

DRUG-FREE SCHOOLS AND CAMPUSES ACT: SIUC PROGRAM TO PREVENT THE USE OF ILLICIT DRUGS AND THE ABUSE OF ALCOHOL BY STUDENTS AND EMPLOYEES

To receive federal financial assistance of any kind, institutions of higher education must certify that they have "adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees." This certification is mandated by the Drug-Free Schools and Campuses Act Amendments of 1989. The materials which follow are being distributed as a means of our complying with this legislation, and perhaps more importantly, informing the entire university community of the standards of conduct required with regard to illicit drugs and alcohol and the possible consequences of inappropriate behavior.

The requirements of the law are separate and distinct from the requirements specified by the Drug-Free Workplace Act of 1988, which relate only to employees (including student workers) involved in work supported by or paid from federal grants and contracts. The Drug-Free Workplace Guidelines Drug-Free Awareness Program specified in the June 12, 1989, memorandum remain in effect (see www.siu.edu/~docedit/policies/drugguid.html for more information). The rules under the Safe and Drug-Free Schools and Campuses Act are much broader in scope, covering drugs and alcohol, students and employees, on university property or as part of university activities.

The following provides: (a) a statement of acceptable conduct; (b) a description of the health risks associated with use of illicit drugs and the abuse of alcohol; (c) a description of programs available to members of the university community for counseling, treatment, and rehabilitation; (d) a statement of possible disciplinary sanctions which are applicable to members of the university community who violate law or university policy with respect to the manufacture, possession, use, or distribution of illicit drugs or the abuse of alcohol; (e) a description of applicable legal sanctions under local, state, and federal law for the unlawful possession, use and distribution of illicit drugs and alcohol.

STANDARDS OF CONDUCT: Faculty, staff, and students must adhere to a code of conduct that recognizes that the unlawful manufacture, sale, delivery, unauthorized possession, or use of any illicit drug is prohibited on property owned or controlled by the SIU Board of Trustees or as part of any university activity.

The use, including the sale, delivery, possession, and consumption of alcoholic beverages in or on property owned or controlled by the university or as part of any university activity is strictly prohibited except as otherwise provided in the *Alcoholic Beverages: Regulations* (<http://www.siu.edu/~docedit/policies/alcohol.html>). Where permitted under these regulations, the use of alcoholic beverages on university premises shall be considered a privilege and may be allowed only if consistent with State laws and university regulations, and only when it will not interfere with the decorum and academic atmosphere of the campus.

If an individual associated with the university is apprehended for violation of any drug- or alcohol-related law when on university property or participating in a university activity, the university will cooperate fully with law enforcement and other agencies in administering a corrective or rehabilitative program for the individual. The university also reserves the right to initiate concurrent disciplinary action up to, and including where appropriate, the termination of the individual's association with the university.

DISCIPLINARY SANCTIONS: Faculty, staff members, and students who engage in the unlawful manufacture, possession, use, or distribution of illicit drugs, or suffer from alcohol abuse, will be subject to disciplinary sanctions by the university as well as any criminal penalties that might be levied by the courts. Employees are required to notify the Director of Human Resources in writing of any conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

CIVIL SERVICE EMPLOYEES: Disciplinary sanctions that the university may take directly against a Civil Service employee are governed by the *Guidelines for Progressive Disciplinary Actions-Civil Service Employees* for the Carbondale campus and the *Civil Service Employee Disciplinary Management Program-Policy on Employee Conduct and Discipline* for the Springfield campus and, in part, by the *Statutes and Rules of the State Universities Civil Service System*.

