



VCU Alcohol and Drug Policy

POLICY STATEMENT AND PURPOSE

In accordance with the federal Drug Free Workplace Act of 1988, the federal Drug Free Schools and Communities Act of 1989, and the Commonwealth of Virginia's Policy on Alcohol and Other Drugs, it is the policy of Virginia Commonwealth University that the unlawful or unauthorized manufacture, distribution, dispensation, possession or use of alcohol and illicit drugs by employees and students on University property or as part of any University activity is prohibited. Any employee or student who violates this policy is subject to disciplinary action up to and including termination of employment, expulsion from the University, referral for prosecution, and/or referral for satisfactory participation in an appropriate evaluation or rehabilitation program.

The purpose of this policy is to protect the health, safety and welfare of members of the University community and the public being served by the University.

WHO SHOULD READ THIS POLICY

All VCU faculty, staff, and students should read this policy.

Initial Policy Approved by the Board of Visitors: September 1991

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RELATED DOCUMENTS

Attachments

- University and Community Resources for Alcohol and Other Drugs
- Health Effects of Alcohol and Other Drugs
- Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance
- Virginia Laws Pertaining to the Unlawful Possession or Distribution of Controlled Substances, Illicit Drugs and Alcohol

Other Related Documents

- Commonwealth of Virginia Policy on Alcohol and Other Drugs
- Procedures for Consumption and Distribution of Alcohol at University Events.
- Employee Standards of Conduct
- University's Rules and Procedures
- Promotion and Tenure Policies and Procedures
- University Policy for Administrative and Professional Faculty and Faculty Holding Administrative Appointments
- Policies for Residence Hall Students
- Procedures for Parental Notification

CONTACTS

Dr. Stephen D. Gottfredson, Provost and Vice President for Academic Affairs

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DEFINITIONS

<i>Alcohol</i>	<i>Any product, including spirits, wine, beer or other containing one-half of one percent or more of alcohol by volume and every consumable liquid or solid containing alcohol. Any product as defined in Code of Virginia Section 4.1-100 of “The Alcoholic Beverage Control Act” .</i>
<i>Conviction</i>	<i>A finding of guilt (including a plea of guilty or nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility of determining violations of federal or state criminal drug laws, alcoholic beverage control laws, or laws which govern driving while intoxicated.</i>
<i>Criminal Drug Law</i>	<i>A criminal law prohibiting the unlawful manufacture, distribution, dispensation, use, or possession of any controlled substance.</i>
<i>Employee</i>	<i>Any full- or part-time employee of the University, including, but not limited to, classified, hourly, faculty, health care providers, house staff, adjunct faculty, and student workers.</i>
<i>Illicit Drug</i>	<i>Any drug that is illegally in the possession of or is illegally being used by a person.</i>
<i>Student</i>	<i>Any person taking one or more classes for any type of academic credit except continuing education units regardless of the length of the student’s program of study.</i>
<i>Unauthorized</i>	<i>Not officially approved by the University.</i>
<i>University Activity/Function</i>	<i>Any official activity or function of the University.</i>
<i>Workplace</i>	<i>Any state-owned or -leased property or any site where official duties are being performed by a state employee.</i>

PROCEDURES

I. Application of the Policy

The University is committed to protecting the health, safety and welfare of its members and the public served by the University through both policy enforcement and education. All employees and students are subject to the provisions of this policy.

A. Education

This policy, together with information regarding alcohol and drug counseling, treatment, and rehabilitation programs, descriptions of the health risks associated with alcohol and other commonly abused drugs, and descriptions of applicable legal sanctions under state and federal law for the unlawful possession or distribution of controlled substances, illicit drugs and alcohol, will be distributed at least annually to all employees and students.

B. Policy Enforcement for Employees

1. Pursuant to the *Commonwealth of Virginia Policy on Alcohol and Other Drugs*, employees are prohibited from engaging in the following acts:
 - a. the unlawful or unauthorized manufacture, distribution, dispensation, possession or use of alcohol or illicit drugs in the workplace, on University property or as part of any University activity, or
 - b. reporting to or remaining at work impaired by or under the influence of alcohol or illicit drugs
2. Employees are required to report to their supervisors in writing within five calendar days after conviction that they have been convicted of either of the following actions:
 - a. violation of any criminal drug law, based upon conduct occurring either in or outside the workplace, or
 - b. violation of any alcoholic beverage control law or law which governs driving while intoxicated, based upon conduct occurring in the workplace.
3. Supervisors are required to report such occurrences to Human Resources immediately.
4. Violation of any of the foregoing prohibitions may subject an employee to disciplinary action including, but not limited to, dismissal or suspension, in accordance with the *Employee Standards of Conduct*, the *University's Rules*

and Procedures, the Promotion and Tenure Policies and Procedures, the University Policy for Administrative and Professional Faculty and Faculty Holding Administrative Appointments, and/or any other applicable University procedure. Convictions for unlawful conduct under local, state, or federal criminal drug laws may result in penalties such as fines, imprisonment, and loss of driver's license.

