

Drug-Free Campus and Workplace Policy

Unit: [Human Resources](#)

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Title: Associate Vice President for Human Resources

Purpose

This Drug-Free Campus and Workplace Policy applies to all members of the University community, including all full-time and part-time students; all full-time and part-time permanent and temporary employees, including faculty, administration, and all exempt and non-exempt staff; and all student employees and interns. It applies to behavior that occurs on the University campus, on property owned or controlled by the University, or at University-sponsored or University-supervised activities. This policy works in conjunction with the University of Alabama [Alcohol and Other Drug Policy for Students](#) (including its appendices) and the [Approved Alcohol Venue Policy](#), which prescribes rules associated with the approved use of alcohol at designated University of Alabama locations.

Policy

I. *Overview of Policy Elements*

All members of the University community—including faculty, staff, and students—have the right to pursue their individual and collective goals in a healthy work and educational environment, one that is free of the effects of alcohol and substance abuse. Such abuse adversely affects the University's achievement of its mission and is not condoned. Responsibility for problems of substance abuse resides with each member of the University community. The University's principal approach to issues of alcohol and substance abuse entails a wide range of education, prevention, and assistance activities conducted within its academic curricula; educational programs to inform individuals of the effects and consequence of using alcohol or other substances; and comprehensive counseling programs for faculty, staff, and students. The University recognizes that alcohol and substance abuse are illnesses that are not resolved easily by personal effort but may require professional assistance and treatment. Faculty, staff, and students are encouraged to take advantage of the preventive, diagnostic, referral, and counseling services available through the University. All members of the University community have a personal responsibility to adhere to all applicable laws, policies, and regulations concerning the use of alcohol or other drugs. These include federal and state laws, city ordinances, the Code of Student Conduct, the faculty standards of conduct, and other University policy statements. Each vice president has been delegated the responsibility for coordinating University drug abuse education, prevention, and intervention activities serving individuals employed or functioning in his or her division. The University of Alabama continues its commitment to cooperate with the local school systems and area colleges, as well as other local, state, regional, and federal agencies, in addressing problems of substance abuse in its community.

II. *Standards of Conduct*

A. University Employees

Prohibited Conduct: Unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance by any employee of The University of Alabama while he or she is at work for the University or at another site where the employee is carrying out assigned duties, is prohibited. The term "controlled substance" refers to any chemical substance whose distribution and/or use is controlled or prohibited by some law or statute, or whose distribution and/or use is permitted by a prescription issued by a licensed practitioner. In order to ensure that all employees are working in a safe, productive environment, the possession, distribution, or consumption of alcoholic beverages is not

permitted on the work site or on other University property during normal working hours, unless such occurs in the course of an authorized business or special University function which includes alcoholic beverages or where consumption was otherwise approved by the University. By extension, no employee may report to work while under the influence of alcohol.

Reporting of Convictions: As required by the Drug-Free Workplace Act of 1988, faculty and staff will, as a condition of employment, abide by this Policy and notify Human Resources within five days if they are convicted of violating any criminal drug statute as a result of any activity occurring at the University of Alabama workplace or while engaged in work activities of the University. Employees performing federally funded research project(s) will be further scrutinized to ensure the proper federal agency is notified of a conviction(s). The Office of Research Compliance, the Office of Contract Grant and Accounting, and the Office of Human Resources will work in conjunction to ensure conviction notifications are made in accordance with funding agency requirements and that proper records are maintained of such notification. The term conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of federal or state criminal drug statutes.

Drug & Alcohol Testing Policy for Financial Affairs Employees: Certain safety-related positions in Financial Affairs require pre-employment drug screening, and all financial affairs employees are subject to drug testing.

Sanctions: Violation of this Policy shall result in the prompt imposition of sanctions. These sanctions may range from a reprimand, to required satisfactory participation in counseling or rehabilitation programs, to termination of employment. Any necessary sanctions taken against faculty, administrators, or staff will be carried out in accordance with policies and procedures published in appropriate University personnel handbooks. Furthermore, this policy does not affect current policies already in place in the health professional schools of the University, which are designed to determine whether health professionals are impaired; however, any finding of impairment because of unlawful use of controlled substances in the workplace shall be subject to the disciplinary measures described above as well as to those imposed by the policy of the University's health professional schools. See Section VII below.

B. Students

Students are required to comply with this policy, the Alcohol Policy, and the Alcohol and Other Drug Policy for Students. A student or student organization may be disciplined for, and is deemed in violation of the Code of Student Conduct for the unlawful use, possession, sale, or distribution of any narcotic, drug paraphernalia, medicine, chemical compound, or other controlled substance that is illegal under federal, state, or local laws. The University will take disciplinary action against a student, group of students, or student organization for unauthorized use, possession, sale, or distribution of any controlled substance or illegal drug that occurs on University property or as part of any University activity. A student or student organization may also be disciplined for and is deemed in violation of the Code of Student Conduct for, the unlawful possession, or consumption on campus of alcoholic beverages, public drunkenness, or violation of state or local laws regarding alcohol use or possession. Any disciplinary actions to be taken and the disciplinary procedures to be applied for the fair adjudication of the alleged violations will be in accordance with the Code of Student Conduct (See Section VII below).