Under the *Guidelines* for the Carbondale campus, possession of an alcoholic beverage in violation of the university's *Alcoholic Beverages: Regulations* would constitute a Level I infraction, calling for a warning or reprimand on the first such offense and pursuance of discharge on the fifth. Drinking intoxicating beverages in violation of these regulations would constitute a Level III infraction, calling for a 1 to 10 workday suspension without pay on the first such offense and pursuance of discharge on the third. Any criminal act that would qualify as a misdemeanor is a Level IV infraction, calling for a 15 to 20 workday suspension without pay on the first such offense and pursuance of discharge on the second. Any criminal act that would qualify as a felony is a Level V infraction calling for pursuance of discharge on the first such offense. Unlawful possession, use, or distribution of illicit drugs or alcohol is by definition a misdemeanor or felony.

Under the *Policy* for the Springfield campus, possession of an alcoholic beverage in violation of the university's *Alcoholic Beverages: Regulations* or pertinent School of Medicine regulations and administrative guidelines would constitute a Level I infraction, calling for a warning or reprimand on the first such offense and pursuance of discharge on the sixth. Drinking intoxicating beverages in violation of those *Regulations* or School of Medicine regulations or administrative guidelines would constitute a Level III infraction, calling for a 5 workday suspension without pay on the first such offense, a 20 workday suspension on the second, and pursuance of discharge on the third. Any criminal act that would qualify as a misdemeanor is a Level IV infraction, calling for a 20 workday suspension on the first such offense and pursuance of discharge on the second. Any criminal act that would qualify as a felony is a Level V infraction, calling for pursuance of discharge on the first such offense. Unlawful possession, use, or distribution of illicit drugs or alcohol is by definition a misdemeanor or felony. Under the *Policy*, the School of Medicine Director of Personnel may take into account factors in mitigation and aggravation as well as other matters deemed relevant, such as the cumulative effect of an employee's overall disciplinary record in determining the disciplinary action to be taken.

In addition to direct sanctions imposed by the university, any evidence of a criminal act by an employee involving the unlawful possession, use, or distribution of illicit drugs or alcohol will be brought to the attention of the proper law enforcement authorities.

Even legal use of alcohol or undetected use of illicit drugs off the job which impairs an employee's ability to perform his/her job duties in a satisfactory manner exposes that employee to disciplinary sanctions up to and including discharge if the impairment is not corrected.

FACULTY AND A/P STAFF: The following disciplinary sanctions, approved by the Chancellor of SIUC on April 24, 1991, are applicable to faculty and A/P staff for violation of standards of conduct required by the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226):

- A. Introduction: The standards of conduct of the Safe and Drug-Free Schools and Campuses Act policy of SIUC prohibit the unlawful manufacture, sale, delivery, unauthorized possession, or use of any illicit drug on property owned or controlled by the university or as part of any university activity. The standards also prohibit the use, including the sale, delivery, possession, and consumption, of alcoholic beverages in or on property owned or controlled by the university or as a part of any university activity, except as otherwise provided for in the *Alcoholic Beverages: Regulations*.

SIUC requires that all faculty and staff members comply with the standards of conduct of the Safe and Drug-Free Schools and Campuses Act policy, and, for any concerns related to the use or abuse of illicit drugs or alcohol, encourages individuals to voluntarily seek assistance through the alcohol and drug prevention and counseling services available through SIUC, including the Springfield campus of the School of Medicine, or the community.

- B. University Procedures: Before any disciplinary sanction for violation of the standards of conduct of the Drug-Free Schools and Communities Act policy may be imposed, a faculty or staff member suspected or alleged to have violated the standards shall be afforded the benefit of due process, including (1) notice in writing of the specific violation that is charged, (2) a meaningful opportunity to be heard and to present any relevant information in response to the charge, (3) the right to assistance in such proceedings by an advisor of his or her choice, (4) a determination based on clear and convincing evidence that a violation of the standards of conduct occurred, and (5) an opportunity for appeal pursuant to the applicable grievance procedure.
- C. University Sanctions: The disciplinary sanctions that may be imposed for violations of the standards of conduct of the Drug-Free School and Communities Act policy include: (1) a written reprimand and/or warning; (2) disciplinary probation; (3) disciplinary suspension without pay; and (4) termination of employment. Assessment, counseling, or rehabilitative treatment in some situations may be required for continued employment. An individual charged with a violation of the standards of conduct may be temporarily relieved of assigned duties with pay, or an individual may be suspended with pay pending any necessary investigation of an alleged violation of the standards of conduct. In addition to sanctions for violation of the standards of conduct on university owned or controlled property or as part of any university activity, the university reserves the right to take appropriate disciplinary action for any other use of illicit drugs or alcohol by employees which directly or indirectly affects performance of employment responsibilities.

