



Potomac State College -ALCOHOL AND DRUG POLICIES

[WVU Board of Governors Policy 18: Alcoholic Beverages on the Campuses](#)

[Student Conduct Code](#)

[Residence Hall Policies Relating to Alcohol and Drugs](#) (see page 19)

I. Alcohol and Drug Policies Distributed to Students and Employees Alcohol and Drug Policy Annual Notification

I. *West Virginia University Drug-Free Workplace Act of 1988*

Purpose: To comply with the Drug-Free Workplace Act of 1988 (Pub. L. 100-690 Title V, Subtitle D, 41 U.S.C. 701 et.sep.).

Coverage: All West Virginia University employees, including faculty, classified and non-classified staff, administrators, and student employees.

Prohibitions: (a.) The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace. (b.) Reporting for work under the influence of a controlled substance is prohibited.

A. Notice to Employees

As a condition of University employment, every employee shall 1.) Abide by the terms of this policy and 2.) notify his/her supervisor and the Department of Human Resources of any conviction on drug or alcohol related charges resulting from any activity occurring in the workplace or otherwise on University premises no later than five (5) days after such a conviction.

B. Disciplinary Sanctions

Any employee found in violation of this provision shall be subject to disciplinary action, including dismissal, and may be required to participate in a drug abuse assistance or drug rehabilitation program. All students are to abide by the University Student Conduct Code.

C. Awareness

West Virginia University has established awareness programs for students, faculty, and staff through the Faculty and Staff Assistance Program (FSAP) and the Student Assistance Program (SAP). Educational programs have been established by FSAP and SAP for the purpose of educating employees and students regarding the nature and consequences of drug and alcohol dependency and/or abuse. These two programs

also address the dangers of alcohol and drug abuse in the workplace, as well as provide appropriate information, education, consultation, and referral.

The Faculty and Staff Assistance Program (FSAP) may be reached at (304) 293-5590. The Student Assistance Program (SAP) may be reached at (304) 293-4477.

Implementation Procedure – Effective March 17, 1989, the University will:

- Notify employees of the policy regarding drug-free workplace
- Provide a copy of the policy and procedures as part of the award package on all grants received by the University
- Provide a copy of the policy to each new employee at the time of initial employment processing
- Notify the contracting agency within ten (10) days after receiving notice from an employee or otherwise receiving notice of a drug related conviction
- Impose sanctions as stated earlier within thirty (30) days of receiving notice of a criminal drug statute conviction in the workplace

II. *General Requirements of the Drug-Free Schools and Communities Act: Amendments of 1989*

Purpose: To comply with the Drug-Free Schools and Communities Act Amendments of 1989 (Pub.L.No.101-226, 103 Stat. 1928).

Coverage: All West Virginia University employees, including faculty, classified and non-classified staff, administrators, and students.

Prohibitions: Employees and students in violation of West Virginia University's standards concerning drugs and alcohol.

The Drug-Free Schools and Communities Act Amendments of 1989 requires and institution of higher education, as a condition of receiving funds or any other form of financial assistance under any federal program, to certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

As part of its drug prevention program for students and employees, West Virginia University annually distributes in writing to each student and employee the following information:

- Standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees on its property or as a part of any of its activities
- A description of applicable local, state, and federal legal sanctions pertaining to the unlawful possession, use, or distribution of illicit drugs and the abuse of alcohol
- A description of health risks associated with the use of illicit drugs and the abuse of alcohol
- A description of available drug and alcohol counseling, treatment, rehabilitation, and re-entry programs
- A clear statement of the disciplinary sanctions that the University will impose upon students and employees who violate the standards of conduct

The University will conduct a biennial review of its drug prevention program to determine its effectiveness, implement needed changes, and ensure that disciplinary sanctions are consistently enforced.

A. Standards of Conduct

The unlawful possession, use, or distribution of illicit drugs and alcohol by students or employees on University property or as part of any other University regulated activities is prohibited.