5. As a result of any violation of this policy, an employee may be referred to an appropriate evaluation or rehabilitation program as a condition of continued employment. Satisfactory participation in any such program shall be determined by the appropriate University department or official after consultation with the individual or organization providing the evaluation or rehabilitation.

C. Policy Enforcement for Students

1. Students are prohibited from the unlawful or unauthorized manufacture, distribution, dispensation, possession, or use of alcohol or illicit drugs on University property or as a part of any University activity. Violation of any of the foregoing prohibitions will subject a student to disciplinary action up to and including expulsion from the University in accordance with the *University's Rules and Procedures*. Convictions for unlawful conduct under local, state, or federal criminal drug laws may result in penalties such as fines, imprisonment, and loss of driver's license.
2. As a result of any violation of this policy, a student may be referred to an appropriate educational, evaluation or rehabilitation program or offered community service, in lieu of suspension or dismissal. Satisfactory participation in any such program shall be determined by the appropriate University department or official after consultation with the individual or organization providing the evaluation or rehabilitation program, coordinating the community service, and/or conducting the educational program.
3. When students under the age of 21 are found guilty of violating alcoholic beverage and/or controlled substance laws or policies while on campus or at University activities, their parent or guardian will be notified of such violations in accordance with *VCU procedures for parental notification*.

II. Alcohol and Other Drug Counseling and Treatment Programs Available for VCU Students and Staff

- A. Employees – An employee who experiences a problem with alcohol or other drugs may contact a Human Resource Employee Relations Specialist for confidential assistance or referral to appropriate resources (e.g. Employee Assistance Program) or to the University's Employee Health Services physician.

An employee may directly contact the Employee Assistance Program if eligible. These resources may also be utilized by a manager.

- B. Students – A student who experiences a problem with alcohol or other drugs may contact University Counseling Services or University Student Health Services for confidential counseling, assessment and referral to community services if needed.

III. Alcohol Use at University Functions

A. Authorization

The use of alcohol on University property and/or at University functions must be authorized in accordance with applicable official University procedures, including the *Procedures for Consumption and Distribution of Alcohol at University Events* and in compliance with ABC laws and regulations.

B. Requirements

1. Only persons 21 years of age or older may be served or sold alcohol on University property or at University functions. All other state and local laws governing alcohol consumption, including regulations of the Virginia Alcoholic Beverage Control Board, must be adhered to on University property and/or at University functions.
2. All other policies that relate to alcohol use and govern specific University departments, buildings or groups must be adhered to on University property and/or at University functions.
3. Caterers or other food service organizations that serve or sell alcoholic beverages on University property or at University functions must be licensed to do so and be properly insured.

Attachment 1:

University and Community Resources for Alcohol and Other Drugs

UNIVERSITY CONSULTATION AND TREATMENT

- A. **Employee Health Services** – Resource and referral to community resources for faculty and staff: 828-0584.
- B. **University Counseling Services** – Assessment, counseling, and referral services for students experiencing alcohol and other drug use problems. Consultation is available for other members of the University community: 828-6200 (Monroe Park Campus), 828-3964 (MCV Campus).
- C. **University Student Health Services** – Assessment, counseling, and education for students regarding the health effects of substance use and abuse: 828-8828 (fax), 828-1093 (Monroe Park Campus), 828-9220 (MCV Campus).
- D. **Substance Abuse Services Coordinator** – Evaluation, counseling and referral to resources for students, including the Relapse Prevention Program: 828-2086.
- E. **Human Resources Employee Relations Office** – Resource and referral for faculty and staff: 828-1510.

STUDENT ASSISTANCE PROGRAMS

- A. **Disability Support Services** (Monroe Park Campus), 828-2253.
- B. **Office of Health Careers/Education and Special Services for Students** (Medical Campus), 828-9782.

