work with the office of Student Life. They throw student rosters in a randomized generator and test 15-20% of each team. We have a 3rd party test. No one tests entirely. We want to make sure certain testing is handled the right way. Everyone gets tested at least once every year or 16 months. NCAA is a different process.

Ellie: Do they (NCAA) do all sports?

Jeff: No.

Drug prevention program

The university drug prevention program consists of information dissemination, consultation, and referral

Information Dissemination

Kyle shared the annual security report. Opens and clicks indicated that there has been a sizeable decline since the university has switched to only using student email addresses. The committee anticipates that this number will increase to former levels as students get used to using their BYU email.

Consultation

Klint on calls: I don't think I have ever gotten a call on that line from a student that is self-referring. We get calls from people that aren't affiliated with BYU at all.

Klint on intakes: CCMH numbers are pretty solid

Recommendation: Include website address for women's services on pamphlet

Campus comparisons

There were multiple comments that agreed that Utah State and UVU disciplinary reports are inaccurate

Jeff: Our campus isn't very central. We are very condensed.

Stephen: Arrests are so low because they can just go to the conduct office instead of getting arrested.

Charter review

The committee reviewed the charter. Recommendations for updating committee members were made prior to the meeting via email. No additional recommendations were made.

Drug free school policy review

Stephen: One thing worth examining is do students know they can reach out confidentially. If I'm having a drug problem and I need help, I could go to counseling and that would be confidential, and I won't get turned in to the Honor Code office. Klint, do people know that?

Klint: Students still think that we report to the Honor Code office. Is Women's Services confidential?

Kyle: Yes. We list them rather than Title IX if they want someone they can talk to before going to Title IX. Drugs and alcohol are often correlated with Title IX offenses.

Jeff: 80% of the Athletics department doesn't know there's confidential counseling. If someone comes in and has this, there's an opportunity [to get help] without anyone ever finding out. There might be steps of that in that process but knowing this is a good way to start.

Kyle: I like that more than social media campaigns because which platform would you use for that? BYUSA probably has the biggest following group but doesn't seem like the appropriate platform.

Jeff: We have a lot of numbers that aren't those 4 or 5 [from Athletics] going up to see Kevin.

Stephen: Kevin, how often do you see someone that has an addiction problem?

Kevin: Not often. We had one this past week reported by a student who reported it to housing who reported it to us. For the past 2 years, he had reported self-medicating. He went through depression and eventually started being more honest and they got a structure in place. That was probably our deepest one. This past semester, we had several that would drink in high school to help deal with anxiety, etc. It's not a degree of addiction; it's more of self-medicating.

Stephen: Our incidents of alcoholism are so low on this campus compared to any other campus.

Klint: We don't refer a lot of students to drug or alcohol patient facilities.

Stephen: They come to you and they're going to get help. It's probably not broke, and we don't need to fix it.

Kyle: It's probably worth the time to take these [Substance Abuse Resources brochures] around campus. Advising hits a good percentage of those meeting individually with students. We are sifting through a lot of hay for a needle, but it's not a lost cause.

Paul: It's a captive audience of first semester students, but it's good for those mentoring students to hear the resources.

Kyle: The outcome of this meeting might be more communication. Social media campaigns might not be the right route.

Klint: I recommend a poster for the Y Trailhead

Drug free workplace policy review

John: Do we have CAPS under Employee Resources?

Kyle: No. We can put it on there.

Final questions, comments, recommendations

• Try to distribute information to employees that work with students

Appendix E: Reported Violations Compared to Other Institutions in Utah

Reported Violations Compared to Other Institutions in Utah: 2020

(most recent available data: Department of Education (http://ope.ed.gov/security/))

On- & Off-Campus Drug Violations by Institution

Count of Arrests (2022)

		BYU	University of Utah	Utah State	UVU	Weber State
	On Campus	2	9	9	10	3
Davis	Student					
Drug Abuse	Housing	1	0	7	10	0
Abuse	Non-Campus	19	38	0	13	0
	Public Property	0	0	2	0	0
	On Campus	1	3	23	7	0
Alaabal	Student					
Alcohol Abuse	Housing	0	0	21	6	0
	Non-Campus	24	0	0	2	0
	Public Property	0	0	0	0	0

Drug Abuse Arrests: % of Student Body by Area (2022)

		BYU	University of Utah	Utah State	UVU	Weber State
	Student Body	34464	34734	27943	43099	29914
	On Campus	0.006%	0.026%	0.032%	0.023%	0.010%
%	Student					
Student	Housing	0.003%	0.000%	0.025%	0.023%	0.000%
Body	Non-Campus	0.055%	0.109%	0.000%	0.030%	0.000%
Войу	Public					
	Property	0.000%	0.000%	0.007%	0.000%	0.000%

Alcohol Abuse Arrests: % of Student Body by Area (2022)

		BYU	University of Utah	Utah State	UVU	Weber State
	Student Body	34464	34734	27943	43099	29914
	On Campus	0.003%	0.009%	0.082%	0.016%	0.000%
%	Student					
Student	Housing	0.000%	0.000%	0.075%	0.014%	0.000%
Body	Non-Campus	0.070%	0.000%	0.000%	0.005%	0.000%
Войу	Public					
	Property	0.000%	0.000%	0.000%	0.000%	0.000%

Disciplinary Actions (2022)

		BYU	University of Utah	Utah State	UVU	Weber State
	On Campus	2	39	0	0	13
	Student					
Drug	Housing	2	39	0	0	10
Abuse	Non-Campus	0	0	0	0	0
	Public					
	Property	0	0	0	0	0
	On Campus	6	389	0	0	35
	Student					
Alcohol	Housing	6	309	0	0	353
Abuse	Non-Campus	0	0	0	0	0
	Public					
	Property	0	0	0	0	0

Drug Abuse (2022)

		BYU	University of Utah	Utah State	UVU	Weber State
	Student Body	34464	34734	27943	43099	29914
	On Campus	0.006%	0.112%	0.000%	0.000%	0.043%
%	Student					
Student	Housing	0.006%	0.112%	0.000%	0.000%	0.033%
Body	Non-Campus	0.000%	0.000%	0.000%	0.000%	0.000%
Войу	Public					
	Property	0.000%	0.000%	0.000%	0.000%	0.000%

Alcohol Abuse (2022)

		BYU	University of Utah	Utah State	UVU	Weber State
	Student Body	34464	34734	27943	43099	29914
% Student Body	On Campus	0.017%	1.120%	0.000%	0.000%	0.117%
	Student					
	Housing	0.017%	0.890%	0.000%	0.000%	1.180%
	Non-Campus	0.000%	0.000%	0.000%	0.000%	0.000%
	Public					
	Property	0.000%	0.000%	0.000%	0.000%	0.000%

These tables are based on available 2022 data. All postsecondary institutions that receive Title IV funding are required to report campus crime and fire statistics, typically through the Clery Act. These statistics are maintained by the Department of Education and can be accessed at http://ope.ed.gov/security/.