III. *Authorized Use of Alcohol On-Campus*

The rules and regulations governing the use of alcohol on the University of Alabama campus support and are consistent with local and state laws and with those regulations governing the use and consumption of alcoholic beverages. In accordance with the University's desire to maintain a healthy educational environment, these rules are intended to promote minimal use of alcoholic beverages and use in a responsible manner. Any alcohol used on the University of Alabama campus is to be served in a responsible manner that adheres to a set of guidelines common to all groups on campus, both student and non-student. The Alcohol and Other Drug Policy for Students contains rules with respect to the use of alcohol on campus by students and contains several appendices that delineate the guidelines for the consumption of alcohol in a legal, safe and responsible manner, including the [Social Event Planning Guidelines](#) that student groups must follow, and rules associated with [Housing and Residential Communities](#), and the [Recreation Center](#).

Each vice president is authorized to establish an administrative framework for the control and regulation of the use of alcoholic beverages by faculty, staff, and other members of the University community and their guests, when they are functioning within or in relation to the vice president's division.

A. Designated Locations Where Alcohol May Be Consumed

The locations on campus where alcohol may be served and a general description of the rules and approval process to obtain permission to serve is located in the University's Alcohol Policy. Under certain circumstances or for certain University-wide events, the President, Provost, and Vice Presidents of the University may designate other sites as appropriate for the serving of alcoholic beverages. All other locations on campus may be approved as appropriate locations for specific events at which alcoholic beverages may be served. An application for a Grounds Use Permit can include a request to allow the serving of alcohol on University grounds, provided such serving complies with University policy, all state and local laws and regulations, and the additional criteria set forth in the University's Alcohol Policy. All other [University General Terms and Conditions for Ground Use Permits](#) shall apply to the registration of events involving the use, sale, or consumption of alcohol.

B. Alcohol in Residential Facilities

Students age 21 and older may possess alcohol in their rooms in University residence halls or apartment complexes. Such beverages are restricted to personal use. Individuals violating regulations governing use of alcohol in residential facilities will be subject to disciplinary action, including possible eviction from the residential facility. Current rules related to the use of alcohol in UA residential facilities are maintained in the [Housing and Residential Communities Community Living Standards](#).

C. Advertising and Sponsorship by Alcoholic Beverage Companies

The University does not accept alcoholic beverage companies' sponsorship of any University or University-related activities, nor does it accept advertising by distillers or other alcoholic beverage producers wherein:

- a. Demeaning or discriminatory representations of individuals or groups are made
 - b. Any form of alcohol abuse or illegal use is encouraged
 - c. Emphasis is placed on quantity or frequency
 - d. Drinking is portrayed as a solution to personal or academic problems, or is shown as necessary to social, sexual, or academic success, or
 - e. The consumption of alcohol is associated with the performance of tasks or the operation of motor vehicles.
- Sponsorship, or advertising of University activities by such entities as beer distributors or beer companies, is permitted only if responsible drinking programs and related educational activities are the predominant focus of advertising.

IV. *Applicable Federal, State, and Local Laws and Penalties Concerning the Unlawful Possession or Distribution of Illicit Drugs and Alcohol*

Most people know that selling illicit drugs is a criminal offense punishable by fines and/or imprisonment, and that driving while intoxicated or under the influence of drugs can result in driver's license revocation or even imprisonment in some cases. It is less well known that an individual under the age of 21 can be arrested and jailed for purchasing or even attempting to purchase alcohol. Also, most students are unaware that a drug conviction under state or federal law may make a student ineligible for federal financial aid (loans, grants, work study) if the drug-related offense was committed while the student was receiving aid.

The following paragraphs contain an overview of federal, state, and local laws governing the possession, use, and distribution of controlled substances and alcohol. It is not intended to be an exhaustive or definitive statement of various laws, but rather is designed to indicate the types of conduct that are against the law and the range of legal sanctions/penalties that can be imposed. Students should also refer to the [Office of Student Conduct](#) for [common sanctions](#) imposed for Code of Student Conduct alcohol and drug violations and for a list of criminal offenses and violations for which University students are most frequently cited and typical settlements.

A. Federal Drug Offenses and Penalties

Possession of Controlled Substances: Federal drug possession penalties generally consider only the drug violation history of the offender. With one exception (when the possession is for personal use for which a civil penalty up to \$10,000 may be imposed if first offense), federal penalties for a person convicted of possession of any type or amount of a controlled substance can be:

- up to one-year in prison and a minimum fine of \$1,000 for a first offense;
- a minimum of 15 days and a maximum of two years in prison and a minimum fine of \$2,500 for a second drug offense; and
- a minimum of three months and a maximum of three years in prison and a minimum fine of \$5,000 for a third drug offense.

Persons convicted of possession of certain amounts of a mixture or substance containing cocaine base such as crack cocaine face much stiffer penalties under —mandatory minimum sentencing, including at least five years in prison, not to exceed 20 years and fined a minimum of \$1,000 or both, if:

- a. first conviction and the amount of crack possessed exceeds five grams;
- b. second crack conviction and the amount of crack possessed exceeds three grams; or
- c. third or subsequent crack conviction and the amount of crack possessed exceeds one gram. 21 U.S.C. 844(a).