When the illegal possession, use, or distribution of drugs or alcohol is involved, the administrative action will include referring any evidence of such criminal act by an employee to the attention of the proper law enforcement authorities. The university reserves the right to initiate concurrent disciplinary action and impose sanctions for violations of the standards of conduct of the Drug-Free Schools and Communities Act policy.

Disciplinary sanctions for violations of the standards of conduct of the Drug-Free Schools and Communities Act policy shall be consistently enforced in order to promote fair and equitable treatment of any individual determined to have violated those standards. The following guidelines for particular violations of those standards shall be used as a means of assuring the imposition of similar sanctions for similar offenses but shall not be applied in a way that discourages an individual from seeking assistance for the abuse of alcohol and/or use and of illicit drugs.

1. Any felony conviction for manufacturing (which includes growing), selling, or distributing drugs or alcohol on university owned or controlled property or as a part of any university activity shall result in termination of employment.
2. A felony conviction for possession or use of drugs or alcohol on university owned or controlled property or as a part of any university activity shall result in a range of penalties with a minimum of a six-month suspension with loss of pay to termination of employment, depending on the severity of the offense. Suspension must be accompanied by referral for assessment and/or treatment.
3. Illegal distribution or manufacture of drugs or alcohol on university owned or controlled property or as a part of any university activity, under any circumstances other than felony conviction, shall result in a minimum of a three-month suspension with loss of pay. A second incidence of such illegal distribution or manufacture of drugs or alcohol shall result in termination of employment.

4. The illegal possession or use of drugs on university owned or controlled property or as part of any university activity, other than a felony offense, shall result in a range of penalties with a minimum of written reprimand or warning to a maximum of a 30-day suspension and loss of pay depending on the severity of the offense. Whenever a suspension is imposed, referral for assessment and/or treatment is mandatory. A second incidence of such possession or use shall result in a six-month suspension and loss of pay with mandatory referral for treatment. A third incidence of such possession or use shall result in termination of employment. If a felony conviction for possession or use of drugs on university owned or controlled property or as a part of any university activity follows a lesser violation for which an action (referral, suspension, or warning) was taken, then it shall result in termination of employment.
5. Any possession or use of alcohol in violation of the *Alcoholic Beverages: Regulations* at SIUC shall result in a first sanction of either a written reprimand, warning, and/or suspension for up to 10 days with loss of pay, depending on severity of the offense, and may result in a referral for assessment. Subsequent violations shall result in more severe sanctions and may result in referral for assessment and/or treatment.
6. When the use of alcohol or illicit drugs off the job affects job performance, the initial focus for control is the rehabilitation of the offender. If unsatisfactory performance, as a result of drug or alcohol abuse, is observed during this rehabilitation period, suspension with loss of pay or termination are alternatives. The conditions which warrant this type of administrative action should be determined on the basis of the circumstances specific to the case.

STUDENTS: The sanctions that may be imposed on students for drug and alcohol abuse violations are subject to the provisions of the Student Conduct Code and guidelines established by the Vice Chancellor for Student Affairs & Enrollment Management. These sanctions vary in severity, depending on the seriousness of the offense. See the Student Conduct Code for details. Students at Southern Illinois University School of Medicine also are responsible for conforming to the standards of Academic Conduct established by the School of Medicine under its Student Progress System. Students should be aware that their actions are also subject to all local, state, and federal laws relating to drugs and alcohol abuse. The university will bring unlawful acts to the attention of proper law enforcement authorities.

