ARMSTRONG STATE UNIVERSITY

Drug and Alcohol Policy

<table>
<thead>
<tr>
<th>Functional Area:</th>
<th>Student Affairs</th>
<th>Number:</th>
<th>N/A</th>
</tr>
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<tbody>
<tr>
<td>Applies To:</td>
<td>All Faculty and Staff</td>
<td>Date Issued:</td>
<td>October 2017</td>
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<tr>
<td>Policy Reference(s): Federal Drug-Free Schools and Communities Act of 1989</td>
<td>Page(s):</td>
<td>5</td>
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Responsible Person

Director of University Counseling Center – Student Affairs

Purpose / Rationale

In compliance with the Drug-Free Schools and Communities Act Amendments of 1989, Armstrong has had in place since fall quarter 1990 a formal policy for the faculty, staff, and students detailing standards of conduct and applicable sanctions related to the unlawful possession, use, or distribution of illicit drugs and/or alcohol by employees and students. In accordance with federal legislation, the university hereby notifies the faculty and staff that the unlawful possession, manufacture, distribution, dispensation and use of drugs and/or alcohol is prohibited and will not be tolerated on the campus of Armstrong. Members of the faculty and staff who unlawfully possess, use, or distribute drugs and/or alcohol on university premises or at any university-sponsored activity will be subject to strong disciplinary action consistent with local, state, and federal law up to and including expulsion and referral to prosecution. The institution may also impose other sanctions on students consistent with appropriate regulations as dictated in The Policy Manual of the Board of Regents and other related policies and procedures. For complete information and sanctions, please refer to the entire policy.

Definitions

N/A

Policy

I. STANDARDS OF CONDUCT

Armstrong State University prohibits the unlawful possession, manufacture, distribution, dispensing, and use of illicit drugs and alcohol on the institutional premises in accordance with the Drug Free Communities and Schools Act Amendments of 1989 (Public Law 101-226).
As a term and condition for employment at Armstrong State University as mandated by the Drug Free Communities and Schools Act Amendments of 1989 (Public Law 101-226), employees of Armstrong State University must:

*Abide by the terms and conditions of this policy statement.
*Notify the Office of Human Resources, Armstrong State University of any drug statute conviction for a violation occurring, no later than five calendar days after such conviction.

II. APPLICABLE LEGAL SANCTIONS FOR UNLAWFUL USE OF ILLICIT DRUGS AND ALCOHOL

State of Georgia Sanctions for Drug and Alcohol Offenders:
*The Georgia Penal code defines “CONTROLLED SUBSTANCES” in Drug schedules I-V, Official Code of Georgia Annotated (O.C.G.A.), sections 16-13-25 to 16-13-29, covering 14 pages of text, including a long list of chemical compounds, opiates, hallucinogens, derivatives, isomers, and other materials. The State board of Pharmacy may add new material to the list as required.

*An even broader category of dangerous drugs is defined in O.C.G.A. section 16-13-71, covering 41 pages of text describing hundreds of chemicals and other compounds. The Georgia General Assembly may add drugs to the list as required.

Criminal Punishment:
*“First Offender” – A person never before convicted of possession of a small amount of any controlled substance may at the discretion of the judge, be afforded the first offender treatment, resulting in no entry of a plea of guilty and no record of any conviction if the defendant successfully completes a court-monitored comprehensive rehabilitative program (O.C.G.A. 16-13-2(b)).

*Possession of one ounce or less of marijuana may result in imprisonment for 12 months and/or a fine not to exceed $1000, or “public works” not to exceed 12 months (O.C.G.A. 16-13-2(b)).

*Possession of more than one ounce of marijuana is a felony and is punishable by confinement of not less than one year nor more than 10 years (O.C.G.A. 16-13-30(j)(2)).

*Trafficking of cocaine, illegal drugs and/or marijuana is a felony. Depending on the amount, confinement ranges from 5 to 15 years with fines from $100,000 to $1,000,000.

