

ALCOHOL & DRUG POLICY

On September 7, 1990, President Ray Authement approved an Alcohol/Drug Policy for UL Lafayette. This is in compliance with the federal Drug Free Schools and Communities Act and the Drug Free Workplace Act. The purpose of this policy is to clarify and inform students, faculty, and staff of UL Lafayette's stand on alcohol/ drug related issues and the procedure when policy is violated. It is also the intent of UL Lafayette to offer education, short term treatment, and/or referrals to those who may be affected. To help achieve this goal the Office of Drug and Alcohol Education and Prevention has been created. Questions may be addressed to the Counseling and Testing Center in Olivier Hall (482-6480).

Introduction

The University of Louisiana at Lafayette recognizes its responsibility for developing, promulgating, and enforcing policy regarding alcohol and drug use among students and employees. The University recognizes that drug and alcohol use can adversely impact its most important concerns: Academic excellence, student development, employee job performance, and the health and safety of the campus community at large.

This policy represents the development of a comprehensive program that applies to all levels of the university's community, including students, faculty, administrators, and all other staff. Its success depends upon the belief that each person has a role in responding to this issue. More importantly, however, is the belief that substance abuse is a solvable problem which must be addressed systematically, fairly, and with due process of law.

This policy describes the university's response to the substance abuse problem from three broad perspectives: Education, Prevention and Sanctions. The assignment of administrative responsibility for this effort will be accomplished through the creation of the Office of Drug and Alcohol Education and Prevention and the appointment of a coordinator. Sanctions for students described herein will be under the purview of the Office of the Vice President for Student Affairs and the Code of Student Conduct. Those sanctions applying to faculty and staff will fall under university personnel policies and procedures and the direction of the president or his designee.

Philosophy

Each student deserves the best possible opportunity to achieve academic excellence and a quality campus environment within which to develop and mature. Moreover, the safety and welfare of all members of the campus community must be assured. The University of Louisiana at Lafayette wants to promote a safe and healthy environment, it wants to maximize the potential of all to make significant contributions in life, and it wants to promote the concept of individual responsibility for substance use with all members of its community.

The university recognizes that substance abuse poses specific and serious threats to its mission as an institution of higher education. The appropriate and legal use of drugs or alcohol is a right and privilege, but the inappropriate or illegal use of drugs or alcohol is not.

Purpose

The purpose of this policy is to provide a vehicle for accomplishing the following:

1. Promote a healthy environment for students, faculty, and staff.

2. Maximize the opportunities for academic excellence and student development.

3. Define university expectations regarding appropriate use of alcohol at sanctioned events.

4. Discourage the illegal use of alcohol and drugs and to identify appropriate disciplinary procedures for those who engage in such activities.

5. Demonstrate the university's commitment to provide education and prevention programs and activities to the campus community.

6. Demonstrate the university's commitment to provide early intervention, counseling, and referral services to each member of the campus community.

7. Comply with the Drug-Free Schools and Communities Act Amendments of 1989: Public Law 101-226 (Appendix A) and Executive Order 12564, Public Law 100-71 and subsequent regulations including the Drug-Free Workplace Act (Appendix B).

Definitions

Student: any individual enrolled either part time or full time in University courses.

Student-Athlete: any student who is a member of a university athletic team recognized and coming under the jurisdiction of the Department of Athletics and its Director.

Student-Employee: any student receiving remuneration for service to the university (e.g., student aids, student residence hall staff, student police officers, student bus drivers, etc.)

Faculty and Staff: non-students employed by the university either part or full-time on a temporary or permanent basis.

President or his designee: the university president or person or persons in committee with authority whom he designates as responsible for policy or action (e.g., Vice Presidents, Athletic Director, etc.)

Vice President or his designee: the vice president or person or persons in committee whom he designates as responsible for policy or action (e.g., Deans of Colleges, Students, etc.)

Supervisor: any employee having the authority to hire, direct, assign, promote, transfer, suspend, discipline, or remove other employees or to effectively recommend such action, if the exercise of such authority is not merely clerical in nature but requires consistent independent judgment (e.g., Department Head, Dean, Vice President, President).