Federal Drug Trafficking: Federal drug trafficking penalties consider the type and amount of the drug involved, the offender's drug violation history, and other factors. The US Drug Enforcement Administration (DEA) maintains a list of penalties for federal trafficking offenses, a copy of which is incorporated at the end of this policy as attachment 1. Generally, for each drug, there is a threshold amount that brings the offender under the mandatory minimum sentencing structure. When death or serious bodily injury results from use of the drugs, first time offenders are subject to a sentence of 20 years to life, and repeat offenders are subject to a mandatory life sentence. A first offense of distributing to persons under age 21 may be punishable by twice the maximum sentence, and three times for second offenses. (21 U.S.C. § 859). If the trafficking is on premises in which a person under age 18 is present or resides, an additional penalty up to 20 years imprisonment may be imposed. (21 U.S.C. § 860a). Persons convicted of trafficking within 1,000 feet of a school or college face penalties twice as high as the maximum penalties, with a mandatory one-year prison sentence for first offenses, and three times as high for second offenses. (21 U.S.C. § 860).

Drug Paraphernalia: Any person who sales or offers to sale or transports, exports or imports drug paraphernalia is subject to three years imprisonment. (21 U.S.C. § 863).

Other Penalties: A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and professional and commercial licenses for up to one-year for a first offense and up to five years for subsequent offenses. (21 U.S.C. § 862). Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first 6 convictions; possession convictions may result in denial of federal benefits for up to one-year for a first conviction and up to five years for subsequent convictions. (21 U.S.C. § 862). In addition, for crimes punishable by more than one-year in prison, the person will forfeit personal or real property related to the violation, including houses, cars, and other personal belongings (21 U.S.C. § 853 (a)(2) & 881(a)(7)), or vehicles, boats or other conveyance used to transport or conceal controlled substances (21 U.S.C. § 881(a)(4). Finally, persons convicted are ineligible to receive or purchase a firearm. (18 U.S.C. 922(g)).

B. State of Alabama Drug Offenses and Penalties

A list of Alabama statutes regarding controlled substances, marijuana and drug paraphernalia is incorporated at the end of this policy and enclosed as attachment 2. Crimes involving controlled substances range from Class A to Class C felonies, punishable by substantial prison terms and/or fines, with enhanced penalties if controlled substances are sold to persons under 18 years of age or within a three-mile radius of campus boundaries of a college or school. Possession of marijuana for personal use is a Class A misdemeanor for the first offense but elevated to a Class C felony for a second offense. Possessing drug paraphernalia is a Class C misdemeanor but elevated to a more serious Class B felony if sold to

a person under 18 years of age. The Department of Public Safety may suspend a driver's license for six months for persons convicted of a drug offense.

C. State and Local Alcoholic Beverage Laws and Penalties

A list of Alabama statutes and City of Tuscaloosa ordinances regarding alcohol-related laws and penalties is incorporated at the end of this policy as attachment 3. Most offenses expose a student to 30 days to six months in jail and a fine no greater than \$500. Penalties for DUI increase with the number of offenses, with the fourth DUI exposing a student to a felony charge, with imprisonment from 1-10 years and fine from \$4,100 to \$10,100. Significantly, the fourth DUI results in mandatory revocation of the person's driver's license for five years. Adults who authorize a party at a residence they control and allow the party to continue with persons under age 21 illegally possessing or consuming alcohol without taking reasonable action to prevent it expose themselves to a \$3,000 fine and up to six months in jail. Finally, in addition to criminal penalties, civil monetary damages are available through the Alabama Civil Damages Act and/or Alabama Dram Shop Act if injuries are caused by a minor who has consumed alcohol.

V. *Health Risks Associated with Use of Controlled Substances and Abuse of Alcohol*

Substance abuse and drug dependency are problems of staggering proportions in our society today. They are the leading causes of preventable illness, disability, and death in the U.S. and are estimated to afflict 25.5 million Americans. This number increases dramatically when one considers the harm done to the families of substance abusers as well as to those injured or killed by intoxicated drivers or in drug-related work accidents. Alcoholism may develop in anyone. It tends to appear first between the ages of 20 and 40 and to be more prevalent in persons with a family history of alcoholism.

A. Alcohol

Alcoholism is a disorder that has profound psychological, biological, and societal effects. Directly, it affects over 18 million people; indirectly, it affects another 56 million. It is usually characterized by one of three different patterns:

1. Regular daily intoxication;
2. Drinking large amounts of alcohol at specific times;
3. Periods of sobriety interspersed with periods of heavy daily drinking.

The disorder is usually progressive, and physical dependence can develop; if this happens, serious, sometimes life-threatening symptoms can develop when alcohol is withdrawn. Short term effects of alcohol use can include depression, gastritis, liver disease, automobile accidents, and domestic violence. Chronic alcohol abuse can produce irreversible health changes, including dementia, sexual impotence, cirrhosis of the liver, and heart disease. Death can occur either as a complication of one of these chronic problems, or acutely, secondary to alcohol intoxication by poisoning or to aspiration of vomitus, or as the result of any automobile accident while driving intoxicated.

B. Marijuana (Cannabis)

Marijuana is the most commonly used illegal drug in the United States. Though physiological consequences do depend on frequency, duration, and quantity of use, marijuana use has been linked to impairment of short term memory, concentration, judgment, perception, and fine motor skills. Thus, the use of this drug increases the risk of machinery or motor vehicle accident and injury, for four to six hours after ingestion. Impairment of memory may last for three to six months, even if use of the drug is discontinued completely. The active chemical in marijuana (THC) remains stored in body fat cells long after ingestion. Marijuana use is associated with chronic anxiety, depression, and paranoid feelings. It can exacerbate or increase significantly underlying emotional problems. Frequent and/or ongoing use by children and adolescents may have long term developmental consequences resulting in lack of motivation, apathy, and difficulty managing current stresses and responsibilities, as well as making appropriate plans. Pregnant women who use marijuana may be at a higher risk for giving birth to children with developmental or birth defects.