*The penalties for violation of the “controlled substances” provision are numerous and vary depending on the drug schedule under which the substance is listed, whether the act charged includes trafficking, and how much of the substance is involved. Penalties range from 5 to 30 years and include life for a second conviction of transferring a narcotic (Schedule II).

*Possession on an alcoholic beverage by any person under age 21 may result in confinement, not to exceed 30 days, or a fine of not more than $300, or both.
*The following property is subject to seizure by the state under public condemnation action, if such property was used in a criminal violation:
~All contraband drugs.
~All products used in drug manufacture and possession.
~Any property used as a container for drugs.
~Aircraft, vehicles, vessels, and other conveyances used or intended for use in the transportation or storage of illegal substances.
~Books, records, formulas, and other data.
~Cash, negotiable instruments, securities, or anything of value used in exchange for illegal purposes.

* Section 20-1-23 of The Drug-free Postsecondary Education Act of 1990 states that any student of a public educational institution who is convicted of a felony offense involving a controlled substance or a dangerous drug shall of the date of conviction be suspended from the public educational institution in which they are enrolled. The student shall forfeit any right to any academic credit otherwise earned or earnable for such semester, and the educational institutional institution shall subsequently revoke any such academic credit which is granted prior to the completion of administrative actions necessary to implement such suspension.

**Federal Sanctions for Drug Offenders:**
*Title 21, United States Code, Sections 841-858 describes the acts, criminal penalties, and civil and criminal forfeiture provisions established by Congress covering 28 pages of text.*

*Title 21, U.S.C. Section 812, contains five schedules of “controlled substances”. Schedule I describes certain opiates and other substances; Schedule II contains opium, cocaine, and other addictive substances; Schedule III lists amphetamine, phenycyclidine (PCP) and other like matter; Schedule IV involves barbiturates; Schedule V concerns codeine and atropine sulfate, among other preparations. The Attorney General of the United States is authorized to add items to the several schedules.

**Criminal Punishment**
*The manufacture, or distribution of various controlled substances, depending upon their schedule sequence and the amount of substance involved, is punishable by confinement ranging from not less than 5 nor more than 40 years and fines from $200,000 to $10,000,000.*  

*The penalties for “simple possession” of illegal drugs is from not more than 1 to 20 years, depending upon the substance schedule, amount possessed, and the number of convictions (Title 21 Section 844).*  

*The distribution, manufacture, or possession with intent to distribute a controlled substance is punishable by twice the sanction provided in Section 841 (b) (not less than 10 nor more than 80 years, depending upon the schedule and amount), where such offense was performed on or within one thousand feet of a college or university. Section A denies certain “federal benefits” to drug traffickers and possessors, such as federal grants, contracts, loans, and professional licenses.*  

*Section 853 provides for forfeiture of possession and title to the federal government of any property used in drug offenses, including realty (land growing crops and timber) and any tangible and intangible property including, but not limited to: aircrafts, vessels, vehicles, as well as rights, privileges, interests, claims, and securities.*
University System of Georgia and Armstrong State University Sanctions
*Faculty, staff, and students are expected to adhere to the policies of the college and observe the basic standards of good conduct, meet acceptable performance standards, and observe all local, state, and federal laws relative to unlawful use of drugs and alcohol.

*Penalties for violations of these standards range from warnings and probation to expulsion, loss of academic credit, temporary or permanent suspension and withdrawal of organizational recognition, referral to the legal system for prosecution, demotion, and termination of employment. Conviction on a drug related offense could make students ineligible for state and federal loans, and financial aid.

*Detailed sanctions are defined in the Board of Regents Policy Manual, online in the Student Handbook in the Student Activities section, under “Alcohol Information and Policy”, Faculty Handbook, Employee Handbook, and online in both the Faculty and Employee Handbooks.

*Questions or concerns regarding this document should be referred to the Office of Human Resources located in the Annex III building.