EDUCATIONAL PROGRAMS

Credit and non-credit educational offerings are available to all members of the University community in the area of alcohol and other drug issues.

- A. **Alcohol/Peer Education Program** – Educational programs by students trained in alcohol and other drug use issues and problems through the Office of Health Promotion: 828-9355.

- B. **Office of Health Promotion** – Programs and educational materials about substance abuse issues for students through the University Student Health Services: 828-9355.
- C. **Alcohol and other Drug Education Programs** – Substance abuse education session combined with a formal substance abuse evaluation and referral for students. Contact the Substance Abuse Services Coordinator at 828-2086.

SELF-HELP ORGANIZATIONS

Groups based on a Twelve-Step Program, offer individual sponsorship, group meetings, and membership to anyone interested in dealing with substance abuse problems. Check local phone listings for help.

- A. **Alcoholics Anonymous (AA)** **355-1212**
- B. **AlAnon Family Groups** **353-4885**
- C. **Narcotics Anonymous (NA)** **1-888-747-4047**

Attachment 2:

Health Effects of Alcohol and Other Drugs

HEALTH EFFECTS OF ALCOHOL AND OTHER DRUGS

Alcohol - Alcohol acts as a central nervous system depressant. Its initial effects include altered perception, judgment, motor coordination and abstract thinking/cognitive impairment. Continued use of alcohol results in physical and psychological dependence marked by increased tolerance, memory blackouts and the experience of withdrawal symptoms. The disease of alcoholism progresses in stages from an individual's unplanned use, to being preoccupied, to failing in controlling alcohol use, on to eventual loss of control and continued use despite negative consequences. Statistics show that alcohol use is involved in a majority of violent behaviors on university campuses including acquaintance rape, vandalism and assaults.

Amphetamines - (street names include "speeders", "black beauties", "uppers"). Users experience euphoria, abundant energy, and decreased need for sleep. Other signs and symptoms may include irregular heartbeat, rapid breathing, irritability, anxiousness, restlessness, panic, paranoia, aggression and impulsive behavior.

Anabolic Steroids - (brand names include Anadrol, Oxandrin, Durabolin, Depo-Testosterone, Equipoise; street names include "roids", "juice"). Health effects may include high blood pressure, blood clotting, cholesterol changes, liver cysts and cancer, kidney cancer, hostility and aggression, acne; in adolescents, premature stoppage of growth; in males, prostate cancer, reduced sperm production, shrunken testicles, breast enlargement; in females, menstrual irregularities, abnormal hair growth.

Cannabis - (street names include "marijuana", "pot", "hashish", "blunt", "herb", "reefer", "ganja", "sinsemilla") The user experiences slowed thinking and reaction time, time distortion, confusion, impaired balance and coordination, and impaired judgment. Long term effects include loss of short-term memory, loss of motivation, increased anxiety, increased upper respiratory illness.

Cocaine - (street names include "crack", "rock", "toot", "blow", "nose candy") The user experiences feelings of exhilaration, energy, increased mental alertness, rapid or irregular heart beat, reduced appetite and weight loss. Users often have a stuffy, runny nose and nosebleeds. Immediate effects include dilated pupils, elevated blood pressure, heart rate, respiratory rate and body temperature. Withdrawal symptoms include strong cravings, depression, alterations in sleep patterns. Crack, the free-base use of cocaine, can produce hallucinations, blurred vision, chest pains, convulsions and even death.

GHB - (street names include "Georgia home boy", "grievous bodily harm", "liquid ecstasy") Gammahydroxybutyrate. It can cause electrolyte imbalance, decreased

respiration, slow heart rate, vomiting, low blood pressure, confusion, unconsciousness, coma, and death.

Hallucinogens - (street names include “acid”, “blotter”, “microdot”, “magic mushrooms”) Lysergic Acid Diethylamide (LSD), mescaline, and psilocybin cause altered states of perception and feeling including delusions, hallucinations and illusions including body and time distortion. Physical effects include fever, rapid heartbeat, elevated blood pressure, blurred vision, and flushed face. Mood can range from euphoria to panic and depression. Long-term effects of use include depression, constant anxiety, paranoia, chronic personality changes and lingering perceptual changes.

Heroin - (street names include “smack”, “horse”, “dope”, “H”) It is injected, snorted or smoked. The opiate effect diminishes the sense of pain, inducing euphoria, drowsiness, and confusion. Overdose results in death from stopping breathing.