C. Hallucinogens

This category includes drugs such as lysergic acid diethylamine (LSD, also known as "acid"), mescaline, and peyote. These drugs cause delusions, hallucinations, and impaired perception of time and space. Phencyclidine (PCP or "angel dust") and amphetamine variants known as "ecstasy" are included in this category, though they rarely cause hallucinations in the true sense. They are, however, potent drugs that have mind-altering effects and impair perception and cognition. Hallucinogens can produce a "bad trip" with anxiety, agitation, hallucinations, and paranoia leading to impulsive behavior. After a "bad trip" the person can be subject to "flashbacks," which are recurrences of the experiences of the "bad trip" without taking any more of the drug. Psychosis and impaired thinking may result after long-term use.

D. Cocaine

The use of cocaine, an illegal stimulant drug, has risen dramatically in the United States. Other names for this drug are code, C., lady, and snow. Cocaine is a white powder that is snorted, injected into veins, or smoked freebase or as "crack." Crack is a crystalline form of cocaine that is also known as "rock," from its small, white rock-like appearance. ("Speed balls" are cocaine mixed with heroin, which is a particularly dangerous combination.) Crack produces the most intense cocaine high; addiction can occur after using it only once or twice. Cocaine highs are characterized by feelings of extreme happiness and a sense of limitless power and energy. However, the physical effects include high blood pressure and heart palpitations. A cocaine "crash" follows the high and includes symptoms of depression, dullness, great irritability, and paranoia. Serious medical complications occur with cocaine use, such as heart attacks (even in young people), seizures, and strokes due to high blood pressure. The psychological effects of cocaine use include violence, paranoia, and personality changes as well as symptoms such as depression, anxiety, and confusion. Pregnant women using cocaine have increased risk of miscarriages and still-births. Newborns addicted to cocaine are irritable, unresponsive, prone to have malformed kidneys and genitals, and to have heart attacks and strokes. Addiction to cocaine controls aspects of the user's life, impinges on the lives of those closest to the user, and occurs in people of all ages, classes, and educational levels.

E. Amphetamines and other Stimulants

In addition to cocaine, a number of other drugs stimulate the nervous system and are very addictive. Most of them belong to the amphetamine family of drugs. Dexedrine (present in "diet" pills) may at times be prescribed by a physician, but its use as a legitimate medication is now infrequent. Street drugs of the amphetamine group include "ecstasy" and "ice." Ice is a smokable amphetamine compound that is very potent, and the effects are long-lasting and devastating. The health risks of these and other stimulants are similar to those of cocaine use.

F. Narcotics, Including Heroin

Various medications are taken to relieve pain. Most non-prescription pain relievers (such as aspirin, Tylenol, Motrin, and Nuprin) are not considered addictive. However, there is a class of stronger pain relievers, available by prescription only, which are referred to as narcotics and most of which are opiates. Examples of these drugs include morphine, codeine, Tylenol No.3, Darvon, Darvocet, Percocet, Percodan, Demerol, and certain prescription cough medicines. These drugs differ from non-prescription pain relievers in their potential for abuse and dependence. With close medical supervision, these drugs may be safely used in specific medical circumstances for a limited time. However, addiction may occur, and the person may not want to stop the drug even when the pain has stopped. Tolerance to the drug is shown by an increase in the amount of drug necessary to relieve pain. This becomes progressive and leads to the craving or need for larger and larger doses, without which the person becomes extremely uncomfortable and physically ill. The time may come when the person "needs" such a large dose of the drug that is poisonous or lethal. Under these circumstances, coma, suffocation, and death may ensue. The malignant course of this problem is similar to that of addiction to heroin. Although heroin is not available by prescription, it is a narcotic which belongs to the same chemical family as the above drugs. The use of heroin is mainly by injection into a vein, which carries the additional medical dangers of contracting AIDS and hepatitis from unclean needles and syringes.

G. Sedatives and Tranquilizers

The barbiturates and the benzodiazepines are two of the most commonly used classes of sedatives. The barbiturates (such Phenobarbital, Seconal, and Amytal) are highly addictive and can be fatal if taken in excess. Although they still have medical uses, they have largely been replaced by the benzodiazepines, used for relief of anxiety and to promote sleep. The benzodiazepines include such drugs as Valium, Librium, Ativan, Xanax, Dalmane, Halcion, and Restoril. While safe and effective at moderate doses for short periods of time (weeks), all the benzodiazepines have a potential for physical and psychological dependence if used at higher doses for longer periods of time. Frequently the benzodiazepines are abused by adults who become dependent on them because of their anti-anxiety effects. Other tranquilizers which may be abused include methaqualone (Quaaludes), Doriden, and Equanil. Intoxication may result from benzodiazepine use and resembles alcoholic drunkenness. Drowsiness, slurred speech, unsteady gait, and lack of coordination are common signs. The effects of the benzodiazepines (and the barbiturates and other sedatives) add to those of alcohol; taken together, they can lead to coma and even death. Withdrawal from benzodiazepines resembles alcohol withdrawal and is most apparent if the drugs are stopped abruptly. Withdrawal takes place within hours to days of stopping the drug. Once a person is addicted to benzodiazepines, a physician should supervise the plan for gradually stopping them, to minimize the serious effects of withdrawal.