III. HEALTH RISKS ASSOCIATED WITH THE USE OF ILLICIT DRUGS AND ALCOHOL

*Drug and alcohol abuse result in significant health problems for those who use them. Drug and alcohol use in the workplace contributes not only to lost productivity, but also causes tremendous costs to absenteeism, accidents, healthcare, loss of trained personnel, and employee treatment programs. Drug and alcohol abuse cause physical and emotional dependence where users may develop a craving for a particular substance. Thus, their bodies may respond to the presence of such substances in ways that lead to increased drug and alcohol use.

*Many drugs, such as opiates, alcohol and a number of prescription drugs can create physical dependence. With prolonged use, these drugs become part of the body chemistry. When a regular user stops taking the drug, the body experiences physiological trauma known as withdrawal.

*Physiological dependence can occur with any drug and occurs when taking drugs becomes the center of the user’s life. Drugs have an effect on the mind and body for weeks or even months after drug use has stopped. Drugs and alcohol can interfere with memory, sensation, perception and mood regulation. They distort experiences and cause loss of self-control that can lead users to harm others as well as themselves.

*Physiological damage due to drug use varies depending on the drug and length of use. Death through overdose is always a possibility with any depressant or stimulant drug.

IV. DRUG AND ALCOHOL COUNSELING, TREATMENT OR REHABILITATION PROGRAMS AVAILABLE TO STUDENTS AND EMPLOYEES

* ASU’s University Counseling Center offers free, on campus, substance abuse counseling and referral services. They also coordinate prevention efforts, AOD education, and classroom presentations on alcohol and drug abuse and dependence issues.
*The Office of Student Life has many on-going projects through the programming efforts of the Student Government Association that specifically address drug and alcohol abuse issues and problems. Such programs are provided to promote healthy lifestyles among students, faculty and staff, with emphasis on awareness of the dangers of drug and alcohol abuse.

*Employees with substance abuse problems are encouraged to seek professional assistance within the parameters of the institution’s personnel policies and procedures. Below is a guide of local treatment and referral resources.

### Drug/Alcohol Treatment and Support Centers

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<tr>
<th>Name</th>
<th>Phone</th>
<th>Website</th>
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<tr>
<td>ESPYR</td>
<td>(800) 869-0276</td>
<td><a href="http://www.espyr.com">www.espyr.com</a></td>
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<tr>
<td>Alcoholics Anonymous</td>
<td>(912) 356-3688</td>
<td><a href="http://www.savannahaa.com">www.savannahaa.com</a></td>
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<tr>
<td>Assisted Recovery Centers of Georgia</td>
<td>1(888) 570-6391</td>
<td><a href="http://www.arcageorgia.com">www.arcageorgia.com</a></td>
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<tr>
<td>Georgia Therapy Associates of Georgia(Atlanta)</td>
<td>(404) 349-6655</td>
<td><a href="http://www.georgiatherapyassociatesinc.com">www.georgiatherapyassociatesinc.com</a></td>
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<tr>
<td>Narconon</td>
<td>1(800)775-8750</td>
<td><a href="http://www.narconon.org">www.narconon.org</a></td>
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<tr>
<td>Narcotics Anonymous</td>
<td>(912) 233-4357</td>
<td><a href="http://www.na.org">www.na.org</a></td>
</tr>
<tr>
<td>Recovery Place of Savannah</td>
<td>(912) 355-1440</td>
<td><a href="http://www.recoveryplace.org">www.recoveryplace.org</a></td>
</tr>
<tr>
<td>Recovery Place Community Service</td>
<td>(912) 355-5938</td>
<td>Serves those without insurance</td>
</tr>
<tr>
<td>Ridgeview Institute (Atlanta)</td>
<td>(770)434-4567/1(800)329-9775</td>
<td><a href="http://www.ridgeviewinstitute.com">www.ridgeviewinstitute.com</a></td>
</tr>
<tr>
<td>Willingway Hospital (Statesboro)</td>
<td>1(800)242-9455</td>
<td><a href="http://www.willingway.com">www.willingway.com</a></td>
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### Related Procedures

N/A