Drug Testing Coordinator: the employee assigned by the president or his designee to administer the university's drug testing program in accordance with this policy.

Medical Review Officer: the employee appointed by the president or his designee responsible for receiving laboratory results generated from the University Drug Testing Program who has the appropriate medical training to record, interpret, and evaluate test results.

Testing Designated Positions: the employment positions of the university which have been designated for random testing by the president or his designee (see Appendix D Presidential Option).

Random Testing: a system of drug testing imposed without individualized suspicion of drug use on employees in Testing Designated Positions and using some statistically random sampling technique.

Faculty/Staff Assistance Program (F/SAP): a program under the direction of the University Counseling and Testing Center that offers assessment, short-term counseling, and referral services to employees for a wide range of drug, alcohol, and mental health concerns.

Office of Drug and Alcohol Education and Prevention: office housed within the Counseling and Testing Center created to administer this policy.

Coordinator, Office of Drug and Alcohol Education and Prevention: employee assigned by the president or his designee to coordinate all activities of the office as provided by this policy.

Illegal Drugs: non-prescription controlled substances as defined by section 802(6) of Title 21 of the United States Code.

Substance Abuse: use of a substance which poses a threat to or interferes with healthy and productive living, including relationships and work.

Programs and Services Education, Prevention, and Treatment

The University of Louisiana at Lafayette recognizes its responsibility to educate the campus community about problems associated with drug and alcohol use. In a variety of settings, numerous prevention and education programs will be offered on a regularly scheduled basis. Current information about the effects of drug and alcohol use on physiological and psychological health will be made readily available. Students, faculty, and staff will be encouraged to participate in all activities which promote alcohol and drug-free experiences. Abstinence will be encouraged and seen as a legitimate and socially acceptable choice for any member of the university community.

Educational programs for campus leaders and other administrators and staff will address the development of skills required for identification of and early intervention with others who demonstrate problems with alcohol or drugs. Any member of the University community will have the opportunity to seek help for an abuse or addiction problem. Assessment, counseling, and referral services will be made available at no cost.

Establishment of the Office of Drug and Alcohol Education and Prevention

Administrative Unit. An office will be established and a budget assigned and maintained for the purpose of implementing and administering this policy on a yearly basis. It will be established within the administrative structure of the Division of Student Affairs and the Counseling and Testing Center. The Counseling and Testing Center mission is compatible with the requirements of this policy in that it includes the coordination and provision of proactive developmental programs campus-wide. The center's organizational structure as a treatment center accommodates the confidentiality needs of important sections of this policy as well.

Responsibility. One person will be appointed as Coordinator of this office. He/she will report directly to the director of the Counseling and Testing Center and/or the dean of student life and assume responsibility for the implementation and maintenance of all programs and services outlined in this policy.

Services and Activities. Under the direction of the coordinator, this office will provide the following services and activities:

1. Information. The office will maintain a supply of resource materials as an informational library regarding alcohol and drugs. Resources will include books, pamphlets, and audio-visual materials. Use will be encouraged by all members of the campus community through advertisements and notices.

2. Education. A yearly schedule of educational programs will be developed and implemented. Lectures, presentations, and discussions will be planned for the classroom, organization meetings, departmental meetings and other campus events. Topics will range from health risks to behavior problems and include education about this policy. These activities will be accomplished through the enlistment of campus resources and thus benefit from the direction, guidance, and involvement from faculty and staff in the areas of Health Education, Psychology, Home Economics, Counseling and Testing, and the University Health Clinic.

3. Prevention. A yearly schedule of prevention activities and programming will be developed and implemented. The involvement of all colleges, schools, and departments will be enlisted in the provision of regular prevention activities. Promotional activities as a part of National Collegiate Alcohol Awareness Week, anti-drunk driving programs, and early intervention training for campus leaders are examples of this important effort.

4. Assessment, Counseling, and Referral. Assessment, counseling, and referral services will be made available through the Faculty/Staff and Student Assistance Programs of the Counseling and Testing Center. Students, faculty, and staff interested in personal counseling regarding their own possible substance abuse are encouraged to seek help through this service. Concerns regarding someone with whom one is involved are also appropriately brought here.