H. Impact of Substance Abuse on Families

Families are often gravely affected by a substance-abusing member. This can occur on many levels. As a very direct, physiological consequence, the infants of alcohol and cocaine-abusing mothers often have low birth weight and may suffer from malformations and a variety of developmental problems. In addition, abusers often affect the economic well-being of their families as their inability to hold down a job or, in some instances, their stealing from relatives reduces the family's financial means and stability. In many cases substance abuse leads to violence at home. Substance abuse takes an emotional toll on the functioning of individual members and the family as a whole. Family members may actively deny the problem, may become symptomatic in an effort to deflect attention from the substance-abusing member, or may assume the abuser's responsibilities at home and even at work. On the other hand, very often the family's intervention with the user is an essential step in getting the abusing member to seek treatment. Support groups or family members, such as Al-Anon or COC-Anon, as well as family therapy can provide needed assistance to families as they confront the destructive effects of the user's addiction.

I. Recognizing Signs and Symptoms of Alcohol and Substance Abuse

Everyone occasionally has days when they exhibit behavior not normally associated with an educational or work environment nor characteristic of himself or herself. Unusual behavior during times of stress can be understood and accepted. However, when unusual behavior is displayed on a gradually increasing scale accompanied by general decline in work habits over a period of time, it indicates that an individual needs professional help. Below are some of the more common signs or symptoms of unusual behavior.

J. Absenteeism and Tardiness

- Arriving late and leaving early
- Absences before and after payday or holidays
- Sporadic but significant use of sick time
- Taking frequent breaks
- Unexplained absences
- Friday and Monday absences 10
- Absences due to accidents both on and off the work site

K. Impaired Job Performance

- Increasing operating errors
- Lost time on the job
- "Putting things off"

- Irresponsibility in completing tasks
- Faulty decision making
- Increased accident rates
- Wasted materials or damaged equipment
- High performance that slowly declines over time
- Job performance that becomes focused on a specialized, repetitious activity (rather than the entire array of job duties)
- Irregular or non-existent office hours
- Sudden, extreme gaps in performance (missing a grant deadline, unexpected missing of final exams)

L. *Unusual Interpersonal Interactions*

- Sudden emotional outburst including anger, tears, laughter
- Mood swings, especially early or late in the work day
- Overreactions to criticism
- Blaming others for poor performance
- Making inappropriate statements
- Rambling or incoherent speech
- Isolation from co-workers or increasing social withdrawal
- Disinterest in teamwork

M. *Declining Physical Appearance (Sudden or Gradual)*

- Poor personal hygiene (e.g., body odor or dirty hair, nails, and skin)
- Less interest in dress and appearance (or a noticeable decline from previous meticulousness)
- Glazed or red eyes
- Slurred speech
- Poor coordination, staggering
- Tremors, poor eye-hand coordination
- Frequent gastrointestinal distress
- Deterioration of oral hygiene

N. *Other Signs*

- Legal problems, such as arrest for driving under the influence (DUI)
- Domestic situation, including children's drug use (children of alcoholics sometimes have drug abuse problems)
- Financial concerns, such as high debt load, bad loans, wages garnished, unusual spending patterns

VI. ***Drug or Alcohol Counseling, Treatment and Rehabilitation Programs Available to Students and Employees***

A. *Students*

The University of Alabama maintains as APPENDIX I to its [Alcohol and Other Drug Policy for Students](#) a current list of resources for students who are concerned about their own use of alcohol and/or drugs, or a friend who is misusing the substances. In addition, programs are described on the AOD Prevention website in the [Annual Campus Security Report](#), and in UA's biennial review.

[Counseling Center](#): 1101 Jackson Ave., or call (205) 348-3863 to visit with a licensed counselor for counseling, prevention, and screening.

University Police: 1110 Jackson Ave., or call (205) 348-5454 for campus violence or emergency issues; dial 911 if it is an emergency

Women's Resource Center: On-call advocate (205) 348-5040

Student Health Center: 750 5th Ave. East (corner of University Blvd. and 5th Ave East), or call (205) 348-2778 to visit with a medical professional

Collegiate Recovery and Intervention Services: 1000 South Lawn Office Building, or call (205) 348-2727

Emergencies:

- Call 911 or 9-911 from a campus phone or (205) 348-5454 from off campus
- DCH Regional Medical Center Emergency Room 809 University Blvd. E. (205) 759-7111

B. University Employees

The University's group health plan provides to benefit-eligible employees alcohol and drug abuse rehabilitation benefits. In addition, UA's Employee Assistance Program (EAP) offers free assessment, short-term counseling, and referral services for faculty, staff and their dependents. In addition, the program is intended to provide crisis intervention, as well as training or consultation services for administrators and supervisors, who need to know how to identify or make referrals for individuals whose personal problems are affecting work performance and unit morale. Information about health insurance and the EAP is maintained on the UA Benefits website.

Facilities for referral to employees experiencing drug or alcohol-related health issues in the Tuscaloosa area are:

- DCH Regional Medical Center, which can provide detoxification services
- Indian Rivers Mental Health Center and the Recovery Center, which offers comprehensive alcohol and drug rehabilitation on an outpatient basis
- A number of other public and private treatment and rehabilitation services in the region that maintain relationships with appropriate offices or facilities of the University.