LEGAL SANCTIONS UNDER APPLICABLE STATE, FEDERAL, AND LOCAL LAWS FOR UNLAWFUL POSSESSION, USE, OR DISTRIBUTION OF ILLICIT DRUGS AND ALCOHOL:

The Illinois Vehicle Code (625 Illinois Compiled Statutes 5/11-501) makes driving under the influence of alcohol illegal. Depending upon circumstances, penalties can include loss of driving privileges, fines, counseling, community service and imprisonment. This Code also makes transporting and possessing of alcohol (except in its original container with seal unbroken) in the passenger area of a vehicle illegal. The fine for this offense can be up to \$500. Repeated offense can result in loss of driving privileges.

Delivery to and possession of alcohol by persons under the age of 21 is illegal under the Liquor Control Act (235 Illinois Compiled Statutes 5/1-1 et seq.). Furthermore, it is illegal for a person under age 21 to present a false I.D. in an attempt to procure alcohol or to furnish a false I.D. to someone under the age of 21. Hosting a gathering of two or more persons where one person who is under 21 consumes alcohol and leaves the residence in an intoxicated condition is also illegal as is renting a hotel/motel room with knowledge that the room will be used for underage consumption. Possession of open alcohol in a public place is also illegal. Penalties, depending upon the offense, can result in a fine up to \$1,000 and one year in jail.

Carbondale City Ordinances have similar prohibitions regarding alcohol and also prohibit the sale of alcohol without a license. Violations of city ordinances can result in a fine up to \$500.

A number of Illinois and federal criminal statutes provide definitions of what constitutes illegal possession, use, and distribution of drugs. Criminal penalties for violations of Illinois statutes include terms of imprisonment for up to sixty (60) years and fines up to \$500,000. Equally, and under some circumstances, more severe penalties and sanctions may be imposed for violation of federal statutes including forfeiture of property and real estate. Furthermore, violators may be denied benefits they would be entitled to under federal law including student loans, grants, scholarships, contracts and licenses.

For more specific information, see Title 21 of the United States Code sections 801 through 904. Copies of United States Code and Illinois Compiled Statutes are available in Morris Library and Law School Library. Carbondale City Ordinance are available at the Carbondale Public Library and at the Law School Library.

ALCOHOL AND DRUG PREVENTION AND COUNSELING SERVICES: CARBONDALE:

Human Resources administers a Drug-Free Awareness and Alcohol Abuse Program as part of the Employee Assistance Program. The program informs employees about the dangers of drug and alcohol abuse, the university's policy of maintaining a drug-free work place, the availability of drug and alcohol counseling and rehabilitation, and the penalties that may be imposed on employees for drug and alcohol abuse violations.

SIUC employees may contact the Employee Assistance Program through Human Resources, 536-3369, for further information on services and costs available with insurance benefits.

Various agencies provide prevention programs and assist students and university employees who may need counseling for drug and alcohol abuse problems.

Wellness Center, Student Health Center, 536-4441. 8:00 a.m.-4:30 p.m. The Students Assistance Program offers alcohol and drug information, short term consultation, screening assessments, referrals to treatment agencies, groups for substance abusers and adult children of alcoholics. Free.

Counseling Center, Student Health Center, Room 256, 453-5371. 8:00 a.m.-4:30 p.m. Offers personal counseling, groups for children of alcoholics. Students only. Referrals for substance abuse. Free.

Community 12 Step Self-Help Groups, Free. Call NETWORK 24-hour phone line, 549-3351, for times and locations of meetings for AA (Alcoholics Anonymous), NA (Narcotics Anonymous), ACOA (Adult Children of Alcoholics), ALANON.

Residential Treatment, Private and state-supported facilities are available in the southern Illinois/Missouri area. Contact the Wellness Center, 536-4441, for a listing.

