

Document XV

UNIVERSITY OF LOUISIANA AT LAFAYETTE EMPLOYEE (FACULTY & STAFF) ALCOHOL & DRUG POLICY

In 1990, an Alcohol/Drug Policy was approved for UL Lafayette. This policy 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 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 faculty and other 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 that must be addressed systematically, fairly, and with due process of law.

This policy describes the university's response to the substance abuse problem from two broad perspectives: Education and Prevention. Administrative responsibility for this effort falls under the Office of Drug and Alcohol Education and Prevention and its coordinator. 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 illegal use of drugs or alcohol on this campus is prohibited.

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.
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.

Special Role of Faculty and Staff

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 and drug use. It is the University of Louisiana at Lafayette's position that the influence of drugs or alcohol interferes with the performance of all faculty and staff duties, and any influence of alcohol or drugs on a faculty or staff member during the execution of such duties is prohibited. Violations of this policy by faculty and staff will result in review by authorized departmental, school, and/or college officials. As described in Document XVI, the University of Louisiana at Lafayette Drug Testing Policy, the University will provide treatment recommendations and resources, and the faculty or staff member will be referred to the president or his designee for disciplinary action in accordance with existing personnel policies and procedures described in Document XVIII, "Procedures for dismissal for cause and imposition of major sanctions". In particular, the influence of

drugs or alcohol on a faculty member during the performance of teaching or advising duties undermines the University's mission and will result in severe disciplinary action including dismissal for repeated violations.

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, prevention and education programs will be offered. 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-free 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.

Office of Drug and Alcohol Education and Prevention

Administrative Unit. The Office of Drug and Alcohol Education and Prevention has been established within the administrative structure of the Division of Student Affairs and the Counseling and Testing Center and a budget assigned and maintained for the purpose of implementing and administering this policy on a yearly basis. 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 is appointed as Coordinator of this office. He/she reports directly to the director of the Counseling and Testing Center and/or the dean of student life and assumes 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.
2. **Education.** 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.
3. **Prevention.** Prevention activities and programming will be developed and implemented. The involvement of all colleges, and departments will be encouraged to participate in these 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 Student Assistance Programs of the Counseling and Testing Center. Students 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, 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 Counseling Association.

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 18 or older but 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 of alcoholic beverages under the following conditions: religious purposes, when accompanied by a parent or spouse or for medical purposes as defined by 14.93.10.2, or within private residences.

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 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.

Events with Alcohol. All events where alcohol is to be present must be registered with the Office of Dean of Students. 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. See Dean of Students' Office for a complete list of requirements for hosting an event with alcohol.

1. Alcoholic beverages shall be served only by a third party vendor.
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 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.
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. Food must also be provided.
9. The organization members shall not permit, tolerate, encourage or participate in drinking games.
10. No common sources of alcohol shall be distributed at any time by organization members or guests i.e. kegs, keg balls, jungle juice, and bottles of liquor.

Off-Campus Events. Although the University of Louisiana at Lafayette attempts to ensure that a safe, healthy, and productive environment exists, its efforts cannot 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 \$1000.00 and imprisonment up to six (6) months as well as drivers license suspension.

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.

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 or without following state and local laws 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.

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 anabolic steroids or controlled substances and the possession of drug paraphernalia (such as roach clips, bong, water pipes, cocaine spoons, etc.) by University students, faculty, and staff on University owned or controlled property or at University events as set forth by this policy 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 up to \$1,000,000 and up to life imprisonment without parole depending on the drug involved and nature of the violation.

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.

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 plan for each semester. These activities may include distribution of written materials, videotape showings, lunchtime employee forums, and/or employee drug awareness days.

**ADDENDUM TO
EMPLOYEE (FACULTY& STAFF) ALCOHOL & DRUG POLICY**

**University of Louisiana at Lafayette
Drug Testing Policy
Revised May 2010**

The University of Louisiana at Lafayette believes that the workplace should be free from the risks associated with the use of alcohol and drugs. The University has a legitimate interest in promoting reasonable working conditions and is committed to providing a safe and healthy environment for employees and the public.

The University is authorized to proceed with drug testing of employees under the provisions of Louisiana Revised Statute 49:1001-1021, which can be reviewed and revised regularly by the Louisiana State Legislature. As such, the context of this policy will be pursuant to any future revisions of this Statute unless expressly prohibited otherwise. Other applicable Federal and State regulation includes the Drug-Free Schools and Communities Act of 1986, the federal Drug-Free Workplace Act of 1988, the Drug-Free Public Housing Act of 1988, the Louisiana Drug Testing Act of 1990, the Omnibus Transportation Employee Testing Act of 1991, and the Federal Motor Carrier Safety Administration procedures, Title 49CRF part 40 and part 382 et al.

The full policy can be viewed online at:

<http://www.safety.louisiana.edu/Policy/Eighth%20edition/Sec15%20bemployee%20drug%20testing%20policy%208th%20ed.pdf>

**ADDENDUM TO
EMPLOYEE (FACULTY& STAFF) ALCOHOL & DRUG POLICY
Effects of Alcohol
Revised October 2012**

Alcohol consumption results in various marked behavioral changes. Even low doses significantly impair one's judgment and coordination. Alcohol consumption increases the likelihood of aggressive acts such as abuse; results in marked impairments in higher mental functions responsible for learning and remembering information; and can lead to respiratory distress and DEATH.

Repeated alcohol use can lead to dependence. Sudden cessation of alcohol can result in withdrawal symptoms such as anxiety, tremors, hallucinations, and convulsions which can be life-threatening. Long-term alcohol use can lead to permanent damage to vital organs such as the brain, liver, and digestive system.

Warning signs of a substance dependence disorder include the following:

- Developing a tolerance: needing increased amounts of the drug or alcohol to reach desired effects;
- Emotional changes: becoming more irritable, moody, fatigued;
- Sleep disturbances: either a decreased need for sleep or difficulty with insomnia;
- Changes in eating behaviors;
- Loss of interest in previously enjoyed activities in favor of spending more time consuming alcohol and/or drugs;
- Missing classes and not turning assignments in;
- Neglecting personal hygiene;

- Hanging out with a new and different group of friends;
- Using any excuse to consume alcohol and/or drugs;
- Conversations centering on being high and/or drunk;
- Inability to stop using once started;
- Inability to cut back or quit using;
- Becoming secretive about their usage or using in secret.

The above is just a partial list of substance dependence warning signs. An individual can have any combination of the above warning signs as well as having additional warning signs that are not on the list. If you notice these warning signs in yourself or in another person, please know that help is available. For further information regarding alcohol and drugs, screenings for alcohol/drug dependence disorders, or for help in dealing with alcohol and drug use problems, please contact the UL Lafayette Counseling & Testing Center at [337-482-6480](tel:337-482-6480) and set up an appointment to speak with a counselor. The Center offers an unlimited number of sessions **free of charge** to all students, faculty, and staff of the University.

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