This service will also be provided to those who are referred through action related to the imposed sanctions of this policy. Services will be provided under the supervision of the director of counseling and testing and include assessment, counseling of up to six (6) sessions, and referral to support groups or inpatient/outpatient treatment as deemed necessary. Monitoring progress and follow-up are also functions of this service. All services are confidential as governed by the ethical principles set forth by the American Psychological Association and the American Association for Counseling and Development.

5. Research. The University recognizes its responsibility to scientifically assess the extent of the current problem and evaluate the effectiveness of this policy and its programs. To that end, a comprehensive research program will be developed and supervised by the coordinator. Such research will follow a regular schedule and represent the best possible effort at needs assessment and policy/program evaluation.

Alcohol Policy

This policy governs the possession and consumption of alcohol by students, faculty, and staff on the University of Louisiana at Lafayette campus, in or at any university owned or managed facility, or at any university sponsored or registered event, either on or off campus. Throughout this policy alcohol is used to describe beer, wine, and distilled spirits. This policy is based on a concern for the welfare of all members of the University community and is in keeping with the laws of the city and parish of Lafayette and the state of Louisiana. As members of the university community, students, faculty, and staff are expected to comply with and abide by this policy as well as local and state laws.

The purpose of this section is to designate areas on campus where an individual of legal age may consume alcohol and to designate under what conditions group events may involve alcohol. The position here is that while members of this community who are under the legal drinking age may socialize where alcohol is present, only those who are of legal drinking age may consume, serve, transfer, or possess alcohol.

The University of Louisiana at Lafayette prohibits the purchase/public possession of alcohol by those under the age of 21 as defined by Louisiana Law (R.S. 14.93.10 through 14.93.14). As provided by law, this policy recognizes that public possession does not include possession or consumption under certain conditions defined by 14.93.10.2.

Campus police and other university officials will enforce all laws governing alcohol use and abuse whenever necessary. This policy is subject to change in order to comply with new local, state, and federal laws pertaining to the possession, and consumption of alcohol.

Sale, Possession, and Consumption

All individuals (both of and below legal drinking age) are prohibited from selling, possessing, or consuming alcoholic beverages in any form on university or university-related premises except in those areas authorized by the president or his designee and then only in accordance with state and local laws.

All events where alcohol is to be present must be registered with the Office of Dean of Students except as indicated below. Leaders responsible for such an event must attend a one-hour workshop provided by the Office of Drug and Alcohol Education and Prevention. Workshops shall be held at least twice yearly and will include but not be limited to education about University policy and procedures for a responsibly held event.

Student Union

1. Alcoholic beverages shall be served only by licensed food personnel. There are no exceptions to this rule.

2. No unopened containers of alcoholic beverages shall be sold. Beverages sold must be consumed in the area in which they were sold.

3. All local, parish, and state ordinances/laws regarding the sale, possession, consumption, and related behavior (e.g., public intoxication or disorderly conduct) shall apply.

4. Any person who purchases, possesses, or consumes alcoholic beverages in the Student Union must be at least 21 years of age. Proof of age may be required at any time during such process by authorized university and/or law enforcement officials. Only members of the sponsoring, registered organization and their guests will be admitted to events where alcoholic beverages are sold.

5. University police officers will be in attendance at all such events according to the discretion of police officials and as otherwise deemed necessary by the vice president of student affairs or his designee. The purpose of such assignment shall include but not be limited to insuring a) that only authorized persons are admitted to a registered event where alcohol is sold, b) that beverages are not brought into or removed from the premises by patrons, and c) that discipline and order are maintained.

6. The sale or serving of alcoholic beverages will end no later than one half hour prior to the scheduled end of the event and shall not extend beyond 2 am.

7. Alcoholic beverages may be sold on Sundays, but only in accordance with local and state laws.

8. Non-alcoholic beverages must be available at the same time and place as alcoholic beverages. Their availability must be obvious. Water is not an acceptable alternative beverage in this case.

Other Areas

Events held in other areas of the university shall be governed by the above policies and all other regulations deemed appropriate by the President or his designee.