B. Disciplinary Sanctions

The University will impose disciplinary sanctions on students and employees (faculty, classified and non-classified staff) who violate the above standards of conduct. Students should recognize the fact that for violation of these standards they will be subject to disciplinary sanctions up to and including suspension or expulsion from the University and referral for prosecution. Employees should be aware of the fact that violation of these standards of conduct will subject them to sanctions up to an including immediate dismissal and referral for prosecution. You should consult your student handbook, classified employee's handbook, or faculty handbook for review of the specific sanctions which may apply.

III. *Drug-Induced Rape Prevention and Punishment Act of 1996*

Purpose: To comply with the Drug-Induced Rape Prevention and Punishment Act of 1996 (Pub.L. 104-3-5, 110 Stat. 3807, 21U.S.C. 801 note, 21U.S.C. 841).

Coverage: All West Virginia University employees, including faculty, classified and non-classified staff, administrators, and students.

Prohibitions: It is unlawful to distribute a controlled substance to an individual resulting in their "inability to acknowledge" and/or consent to drug facilitated crimes of violence, including sexual assault. "Definition of the term 'inability to acknowledge' means that the individual is unaware that a substance with the ability to alter that individual's ability to appraise conduct or to decline participation in or communicate unwillingness to participate in conduct is administered to the individual."

A. Disciplinary Sanctions

Any student or employee found in violation of this provision shall be subject to disciplinary action, including dismissal.

IV. *West Virginia University Controlled Substance and Alcohol Use Testing*

Purpose: To comply with Omnibus Transportation Employees Testing Act, 1991 (49 CFR 653 and 654); Federal Highway Administration Federal Motor Carrier Safety Regulation (49 CFR 382); Federal Railroad Administration Act (49 CFR 219); Drug-Free Workplace Act, 1988 (49 CFR 29); Drug-Free Schools and Communities Act, 1986 (20 U.S.C. 3181-3196); Drug-Free Schools and Communities Act Amendments, 1989.

Coverage: Drug and alcohol testing has been federally required for all professional drivers and safety-sensitive employees including interim, temporary, casual, classified, non-classified, faculty, students, and volunteer workers.

Prohibitions: The illegal use of controlled substances and the misuse of alcohol by professional drivers of large trucks, passenger buses, and vehicles transporting hazardous materials; or, are employees in other safety-sensitive roles.

A. Disciplinary Sanctions

The University will impose testing and disciplinary sanctions on affected employees who violate these standards whose duties require, or individuals who apply for positions which require the possession of a valid Commercial Driver's License (CDL); those responsible for the operation/driving, maintenance, and/or controlling dispatch or movement of regulated vehicles; and/or individuals whose duties require the possession of a firearm for security purposes.

V. *Health Risks Associated with the Use and Abuse of Alcohol and Illicit Drugs*

Substance abuse and drug dependency are problems of staggering proportions in our society today. They are the leading causes of preventable illness, disability, and death in the United States. Alcohol/chemical dependency is a disease that affects not only individuals, but every component of the family system, workplace, and the community. The impact of alcoholism /chemical dependency is felt directly by 1 in every 4 Americans.¹ An estimated 6.6 million children under age 18 live in households with at least one alcoholic parent.² Chemical abuse not only includes alcohol and illegal drugs, but also prescription drugs such as tranquilizers, pain killers, sleeping pills, etc.

A. Alcohol/Drug Abuse

Alcoholism and other drug dependencies are diseases with identifiable symptoms. These symptoms include changes in alcohol/drug tolerance, blackouts (permanent, chemically induced memory loss), denial (refusal to admit chemical use is a problem), mood swings, behavior changes, and loss of control (inability to stop and/or limit chemical consumption). The disease injures the person economically, socially, physically, psychologically, and spiritually; relationships break down, work performance is impaired, depression often occurs and behavior often goes against values.