Inhalants - (street names include “poppers”, “snappers”, “whippets”) Solvents (paint thinners, gasoline, glues, butane, propane aerosol propellants, nitrous oxides) produce stimulation, loss of inhibition, slurred speech, and loss of motor coordination. Long-term effects are depression, memory impairment and damage to the liver, the heart and nervous system.

Ketamine - (street names include “Special K”, “cat valiums”, “Vitamin K”) Ketamine can be injected, snorted, or smoked. The user experiences increased heart rate and blood pressure, problems with control of movements, memory loss, numbness and nausea/vomiting. The user is at high risk for slowed breathing that may lead to brain damage or death.

MDMA - (street names include “Ecstasy”, “X”, “E”, “Adam”) Methylenedioxymethamphetamine produces mild hallucinogenic effects, amphetamine-like stimulation, and increased touch sensitivity. An increase in display of affection to others may occur. Long-term effects include impaired memory and learning.

PCP - (street names include “angel dust”, “love boat”, “peace pill”, “hog”) Since Phencyclidine is relatively inexpensive, it is often used to enhance the effects of other drugs such as LSD, cannabis or cocaine. PCP users seek an altered state of bizarre perceptions, confusion, disorientation, impaired judgment and often delirium. Behavioral changes may range from hyperactivity to catatonic states.

Please access NIDA (National Institute on Drug Abuse) Web site for further information on these and other substances of abuse at www.drugabuse.gov.

Attachment 3:

Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

21 U.S.C. 844(a)

Civil Penalties for possession of “personal use” amounts of certain controlled substances. First conviction: Up to 1 year imprisonment and fined up to \$10,000.

After one prior state or federal drug conviction: At least 15 days in prison and up to two years in prison and fined at least \$2,500 but not more than \$250,000, or both.

21 U.S.C. 844 (a) continued

After two or more prior drug convictions: At least 90 days in prison and up to three years in prison and fined at least \$5,000 but not more than \$250,000, or both. Special sentencing provisions for possession of crack cocaine: Mandatory five years and up to 20 years in prison and fined up to \$250,000, or both, if:

- (a) First conviction and the amount of crack cocaine possessed exceeds five grams.
- (b) Second conviction and the amount of crack cocaine possessed exceeds three grams.
- (c) Third or subsequent conviction and the amount of crack cocaine possessed exceeds one gram.

21 U.S.C. 862

Provides for forfeiture of personal property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one-year imprisonment. (See special sentencing provisions re: crack cocaine)

21 U.S.C. 881(a)(4)

Provides for forfeiture of vehicles, boats, aircraft or any other conveyance used to transport, conceal or facilitate possession of a controlled substance.

21 U.S.C. 881(a)(7)

Provides for forfeiture of land, houses or buildings used to commit or to facilitate commitment of a violation of controlled substance laws.

21 U.S.C. 860

Provides enhanced penalties for distributing, or possessing with intent to distribute, or manufacturing a controlled substance in, on, or within 1000 feet of a public university, school, playground and other locations. These include 20 years to life in prison plus \$4,000,000 fine for first offense; and twice any term of supervised release; 30 years to life in prison plus \$8,000,000 fine for second offense. After two or more felony drug convictions, a mandatory term of life imprisonment is imposed. Penalties are enhanced even more if death or personal injury results from the distribution of the substance near schools, public housing, video arcades, and other designated locations.

21 U.S.C. 862

Provides for the denial of Federal benefits to drug traffickers. These include student loans, grants, contracts, and professional and commercial licenses, up to one year for the first offense, up to five years for the second and subsequent offenses.

The foregoing is intended to illustrate and or summarize the likely penalties to result from the commission of a federal drug crime. It is not intended as a substitute for sound, personalized legal advice.

18 U.S.C. 922 (g)

Ineligible to receive or purchase a firearm.

Attachment 4:

Virginia Laws Pertaining to the Unlawful Possession or Distribution of Controlled Substances, Illicit Drugs and Alcohol

ALCOHOL

Virginia's Alcoholic Beverage Control Act contains a variety of laws governing the possession, use and consumption of alcoholic beverages. The Act applies to students and employees of this institution. As required by the Federal Drug-Free Schools and Communities Act of 1989, the pertinent laws, including sanctions for their violation, are summarized below.