Off-Campus Events. Although the University of Louisiana at Lafayette attempts to ensure that a safe,

healthy, and productive environment exists its efforts can not extend beyond the campus environment. The university cannot take responsibility for monitoring the off-campus environment. The university does, however, expect that all members of its campus community involved in off-campus events where alcohol is present take it upon themselves to use this policy as a guide in planning and conducting their events.

Non-Student Sponsored Events. The sponsorship of activities on campus and in university facilities by non-students, including faculty, staff and/or others where alcohol is present will be subject to all registration requirements whether or not students are in attendance.

Prohibited Areas. On-campus consumption of alcohol by individuals or groups is prohibited at university owned or controlled facilities and grounds that include but are not limited to:

1. All residence halls, either in a room, apartment, public hall or lounge area.

2. All academic facilities, either in a faculty/staff office, hallway or classroom.

3. Exceptions require the expressed and specific permission of the president or his designee.

Responsibility. It shall be the responsibility of each individual member of the campus community who is engaged in activities where alcohol is involved to be familiar with this policy as well as state and local laws regarding the sale, possession, and consumption of alcohol.

Sanctions

Students, faculty, staff, and their organizations who violate university policy or federal, state or local laws regarding the use of alcohol will be subject to sanctions delivered by the university disciplinary system and may be referred to civil and criminal court system. The University of Louisiana at Lafayette is not a sanctuary that relieves students, faculty, and staff of their responsibilities as citizens. Violations of Louisiana Law regarding alcohol constitute misdemeanors and are punishable by fines up to \$300.00 and imprisonment up to ten (10) days.

Residence Halls. Sanctions for the sale, transfer, possession, or consumption of alcohol at or in the residence halls are delivered by the office of the vice president for student affairs or his designee. Those may include but are not limited to:

1st Offense: Mandatory attendance at the next scheduled alcohol and education class held by the Office of Drug and Alcohol Education and Prevention and Campus Community Service to be determined by the vice president of student affairs or his designee. Non-attendance of any activity will result in immediate referral to vice president for student affairs or his designee for disciplinary action.

2nd Offense: Referral to the vice president of student affairs or his designee for disciplinary action to include immediate removal from the residence hall for the semester, and a mandatory individual session at the Office of Drug and Alcohol Education and Prevention for assessment and referral to appropriate education and/or treatment.

3rd Offense: Immediate referral for disciplinary action which may include immediate and permanent removal from the residence hall.

Registered Events. Any student organization that provides alcohol without going through the proper procedure, or any organization that uses the name of the University of Louisiana at Lafayette and serves alcohol without going through the proper procedure will be referred to the vice president for student affairs or his designee for disciplinary action that may include suspension of activities for up to a year.

Non-compliance with this policy or state and local laws regarding alcohol use at student or nonstudent

sponsored events will result in the delivery of the following sanctions to individual violators and the organization's leadership and/or the person or persons responsible for event registration. Organizations holding events where repeated violations take place will be subject to disciplinary action suspending privileges to hold events where alcohol is permitted.

1st Offense: Mandatory attendance at the next scheduled alcohol education class held by the Office of Drug and Alcohol Education and Prevention and Campus Community Service to be determined by the vice president of student affairs or his designee. Nonattendance at any activity will result in immediate referral to the vice president or his designee for disciplinary action.

2nd Offense: Referral for disciplinary action to include but not be limited to an immediate ban from university activities where alcohol is present for the current and following semester.

3rd Offense: Referral for disciplinary action to include but not be limited to immediate and permanent ban from all university activities where alcohol is present.

Faculty and Staff. It is the position of the University of Louisiana at Lafayette that every faculty and staff member has a special responsibility as an employee of a state institution of higher education to model mature and responsible behavior regarding alcohol use. Violations of this policy by faculty and staff will result in review by authorized departmental, school, and/or college officials and possible referral to the president or his designee for disciplinary action in accordance with existing personnel policies and procedures.