VII. *UNIVERSITY DISCIPLINARY SANCTIONS FOR CONTROLLED SUBSTANCE USERS AND ALCOHOL ABUSERS*

Various disciplinary procedures are applicable to faculty, staff, and students. Violations of the standard of conduct will be dealt with on a case-by-case basis, with the imposition of discipline appropriate to the severity of the violation. For each group in the University community, there are certain common sanctions that can be applied in an appropriate case. These common sanctions include letters of reprimand, probation, and severance of ties with the University through expulsion or termination. Normally, opportunity for referral to an appropriate rehabilitation program occurs, if the violation is a first offense. Referral for prosecution undoubtedly will occur only for the most serious violations. All disciplinary procedures and appeals currently applicable to students and all categories of employees will continue to be available for violations of this policy.

Students: Students who violate any provision of the University's Drug-Free Campus and Workplace Policy will be held accountable for their behavior and will be subject to appropriate disciplinary action, consistent with local, state, and federal law, and the provisions of the Code of Student Conduct. Common sanctions for students for drug and alcohol offenses are publicized on that [Code of Student Conduct's website](#).

Employees: Employees who violate this policy will be held accountable for their behavior and will be subject to appropriate disciplinary action, consistent with the Faculty Handbook Mediation and Grievance System (to the extent applicable), other applicable University policy and with local, state and federal law. Such action may include mandatory counseling, mandatory participation in an appropriate rehabilitation program, a warning, a reprimand, strict probation, unpaid suspension from employment, termination of employment, and/or referral to the proper law enforcement authorities for prosecution.

VIII. *EVALUATION*

The Drug Free Schools and Campuses Regulations (34 CFR Part 86) of the Drug-Free Schools and Communities Act (DFSCA) require an institution of higher education (IHE) such as The University of Alabama to certify it has adopted and implemented programs to prevent the abuse of alcohol and use or distribution of illicit drugs by students and employees both on its premises and as a part of any of its activities. At a minimum, each institution of higher education must annually distribute the following in writing to all students and employees:

- Policies that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees.
- A description of the legal sanctions under local, state or federal law for the unlawful possession or distribution of illicit drugs and alcohol.
- A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students.
- A clear statement that the institution will impose sanctions on students and employees and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of these policies.

The law further requires that the institution conduct a biennial review of its program to:

- 1) Determine the effectiveness of these policies and to implement changes to the Alcohol and Other Drug (AOD) program if they are needed; and
- 2) To ensure that the sanctions developed are enforced consistently.

The biennial review must also include a determination as to:

- 1) The number of drug- and alcohol-related violations and fatalities occurring on the campus or as part of their activities that are reported to campus officials; and
- 2) The number and type of sanctions the IHEs impose on students or employees as a result of such violations or fatalities.

It is the responsibility of the Alcohol and Other Drugs Biennial Review Working Group to:

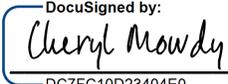
- 1) Prepare a biennial review report on the effectiveness of its alcohol and other drug (AOD) programs and the consistency of policy enforcement, per the above requirements.
- 2) Maintain its biennial review report on file, so that, if requested to do so by the U.S. Department of Education, the campus can submit it in a timely manner.

For a copy of this report, please contact the [Office of the Vice President for Student Life](#).

Scope

This Drug-Free Campus and Workplace Policy applies to all members of the University community, including all full-time and part-time students; all full-time and part-time permanent and temporary employees, including faculty, administration, and all exempt and non-exempt staff; and all student employees and interns.

Office of the Vice President of Financial Affairs

Signed:  9/17/2018
Cheryl Mowdy
Assistant Vice President for Financial Affairs

Attachment 1 - Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)

Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	<p>First Offense: Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.</p> <p>Second Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.</p>	Cocaine 5 kilograms or more mixture	<p>First Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.</p> <p>Second Offense: Not less than 20 yrs, and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p> <p>2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture	PCP 100 grams or more pure or 1 kilogram or more mixture		

Substance/Quantity	Penalty
Any Amount of Other Schedule I & II Substances	<p>First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.</p> <p>Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.</p>
Any Drug Product Containing Gamma Hydroxybutyric Acid	
Flunitrazepam (Schedule IV) 1 Gram	
Any Amount of Other Schedule III Drugs	<p>First Offense: Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual</p> <p>Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.</p>
Any Amount of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)	<p>First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p>Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.</p>
Any Amount of All Schedule V Drugs	<p>First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p>Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>

Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule Substances

Substance/Quantity	Penalty
Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants	<p>First Offense: Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.</p> <p>Second Offense: Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.</p>
Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants	<p>First Offense: Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.</p> <p>Second Offense: Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50million if other than an individual.</p>
Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants	<p>First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.</p>
Hashish More than 10 kilograms	<p>Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</p>
Hashish Oil More than 1 kilogram	
Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants	<p>First Offense: Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.</p> <p>Second Offense: Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.</p>
Hashish 10 kilograms or less	
Hashish Oil 1 kilogram or less	

Attachment 2 - State of Alabama Controlled Substances/Marijuana Violations and Penalties