HEALTH RISKS OF ALCOHOL AND OTHER DRUGS: Alcohol is the most abused drug in society as well as on college campuses. Alcohol, which is used by 85% of SIUC students and approximately 70% of employees, is directly involved in many injuries, assaults, and the majority of deaths in people under age 25. Other commonly abused illegal drugs include marijuana, cocaine, stimulants, hallucinogens, depressants, narcotics, steroids, and inhalants. Legal drugs such as caffeine, nicotine, and over-the-counter and prescription drugs also have wide use and associated health risks.

Health risks of using alcohol or other drugs include both physical and psychological effects. The health consequences of drugs depend on the frequency, duration, and the intensity of use. For all drugs, there is a risk of overdose. Overdose can result in coma, convulsions, psychosis, or death. Combinations of certain drugs, such as alcohol and barbiturates, can be lethal. The purity and strength of doses of illegal drugs are uncertain.

Continued use of substances can lead to tolerance (requiring more and more of a drug to get the same effect), dependence (physical or psychological need), or withdrawal (a painful, difficult and dangerous symptom when stopping the use of drugs). Long-term chronic use of drugs can lead to malnutrition, organic damage to the body, and psychological problems. The risk of AIDS and other diseases increases if drugs are injected. The consumption of alcohol or drugs by pregnant women may cause abnormalities (such as Fetal Alcohol Syndrome, the third leading cause of birth defects), in babies.

Some Physical and Psychological Dependence and Effects of Specific Drugs

| Drug | Dependence | | Possible Effects |
|---|--|--|--|
| | Physical | Psychological | |
| Opium, Morphine, Heroin, Hydromorphone, Merperdine/Pethidine Codeine Methadone Other Narcotics | High Moderate High High-Low | High Moderate High-Low High-Low | Euphoria, drowsiness, depression, constricted pupils, nausea. |
| Chlorol Hydrate/Other Depressants Barbiturates Benzodiazepines Methaqualone/ Glutethimide | Moderate High-Mod. Low High | Moderate High-Mod. Low High | Slurred speech, disorientation, drunken behavior without odor of alcohol. |
| Cocaine/Crack, Other Stimulants, Amphetamines, Phenmatrazine, Methylphenidate, | Possible | High | Increased alertness, excitation, increased pulse rate and blood pressure, insomnia, loss of appetite. |
| LSD, Mescaline/ Peyote, Other Hallucinogens Phencyclidine Phencyclidine Analogues | None Unknown Unknown | Unknown High Unknown | Illusions and hallucinations, poor perception of time and distance. |
| Marijuana, Hashish, Hashish Oil, Tetrahydrocannabis | Unknown | Moderate | Euphoria, relaxed inhibitions, increased appetite, disoriented behaviors. |
| Alcohol | Moderate | High | Reduced coordination and alertness; large doses can cause unconsciousness, hypothermia, respiratory arrest, death. |
| Anabolic Steroids | Unknown | Unknown | Liver and kidney dysfunction; testicular atrophy; premature closure of bone growth plates; hair loss; acne; heart failure. |
| Inhalants | Unknown | High | Nausea; nosebleeds; loss of consciousness (at high doses); damage to organs and nervous system (long term use). |
| Nicotine | High | High | Cancer of lungs, larynx, mouth. |
| Caffeine | Unknown | High | Nausea; diarrhea; sleeplessness; headache; trembling. |

Additional university statements on drug and alcohol use by students and employees and on the regulation of alcohol on the university campus include *Drug and Alcohol Use: Standards of Conduct* (<http://www.siu.edu/~docedit/policies/drugcond.html>); *Drug and Alcohol Use by Employees Performing Safety-Sensitive Work* (<http://www.siu.edu/~docedit/policies/cmvregrs.html>); and *Drugs and Alcohol: Disciplinary Sanctions Related to Illicit Use* (<http://www.siu.edu/~docedit/policies/drugdisc.html>).