Drug Policy **Manufacture, Distribution, Possession, and Use**

Zero Tolerance. The University of Louisiana at Lafayette prohibits the unlawful manufacture, distribution, possession, or use of illegal drugs or controlled substances by University students, faculty, and staff on University owned or controlled property or at University events as set forth by this policy, the Code of Student Conduct, current personnel policies and procedures, and Louisiana Law.

This policy also prohibits the possession of drug paraphernalia (such as roach clips, bongs, water pipes, cocaine spoons, etc.) as set forth and defined by Louisiana Law. The university also prohibits the nonprescribed use of anabolic steroids as set forth and defined by Louisiana Law, Law as it applies to this section of the policy refers to Louisiana R.S. 40:961 through R.S. 40:1034. The range of penalties for violations of Louisiana Law cited above is fines from \$500.00 to \$15,000 and up to life imprisonment without parole depending on the drug involved and nature of the violation.

Sanctions, Students

Legal Aspects and Consequences. As citizens, students have the responsibility for knowing of and complying with the laws of the community and state referenced in this policy. Any student who violates these laws is subject to prosecution and punishment by civil authorities as well as disciplinary action by the university. The university may proceed against and sanction a person for the same conduct being handled by civil authorities.

Disciplinary Process. The University of Louisiana at Lafayette considers any violation of this drug policy a serious offense. The continued enrollment of students not immediately suspended for violations will be dependent on conditions which may include but not be limited to participation in assessment, counseling, and other treatment programs prescribed and directed by the Counseling and

Testing Center.

Sanctions will be imposed by the university in accordance with disciplinary procedures set forth by the Code of Student Conduct. The sanctions imposed by the University may include but are not limited to suspension held in abeyance with conditions, summary suspension, removal from university housing, and permanent suspension from the University. The severity of the sanctions imposed will correspond with the severity and/or the frequency of violations as well as the individual's willingness to receive treatment and recommit to participation in a drug-free living and learning environment.

Trafficking in Illegal Drugs. Because the distribution of illegal drugs is a threat and danger to the health and safety of the community, when reasonable cause exists as determined by authorized officials, the university will immediately suspend alleged offenders prior to a hearing, and in accordance with the Code of Student Conduct (Summary Suspension).

1st Offense: Students found in violation of illegal distribution of drugs or controlled substances may be dismissed from school and banned from campus in accordance with disciplinary procedures of the Code of Student Conduct (Section 14.14).

Possession of Illegal Drugs. For students found in possession or use of illegal drugs, the sanctions shall be the following:

1st Offense: Sanctions will range from suspension held in abeyance with conditions to dismissal from school in accordance with the Code of Student Conduct (Section 14.14). Residents of university housing or housing controlled by the university alleged by authorized officials to be in violation of this policy will be subject to immediate removal in keeping with University housing policies and agreements.

2nd Offense: Sanctions will range from suspension of enrollment for a period of at least one semester to dismissal in accordance with the Code of Student Conduct (Section 14.14).

3rd Offense: Sanction will be dismissal from school and ban from campus.

Possession of Drug Paraphernalia. Sanctions will be determined on a case basis in accordance with this policy and the Code of Student Conduct.

Eligibility for Financial Aid. As a condition of certain types of financial aid (e.g., Pell Grant) students must certify that they "... will not engage in the unlawful manufacture, distribution, dispensation, or use of a controlled substance..." during the period of the grant. Any student found in violation of this drug policy jeopardizes their ability to receive financial aid for which they might otherwise be eligible.

Drug Policy of the Department of Athletics

The University of Louisiana at Lafayette Department of Athletics recognizes important distinctions between the student athletes and other members of the student body. Among these distinctions are provisions set forth by policies of the National Collegiate Athletic Association (NCAA) addressing special responsibilities and expectations of student athletes. The University's Department of Athletics Drug Use Policy complies with NCAA policy and comes under the direct supervision of the athletic director and the president of the university. It appears below in its entirety as written and adopted by the athletic department.

In our present society, some student-athletes are of the opinion that it is necessary to use drugs, either for recreation or to improve their performance. We at the University of Louisiana at Lafayette do not agree with this line of reasoning. We do not condone the

use of drugs for any purpose other than for medical reasons.