I. *Controlled Substances*

VIOLATION	PENALTIES*	AL CODE §
<i>Trafficking</i> : Knowingly sells, manufactures, delivers or brings into state cannabis (in any of its forms), cocaine, heroin, morphine, opium, methaqualone, hydromorphine, methylenedioxy amphetamine, phencyclidine, lysergic acid diethylamide, methamphetamine, or LSD	<i>Class A Felony</i> . Imprisonment & fines dependent on amounts Prison: Ranges from 3 years to mandatory life in prison without parole Fine: Ranges from \$50,000 - \$250,000	13A-12-231
<i>Sale</i> of controlled substance by person over 18 to person under 18	<i>Class A Felony</i> . Not eligible for suspended sentence or probation Prison: 10-99 years or life Fine: Not more than \$60,000	13A-12-215
<i>Sale</i> of controlled substance that is on the campus or within a 3-mile radius of campus boundaries of any public or private school, college, university or other educational institution or of public housing	<i>Class A Felony</i> . Prison: Add five years to penalty	13A-12-250 13A-12-270
Engages in a criminal enterprise, in connection with 5 or more persons, to <i>traffic</i> in illegal drugs	<i>Class A Felony</i> . Prison: 25 years to life w/o eligibility for parole; Fine: Not more than \$500,000; <u>2nd offense</u> : Prison: mandatory life Fine: \$150,000 - \$1,000,000	13A-12-233
<i>Manufacturing</i> controlled substance if 2 or more of following conditions are present: possession of firearm, use of booby trap, use of clandestine lab within 500 feet of a residence or school, the presence of someone under 17 years of age during the manufacturing process	<i>Class A Felony</i> . Not eligible for suspended sentence or probation Prison: 10-99 years or life Fine: Not more than \$60,000	13A-12-218
<i>Manufacture</i> of a controlled substance	<i>Class B Felony</i> . Prison: 2-20 years Fine: Not more than \$30,000	13A-12-217
<i>Distribution</i> of controlled substances (furnished, sold, given away, manufactured, delivered or distributed)	<i>Class B Felony</i> . Prison: 2-20 years Fine: Not more than \$30,000	13A-12-211
<i>Possession</i> or receipt of controlled substances	<i>Class C Felony</i> . Prison: 1-10 years Fine: Not more than \$15,000	13A-12-212
Person convicted of attempt, criminal solicitation & criminal conspiracy to commit controlled substance crime	Punishable the same as the crime itself	13A-12-202 (c); -203(c); -204(c)

II. *Marijuana & Drug Paraphernalia*

VIOLATION	PENALTIES*	AL CODE §
Possession of marijuana in first degree (other than personal use or previously convicted of possession in second degree)	<i>Class C Felony</i> . Prison: 1-10 years Fine: Not more than \$15,000	13A-12-213
Possession of marijuana in second degree (for personal use only)	<i>Class A Misdemeanor</i> . Jail: Not more than 1 year; Fine: Not more than \$6,000	13A-12-214
Use, possession, delivery, or sale of drug paraphernalia	<i>Class B Felony</i> for <i>sale to one under 18</i> by one over 18. Prison: 2-20 years; Fine: Not more than \$30,000 <i>Class C Felony</i> for <i>sale</i> . Prison: 1-10 years; Fine: Not more than \$15,000 <i>Class C Misdemeanor</i> for <i>possession</i> . Jail: Not more than 3 months; Fine: Not more than \$500	13A-12-260

* Imprisonment sentences for felonies: §13A-5-6 & for misdemeanors: §13A-5-7; fines for felonies: §13A-5-11 & for misdemeanors: §13A-5-12. Driver's license suspended for 6 months for any drug offense conviction (§13A-12-290). **Note: A drug conviction under state or federal law may make a student ineligible for federal financial aid (loans, grants, work study).**

Attachment 3 - State of Alabama & Tuscaloosa City Code Alcohol Violations and Penalties

