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Students

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Education Department's Report on Alcohol and Drugs May Prompt Crackdown

By Sara Lipka

Parents who have lost children make tenacious advocates.

Stephen M. Guest, whose daughter Kristine died in an alcohol-related snowmobile accident at Paul Smith's College seven years ago, has been lobbying policy makers and legislators ever since for enforcement of a federal law requiring campuses to try to prevent alcohol and drug abuse.

Years of calls, e-mails, letters, and visits yielded a report last month by the U.S. Department of Education's Office of Inspector General: Enforcement of the law, it says, has been basically zero. Now, that may change.

The federal Higher Education Act, under amendments passed in 1989, requires colleges to have "adopted and ... implemented a program to prevent the use of illicit drugs and the abuse of alcohol." In theory, institutions must disseminate their policies annually to students and employees, along with information on health risks, disciplinary sanctions, and campus-based treatment options. Every two years, colleges are supposed to evaluate their programs to ensure they're effective and consistent.

Whether that happens, the Education Department can't say. The inspector general's report—requested in 2010 on Mr. Guest's behalf by two Connecticut Democrats in Congress, Rep. John B. Larson and Christopher J. Dodd, then a senator—finds no evidence of enforcement from 1989 to 1998; a lack of oversight until June 2010; and since then, a new process that doesn't guarantee compliance.

The report examines more than two dozen recent reviews by the department's office of Federal Student Aid of colleges' financial-

aid, academic, and fiscal records, as well as their compliance with the crime-reporting law known as the Clery Act. Those reviews are meant to include the alcohol and drug policy requirements (or "Part 86" of the Drug-Free Schools and Campuses regulations), but most have fallen short, the report says.

The department's findings that colleges are in compliance with Part 86 have lacked documentation, according to the report. A handful of reviews have turned up violations but haven't noted them officially. And often, reviewers have found colleges in compliance, "despite documentation to the contrary," the inspector general says.

If the department did issue official findings of violations, it could provide technical assistance or impose sanctions, including the loss of all federal funds. It is not authorized to levy a set fine per violation, as it is (up to \$27,500) under the Clery Act.

The report's picture of inadequate oversight matches the impressions of campus officials and national experts.

"There's been no enforcement," says S. Daniel Carter, an advocate for campus safety. That leaves compliance up to colleges, he says: "They basically self-certify." Some follow the requirements; many may not even be aware of them.

To change the lax status quo, the report says, reviewers should be trained on alcohol and drug requirements. Reviews should include proper documentation and note any violations. The office of Federal Student Aid, which is supposed to monitor compliance, is now preparing a full response, a "corrective action report."

In a memo published with the inspector general's report, the office says that it "recognizes the serious health and safety threats posed by the scourge of drug and alcohol abuse on campus" and has begun to make the necessary changes "to ensure effective monitoring of institutions' compliance."

With the full response pending, the Education Department declined to comment further. The Higher Education Center for Alcohol, Drug Abuse, and Violence Prevention, which works with

campuses under a government contract, referred questions to the department.

Clery-Like Enforcement?

Many colleges don't enforce their alcohol policies, says Mr. Guest, and unfortunately, students die. He has written, including once in *The Chronicle*, about what he sees as a crisis, and he wants the Education Department to step in. "The primary objective is to make what I think is an effectively written law a reality on campus," he says.

A soft-spoken man, Mr. Guest raises his voice slightly in an interview, then apologizes for his anger. He is now working with his elected officials, Representative Larson and Sen. Richard Blumenthal, and updating the Web site Compelledtoact.com.

Some day soon, he hopes, the department will investigate campuses where accidents occur for compliance with the alcohol and drug requirements. "Unfortunately, you don't have to do much more than open a newspaper in the morning to find indications of violations," he says.

He recommends a second strategy: "Go down the party-school lists." If the department starts levying fines like it does under the Clery Act, colleges won't want to risk that bad publicity, he says. "It will cause them to make a safer, alcohol-free campus a priority."

Federal pressure does result in safer campuses, says Mr. Carter, who has noted strengthening enforcement of the Clery Act, including spot checks in partnership with the Federal Bureau of Investigation.

Alcohol needs the same attention, he says. "This is the premier underlying campus-safety challenge," he says, citing physical and sexual assault.

Mr. Carter expects the department to crack down soon: "There's clearly something coming."

Enforcement is a matter of time, agrees Peter F. Lake, director of the Center for Excellence in Higher Education Law and Policy at Stetson University College of Law.

"If we don't fix this proactively, we're going to have a dormitory fire or a multicar crash," he says. "It's almost as if alcohol is waiting for its signature tragedy."

Meanwhile, the risk is not only accidents, but attrition, says Mr. Lake: Many dropouts are a result of alcohol and drugs. The science of prevention is getting more sophisticated, he says, and colleges need to keep up.

But even without a federal crackdown, many colleges are making progress on prevention, says Joan Masters, coordinator of Missouri Partners in Prevention, a coalition of public colleges in that state.

The federal requirements are the minimum standard for campuses concerned about their students, she says. "It's almost a no-brainer to be in compliance." Fear is also a motivator, she says, referring to the prospect of an Education Department review: "There are always rumors about people who have gotten letters." Still, she says, "I've never seen one myself."

Recently, Ms. Masters has seen the department devote increasing attention to emergency preparedness, possibly at the expense of alcohol and drugs, she says. What had been an annual meeting has become less frequent. And the department no longer finances a group of prevention professionals on about 1,400 campuses known as the Network.

Still, she says, alcohol poisoning is a greater risk than an active shooter. The abuse of alcohol and other drugs is "the single greatest threat to colleges in terms of safety," she says.

Ms. Masters would welcome stricter enforcement, but she isn't holding her breath. "When it comes to additional sanctions," she says, "I will believe it when I see it."

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