The UL Lafayette Athletic Department has a comprehensive drug testing program. The purpose of this program is to evaluate, educate, and rehabilitate our student-athletes. Drugs are a serious problem because the use of drugs is 1) a violation of the law, and 2) is harmful to your health. The purpose of this program is to discourage the use of drugs.

The policy concerning drug testing will be as follows:

1. All student-athletes will be subject to random testing during the academic school year.

2. If a test proves positive, the student-athlete's urine will be tested for confirmation. If the confirmation test is positive, the student-athlete will be referred to a drug counselor for evaluation.

3. For marijuana and its derivatives: During and after drug counseling, the student-athlete will be suspended indefinitely from his/her squad and removed from the athletic training table and relocated away from his/her team's dormitory. On a third confirmed test, the student-athlete will be dismissed from his/her squad for the remainder of the academic year.

4. For drugs except marijuana: If a student-athlete tests positive, he/she will be suspended from participation indefinitely. If a student-athlete has a second positive test, he/she is dismissed from his/her squad for the academic year and is removed from the Athletic Training Table and relocated away from his/her team dormitory.

Drug-Free Workplace Policy Faculty, Staff, and Student Employees

The Federal Drug-Free Workplace Act of 1988 prohibits the unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs in the workplace and provides for sanctions against faculty, staff, and student employees, permanent or temporary, who violate this policy. Any employee who violates this Drug-Free Workplace policy is subject to disciplinary actions by the president or his designee which may include referral to civil authorities for prosecution and punishment and termination of employment.

Education and Prevention

The University of Louisiana at Lafayette recognizes that a successful drug-free school and workplace program depends, in part, on how well it assists those who are drug users. Equally important, however, is the assurance to employees that personal dignity and privacy of each individual will be upheld in accomplishing the purpose. To these ends the University has provided in this policy procedures for 1) employee assistance, 2) supervisor training, 3) employee education, and 4) identification of illegal drug use through drug testing on a carefully controlled and monitored basis.

Faculty/Staff Assistance Program (F/SAP). The F/SAP plays an important role toward preventing and resolving employee drug use by: demonstrating the university's commitment to eliminating illegal drug use, providing employees an opportunity to discontinue their drug use with professional assistance, providing educational materials to supervisors and employees on drug use issues, assisting supervisors in confronting employees who have performance and/or conduct problems and making appropriate referrals for treatment, and providing follow-up with individuals during rehabilitation. The director of the university Counseling and Testing Center shall be responsible for F/SAP services in cooperation with the coordinator of the Office of Drug and Alcohol Education and Prevention. The F/SAP shall ensure the confidentiality of all contacts with the individual

and his/her related treatment but not be involved in the process of drug testing.

Supervisory Training. Supervisors have a key role in establishing and monitoring a drug-free workplace. Therefore, the university shall provide training to assist supervisors and managers in recognizing and addressing illegal drug use by employees. The Office of Drug and Alcohol Education and Prevention shall be responsible for implementing supervisory training. The purpose of such training is to communicate the following:

1. University policies relevant to work performance problems, drug use, and the F/SAP.
2. How to recognize performance and behavioral changes related to drug use.
3. The roles of key individuals in the programs outlined by this policy.
4. The process of reintegrating employees into the workforce.

Employee Education. The F/SAP shall offer drug education to all University employees. Drug education and training to all levels of the University shall include information on types of drugs, symptoms of drug use, and the effects on performance and conduct. The scheduling of drug education activities shall be the responsibility of the coordinator of drug education and prevention reflecting a regular plan for each semester. These activities may include distribution of written materials, videotape showings, lunchtime employee, forums, and/or employee drug awareness days.

Identification of Illegal Drug Use. This policy provides for the identification of illegal drug users through supervisor training as explained above. It also provides, as a Presidential Option, for drug testing of university employees in testing designated positions on a carefully controlled and monitored basis (Appendix D). The drug testing coordinator, appointed by the president or his designee shall be responsible for the drug testing program.