1. It is unlawful for any person under age 21 to purchase or possess any alcoholic beverage. Violation of the law is a Class 1 misdemeanor, for which the punishment is confinement in jail for up to twelve months and a fine of at least \$500 or a minimum of 50 hours of community service. Additionally, such person's Virginia driver's license may be suspended for a period of not more than one year.
2. It is unlawful for any person to sell alcoholic beverages to persons under the age of 21 years of age. Violation of the law exposes the violator to a Class 1 misdemeanor conviction for which the punishment is confinement in jail for up to twelve months and fine up to \$2,500, either or both.
3. It is unlawful for any person to purchase alcoholic beverages for another when, at the time of the purchase, he knows or has reason to know that the person for whom the alcohol is purchased is under age 21. The criminal sanction for violation of the law is the same as #2 above.
4. It is unlawful for any person to consume alcoholic beverages in unlicensed public places. A violation of the law is a misdemeanor for which the punishment is a fine up to \$250.
5. It is unlawful for any person under the age of 21 to use or attempt to use an altered or fictitious I. D. to purchase alcoholic beverages. Punishment is confinement in jail for up to 12 months and a fine of \$2,500, either or both. Driving privileges shall also be revoked for at least 6 months or up to 1 year.
6. It is unlawful for any person under 21 to operate any motor vehicle after illegally consuming alcohol. Violation of the law is a misdemeanor for which the punishment is loss of driver's license for 6 months and up to \$500 fine.

CONTROLLED SUBSTANCES AND ILLICIT DRUGS

The unlawful possession, distribution, and use of controlled substances and illicit drugs, as defined by the Virginia Drug Control Act, are prohibited in Virginia. Controlled substances are classified under the Act into “schedules”, ranging from Schedule I through Schedule VI, as defined in sections 54.1-3446 through 54.1-3456 of the Code of Virginia (1950), as amended. As required by the Federal Drug-Free Schools and Communities Act of 1989, the pertinent laws, including sanctions for their violation, are summarized below.

1. Possession of a controlled substance classified in Schedules I or II of the Drug Control Act, upon conviction, exposes the violator to a felony conviction for which the punishment is a term of imprisonment ranging from one to ten years, or in the discretion of the jury or the court trying the case without a jury, confinement in jail for up to twelve months and a fine up to \$2,500, either or both.
2. Possession of a controlled substance classified in Schedule III of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to twelve months and a fine up to \$2,500, either or both.
3. Possession of a controlled substance classified in Schedule IV of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to six months and a fine up to \$1,000, either or both.
4. Possession of a controlled substance classified in Schedule V of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is a fine up to \$500.
5. Possession of a controlled substance classified in Schedule VI of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is a fine up to \$250.
6. Possession of a controlled substance classified in Schedules I or II of the Drug Control Act with the intent to sell or otherwise distribute, upon conviction, exposes the violator to a felony conviction for which the punishment is a term of imprisonment from five to forty years and a fine up to \$500,000. Upon a second conviction, the violator must be imprisoned for not less than five years but may suffer life imprisonment, and fined up to \$500,000. For a third or subsequent offense, a mandatory five-year prison sentence is imposed.
7. Possession of a controlled substance classified in Schedules III, IV, or V of the Drug Control Act with the intent to sell or otherwise distribute, upon conviction, exposes the violator to the possible following punishments. For Schedule III, exposes the violator to felony conviction with 1-10 years at the discretion of the court, can be a

term of imprisonment of up to 12 months and a fine not more than \$2,500, either or both. For Schedules IV, exposes the violator to a felony with a term of imprisonment from 1-5 years or at the discretion of the court, the violator can be confined in jail for up to 12 months and a fine not more than \$2,500, either or both. For Schedule V, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to 12 months and a fine up to \$2,500, either or both.

8. Conviction for Possession of anabolic steroids carries a mandatory minimum jail term of 6 months. Possession of marijuana, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to thirty days and a fine up to \$500, either or both. Upon a second conviction, punishment is confinement in jail for up to 12 months and a fine up to \$2,500, either or both.
9. Possession of less than one-half ounce of marijuana with intent to sell or otherwise distribute, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to 12 months and a fine up to \$2,500, either or both. If the amount of marijuana involved is more than one-half ounce to five pounds, the crime is a felony with a sanction of imprisonment from one to ten years, or in the discretion of the jury or the court trying the case without jury, confinement in jail for up to one year and a fine up to \$2,500, either or both. If the amount of marijuana involved is more than five pounds, the crime is a felony with a sanction of imprisonment from five to thirty years.

Approved by the Board of Visitors on November 16, 2006