Persons who suffer from chemical dependency are victims of a progressive, fatal disease. Alcoholism/addiction affects people of all ages, economic levels, and races. Ninety-seven percent of chemically-dependent people have responsible jobs, a home, and a family.³

Alcoholism is a disorder that has profound psychological and biological patterns: 1.) regular daily intoxication, 2.) drinking large amounts of alcohol at specific times, and 3.) periods of sobriety interspersed with periods of heavy daily drinking. The course of the disorder is usually progressive and physical dependence can develop. If this happens, serious symptoms, sometimes life threatening, can develop when alcohol is withdrawn. Short term effects of alcohol use can include depression, gastritis, liver disease, automobile accidents, and domestic violence. Chronic alcohol abuse can produce irreversible changes, including dementia, sexual impotence, cirrhosis of the liver, and heart disease. Death can occur either

¹ National Institute on Drug Abuse

² National Institute on Alcohol Abuse and Alcoholism

³ National Institute on Drug Abuse

as a complication of one of these chronic problems, or acutely, secondary to alcohol intoxication by poisoning or aspiration of vomitus or as the result of an automobile accident while driving intoxicated.

B. Impact of Families/Friends

Families are gravely affected by a chemical abusing member. Some of the effects on the family include: feelings of insecurity, guilt, fear, isolation, anger, and resentment. As the chemically dependent person's disease progresses, the effects on the family worsen. As a very direct, physiological consequence, the infants of alcohol and cocaine abusing mothers often have low birth weight and may suffer from malformations and a variety of developmental problems. Children are often most vulnerable to the effects of chemical dependency. Growing up in families where their developmental needs do not get met, children may face a variety of problems: low self-esteem, inability to trust others, teenage pregnancy, and high risks for chemical use/abuse/dependency.

The lifestyle of the abuser often affects the economic well-being of their families due to their inability to hold down a job. In some cases, the abuser will steal from relatives, which reduces the family's financial means and stability. In many cases, substance abuse leads to violence at home.

There is an obvious emotional toll of substance abuse on the functioning of individual members and the family as a whole. Family members may actively deny the problem, may become symptomatic in an effort to deflect attention from the substance abusing member, or may assume the abuser's responsibilities at home and even at work.

Chemical dependency is treatable. With an understanding of the disease and its impact on lives, family members and friends can take steps to help reduce enabling behaviors. Very often, the family's intervention with the user and his or her problem is an essential step which encourages the abusing member to seek treatment. Support groups for family members, such as Al-Anon, as well as family therapy can provide needed assistance to families as they grapple with the destructive effects of the user's addiction.

C. Campus Support

1. WVU Carruth Center for Counseling and Psychological Services - (304) 293-4431
2. WVU Faculty and Staff Assistance Program (FSAP) - (304) 293-5590
3. PSC Center for Counseling and Psychological Services- (304) 788-6976
4. PSC Student Health Center - (304) 788-6913
5. PSC AOD Prevention Office - (304) 788-6910

VI. Enforcement

Student conduct meetings are held for violations of all policies related to alcohol/drug use. In every case, all pertinent information and facts are considered before a decision is rendered and sanctions imposed. Student conduct meetings are designed to hear the student's side of the story prior to the decision and sanctioning process and to assure due process.

All student incidents involving drugs and alcohol are treated in a very fair and consistent manner. Students who violate the College's alcohol and drug policies both on and off campus are sanctioned depending on the severity of the incident and previous history of the student. For example, a student found in violation (first offense) of the residence hall alcohol policy may be placed on residence hall probation, parental notification occurs (if student is under 21 and dependent), the student is referred to BASICS, the student is required to complete 10-15 hours of community service and assigned a reflection exercise. Failure to comply with any and all of these sanctions results in more serious and monetary sanctions being imposed. These sanctions are consistent. Should a student be found responsible for the distribution and/or sale of drugs in the residence halls or on campus property, he/she will face criminal charges and be removed from housing and possibly the University. These sanctions are consistent with University policy.