Drug Testing

Reasonable Suspicion Testing. If an employee is suspected of using illegal drugs, the appropriate supervisor will gather all information, facts, and circumstances leading to and supporting this suspicion and informs the appropriate higher-level supervisor (Dean or Vice President). When higher-level concurrence of a reasonable suspicion has been determined, the appropriate supervisor will promptly prepare a written report detailing the circumstances which formed a basis to warrant testing. This report should document dates and times of drug-related incidents, reliable/credible sources of information, rationale leading to the test, and the action taken. The employee may be asked to submit to testing in accordance with this policy. *Reasonable suspicion testing may be based on but not limited to the criteria listed below.

1. Observable phenomena such as direct observation of drug use or possession and/or the physical symptoms of being under the influence of a drug;
2. A pattern of abnormal conduct or erratic behavior;
3. Arrest or conviction for a drug-related offense, or identification of an employee as the focus of a criminal investigation into illegal drug possession, use, or trafficking;
4. Newly discovered evidence that the employee has tampered with a previous drug test; or
5. Information provided either by reliable and credible sources or independently corroborated.

*Note: Although reasonable suspicion testing does not require certainty, mere "HUNCHES" are not sufficient to meet this standard. Supervisors will be trained to be aware of "grievance-motivated" sources.

Accident or Unsafe Practices Testing. The university is committed to providing a safe and secure work environment. Employees involved in on-the-job accidents or who engage in unsafe on-duty, job-related activities that pose a danger to themselves or others, may be subject to testing. Based on the circumstances of the accident or unsafe act and accordance supervisory review procedures of this policy, testing may be required of the employee. Circumstances leading to testing include:

1. A death or personal injury requiring immediate hospitalization or
2. Damage to University or private property in excess of \$1,000.00.

Voluntary Testing. In order to demonstrate their commitment to the university's goal of a drug-free workplace and to set an example for others, employees may volunteer for unannounced drug testing by notifying the coordinator of Drug and Alcohol Education and Prevention.

Follow-up Testing. All employees referred through administrative channels who undergo a counseling or rehabilitation program for illegal drug use through the F/SAP shall be subject to unannounced testing following completion of such a program for a period of one year.

Sanctions

Determination. Sanctions shall be imposed on any employee who is found to violate this policy on the basis of appropriate evidence including but not limited to direct observation, evidence obtained from an arrest or criminal conviction, a verified test result, or an employee's voluntary admission.

Mandatory Administrative Action. The university shall refer an employee found to use drugs to the F/SAP. If the employee occupies a sensitive position (e.g., public health, safety, or law enforcement or operates machinery or vehicles) he/she may be immediately removed from that position and alternative duties assigned as determined by the president or his designee.

Range of Consequences. Disciplinary action taken against an employee found to use illegal drugs may include the full range of disciplinary actions, including termination of employment. Such disciplinary action may include any of the following consistent with the requirements of any governing collective bargaining agreement and the state Civil Service Act and other statutes, and University personnel procedures and policies, but some action must be taken:

1. Reprimanding the employee in writing;
2. Placing the employee on enforced leave status;
3. Suspending the employee for 14 days or less without pay;
4. Suspending the employee for 15 days or more without pay;
5. Suspending the employee until the employee successfully completes an F/SAP or the president or his designee determines that action other than suspension is more appropriate;
6. Removing the employee from employment.

Refusal to Take a Drug Test. An employee who refuses to take a drug test when required will be subject to the full range of disciplinary action, including termination of employment. No applicant for Testing Designated Positions who refuse to be tested will be offered employment.

Mandatory Dismissal. Any employee found to use drugs who refuses to obtain counseling or rehabilitation through the F/SAP shall be subject to immediate dismissal from employment. Likewise, immediate termination of employment will result after not refraining from drug use after a first finding and disciplinary action.

Voluntary Referral. Under Executive Order 12564, the university is required to initiate action to

discipline any employee found to use illegal drugs in every circumstance except those in which the employee voluntarily admits his/her drug use, completes counseling or F/SAP, and there after refrains from drug use. A fundamental purpose of the university's drug-free workplace plan is to assist employees who themselves are seeking treatment for drug use. Because of this, and the fact that the order permits an agency to create a "safe harbor" for an employee who meets all three of these conditions, the university will not initiate disciplinary action against employees who satisfy the provisions of this section.

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