



<b>BUSINESS POLICY AND PROCEDURE MANUAL</b>	Date Issued: 3/96	Revision Date:	Page: 1 of 1
	Section:  PERSONNEL		Classification Code:  03-04
	Subject:  PREVENTION OF ALCOHOL/DRUG ABUSE		

GENERAL STATEMENT OF POLICY

The Drug Free Schools and Community Act of 1989 (P.L. 101-226), requires that the University adopt and implement a policy and program to prevent the use of illicit drugs and the abuse of alcohol.

1. It is the policy of the University that:
  - A. The unlawful possession, use, or distribution of illicit drugs and alcohol on University property or as part of any University activity is prohibited.
  - B. The unlawful possession, use, or distribution of illicit drugs or alcohol by employees will result in disciplinary action (consistent with local, State and Federal law). Discipline, depending upon the circumstances involved, may range from written warning up to and including termination of employment and referral for prosecution.
  - C. It is not the intent of this policy to prohibit the possession or use of legally prescribed controlled substances for medical reasons by the individual for whom the medications are prescribed. However, it is the responsibility of the employee to inform his/her supervisor if such medication may temporarily impair the employee's ability to safely and satisfactorily perform assigned duties. Employees are reminded that the University has the right to take such action as the University deems necessary to see that work is safely and properly handled.

The Vice President for Finance and Administration shall be responsible for issuing and maintaining operating procedures to implement this policy.



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OPERATING PROCEDURES

1. As the minimum program for the implementation of the above policy, the following information shall be distributed annually to all employees of the University and, at the time of hire, to all newly hired employees of the University:
  - A. A copy of the above policy.
  - B. A description of the applicable legal sanctions for the unlawful possession or distribution of illicit drugs and the abuse of alcohol, which shall include at least the following information:
    - i. Federal sanctions for the illegal use, possession, or distribution of illicit drugs include, but are not necessarily limited to, fines of up to \$8,000,000.00 for an individual, and imprisonment for up to life, depending upon the nature of the charge, the type of drug involved, and the number of offenses. A chart showing Federal penalties for drug trafficking can be found at [www.usdoj.gov/dea/agency/penalties.htm](http://www.usdoj.gov/dea/agency/penalties.htm)
    - ii. Federal law also regulates possession, use, and distribution of alcohol. Criminal penalties consisting of possible fines and imprisonment are provided for violation of these laws. Enforcement is through the Bureau of Alcohol, Tobacco and Firearms. Information can be obtained from the Cape Girardeau office of the Bureau, telephone number 573-335-3163.
    - iii. In addition to the criminal penalties mentioned, various federal agencies may regulate the use of alcohol and drugs through civil rules and penalties. For example, the Department of Transportation requires that any commercial driver be placed out of service for 24 hours if that driver is found to have any measured blood alcohol concentration, or if the presence of alcohol is "detected" by a law enforcement officer. For a first offense a commercial driver who tests at or above .04% blood alcohol concentration will be disqualified as a driver for at least one year (three years if driving a hazardous materials vehicle) and up to life time for a second offense. A commercial driver who refuses an alcohol test is considered as being "driving under the influence."
    - iv. Missouri law also contains stringent penalties for conviction for illegal possession, use, and distribution of illicit drugs. Penalties may consist of (but are not necessarily limited to) fines of up to \$5,000.00 for an individual, and imprisonment for up to life, depending upon the nature of the charge, the type of drug involved, and the number of offenses. A chart summarizing penalties imposed by the State of Missouri for drug trafficking is attached hereto and made a part hereof as Appendix B.



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- v. Missouri law, in addition, imposes penalties for the illegal sale, distribution, and use of alcohol.
  - vi. The City of Cape Girardeau likewise prohibits the unlawful possession, use, and distribution of illicit drugs and alcohol. Offenses as defined in City Ordinances are generally the same as those defined in the Missouri Statutes. Penalties include (but are not necessarily limited to) fines of up to \$500.00, jail terms of up to one year, or both.
  - vii. City ordinances also prohibit the possession or use of alcohol by minors, and the sale or distribution of alcohol to minors. Penalties include (but are not necessarily limited to) fines of up to \$500.00, jail terms of up to one year, or both.
  - viii. City Ordinances also prohibit operating a motor vehicle under the influence of alcohol, or while in an intoxicated or drugged condition. A motor vehicle includes, generally, any self-propelled vehicle. Blood alcohol content of .10 of 1% creates a presumption of intoxication. Penalties include (but are not necessarily limited to) fines of up to \$500.00, jail terms of up to one year, or both. Convictions of driving while intoxicated, or of driving under the influence of alcohol, are reported to the State, and may result in suspension of loss of operator's license.
2. A description of the health risks associated with the use of illicit drugs and the abuse of alcohol, which shall contain at least the following Information:
- A. Illicit Drugs - The use of illicit drugs (and the abuse of illicit drugs) has been found to have harmful, potentially serious health effects, which include (but are not limited to) addiction, neurological damage, heart-related problems, heart disease, diabetes, hypertension, depression, hallucinations, toxic psychosis, psychotic behavior, convulsions, nasal passage injury, bronchitis, ulcers, and death. The effects of illicit drug use can be found at <http://www.usdoj.gov/dea/concern/concern.htm>
  - B. Alcohol - Health risks associated with alcohol are described as follows in "What Works: Schools Without Drugs", a Department of Education publication (available in Kent Library in the Government Documents Section):

"Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression



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and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described."

"Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver."

"Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics."

3. A description of any drug or alcohol counseling treatment or rehabilitation or re-entry programs that is available to employees, which shall include at least the following information:
  - A. The University's Substance Abuse Prevention and Education Program through University Counseling Services is located at the east side of Dearthmont, and provides information and referrals.
  - B. The Community Counseling Center, located in Cape Girardeau, provides counseling and educational programs.
  - C. Local agencies to whom referral may be made include Gibson Recovery Center, Charter Hospital (Paducah, KY), Family Counseling Center, Inc., and the St. Francis Center for Recovery. This list is not exhaustive, and referral may be made to other agencies, as well as to physicians, and other professional counselors.
  - D. A Narcotics Anonymous group meets in Cape Girardeau. An Alcoholics Anonymous group meets weekdays in the University Center at noon, Sunday mornings at 10:00 a.m., and Monday evenings at 8:00 p.m. For more information, contact the Office of Substance Abuse Prevention and Education, Dearthmont B1 (northeast corner, 986-6191).
  - E. Information and referral services of the Office of Substance Abuse Prevention and Education are provided without expense to employees. Other facilities and services may require a fee payment.
4. The University will conduct a biennial review of its program in order to:



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- A. Determine the effectiveness of the program and implement changes in the program if they are needed.
- B. Ensure that the disciplinary sanctions provided in Section 1.B.i. – viii. are consistently enforced.