I. *Criminal Violations*

VIOLATION	PENALTIES	CODE SECTION
<p>Minor in Possession/Purchasing: <u>State:</u> Unlawful for person under 21 years of age to purchase, consume, possess, or transport alcohol, liquor or malt or brewed beverages in the State.</p> <p><u>City:</u> Unlawful for person under 21 to be in possession or under influence of alcohol</p>	<p>Jail: Not more than 30 days Fine: \$25-\$100</p> <p>1. Misdemeanor. Jail: Not more than 3 months; Fine: \$50-\$500. Mandatory suspension of driver's license for 90 days to 6 months (including YO or juvenile status) 3. City Jail: Not more than 6 months Fine: Not more than \$500</p>	<p>1. AL CODE § 28-1-5 2. AL CODE § 28-3A-25(a) (18) & (b) (2-3) 3. CITY CODE § 3-44, § 1-8</p>
<p>Contributing to Delinquency of Minor: <u>State:</u> It is unlawful for any parent, legal guardian, legal custodian, or other person to willfully aid, encourage, or cause any child (under age 19) to become or remain delinquent, which includes furnishing alcoholic beverages or controlled substances to the child.</p>	<p>Class A Misdemeanor. Jail: Not more than 1 year Fine: \$6,000</p>	<p>AL CODE § 12-15-111</p>
<p>Aiding Minor in Obtaining Alcohol: <u>City:</u> It is unlawful for a person, directly or indirectly, to falsely represent that a minor is not a minor or is not of minority age under the state alcoholic beverage licensing code, and, by means of such false representation, to aid or abet, or attempt to aid or abet, such minor person to buy, receive or otherwise obtain, or aid and abet such minor person to attempt to buy, receive, or otherwise obtain, from any licensee or any other person, any alcohol</p>	<p>City Jail: Not more than 6 months Fine: Not more than \$500</p>	<p>CITY CODE § 3-17, § 1-8</p>
<p>Public Intoxication: <u>State:</u> Unlawful to appear in a public place under the influence of alcohol, narcotics, or other drugs to the degree that they endanger themselves, or another person or property.</p> <p><u>City:</u> It is unlawful to be or remain in any area of a public park while under the influence of alcohol.</p>	<p>1. Jail: Not more than 30 days Fine: \$25-\$100</p> <p>2. City Jail: Not more than 6 months Fine: Not more than \$500</p>	<p>1. AL CODE § 13A-11-10 2. CITY CODE § 18-28 (2), § 1-8</p>
<p>Open Container: <u>State:</u> Unlawful for person to have in his/her possession alcoholic beverages in an open container in the passenger area of a motor vehicle of any kind on a public highway or right-of-way of a public highway.</p> <p><u>City:</u> Unlawful to drink or have in open or unconcealed possession or custody for drinking any alcoholic beverage at or in any public place (motor vehicle while on public streets) other than a place licensed to sell alcoholic beverages for consumption on the premises. Also, unlawful to possess alcohol for consumption in city park without permission.</p>	<p>1. Class C Misdemeanor. Fine: No more than \$25</p> <p>2. City Jail: Not more than 6 months Fine: Not more than \$500</p>	<p>1. AL CODE § 32-5A-330 2. CITY CODE § 3-12; §18-28 (1); § 1-8</p>
<p>Failure to Leave Licensed Premises on Request: <u>City:</u> If owner of licensed premise (or employee or agent) asks any person to leave, failure or refusal to immediately do so is a misdemeanor.</p>	<p>City Jail: Not more than 6 months Fine: Not more than \$500</p>	<p>CITY CODE § 3-20; § 1-8</p>
<p>Underage Presence in Licensed Premises. <u>City:</u> It is unlawful for any person to be in, on, or upon the licensed premises of any establishment licensed by the ABC board as a lounge retail liquor licensee, in violation of any state law regulating the age of persons allowed on such premises.</p>	<p>City Jail: Not more than 6 months Fine: Not more than \$500</p>	<p>CITY CODE § 3-41; § 1-8</p>

VIOLATION	PENALTIES	CODE SECTION
Open House Party: <u>State:</u> No adult having control of any residence, who has authorized an open house party at the residence and is in attendance at the party, shall allow the party to continue if alcoholic beverages or controlled substances are illegally possessed or consumed at the residence by a person under the age of 21 and the adults knows this and fails to take reasonable action to prevent it.	Class B Misdemeanor Jail: Not more than 6 months Fine: Not more than \$3,000	AL CODE § 13A-11-10.1
Driving Under the Influence (DUI): <u>State:</u> A person shall not drive or be in actual physical control of any vehicle (or boat) while: there is 0.08 percent or more by weight of alcohol in his/her blood (unless under age 21, in which the amount is 0.02 percent), or under the influence of alcohol, or under the influence of any controlled or other substance which impairs his/her ability to drive safely, or under the combined influence of alcohol and a controlled substance to a degree which renders him/her incapable of safely driving, or under the influence of any substance which impairs the mental or physical faculties of such person to a degree which renders him/her incapable of safely driving.	<u>1st DUI:</u> Jail: Up to 1 year; Fine: \$600-\$2000. Mandatory suspension of license for 90 days <u>2nd DUI:</u> Jail: Min. 5 days; Fine: \$1,100-\$5,100. Mandatory suspension of license for 1 yr. <u>3rd DUI:</u> Jail: 60 days - 1 yr.; Fine: \$2,100-\$10,100. Mandatory suspension of driver's license for 3 yr. <u>4th DUI:</u> Prison: 1 yr./1day – 10 yrs.; Fine: \$4,100-\$10,100. Mandatory revocation of driver's license for 5 yrs. <u>City</u> has same penalties	1. AL CODE § 32-5A-191 2. CITY CODE § 1-8
State Offenses: Any individual committing an offense (misdemeanor, felony or violation) against the state automatically commits an offense against the city	Unless otherwise provided: City Jail: Not more than 6 months; Fine: Not more than \$500	CITY CODE § 17-1, § 1-8

II. *Civil Violations*

VIOLATION	PENALTIES	CODE SECTION
Alabama Civil Damages Act. A person may be liable for damages to a parent or guardian of a minor if that person unlawfully sells or furnishes alcohol to the parent/ guardian's minor child and if the person furnishing alcohol had knowledge of or was chargeable with notice of the fact that the child was under 21.	Civil cause of action - compensatory and punitive monetary damages determined by a jury	AL CODE § 6-5-70
Alabama Dram Shop Act. Wives, children, parents, and others who are injured by a person who received alcohol or controlled substances contrary to Alabama law (underage minor, providing unlawful controlled substance, serving alcohol to visibly intoxicated person, etc.) may be liable for damages against the person who provided the alcohol or controlled substances to the underage minor or caused the individual to become intoxicated or furnished a controlled substance to that person.	Civil cause of action - compensatory and punitive monetary damages determined by a jury	AL CODE § 6-5-71 & 6-5-72