

PROCEDURE

Subject	Drug-Free Schools and Campuses Program Page 1 of 6	Number: 1.32.01
Source	Human Resources	Reference (Rule #) 6HX14-1.32
President's Approval/Date: 7-1-09		

PURPOSE:

The purpose of this administrative procedure is to provide the policy guidelines for SCF's drug-Free Schools and Campuses Program.

Under Federal legislation entitled The Drug Free Workplace Act of 1988, and The Drug Free Schools and Communities Act of 1989 (collectively the "Act"), no institution of higher education shall be eligible to receive funds or any other form of financial assistance under any federal program, including participation in any federally funded or guaranteed student loan program, unless it has adopted and implemented a program to prevent the use of illicit drugs and abuse of alcohol by students and employees. The Act requires the annual distribution of the following information to students and employees.

State College of Florida, Manatee – Sarasota is committed to providing a drug free environment for all of its employees and students. SCF will not tolerate the manufacture, distribution, possession or use/abuse of alcohol or illegal drugs. Employees and students of the College are prohibited from engaging in the unlawful possession, use or distribution of drugs and alcohol on the College's property or as any part of the College's business activities or sponsored functions. Any employee using prescribed or over-the-counter medication, which may affect work performance or create a safety hazard, shall notify his/her immediate supervisor. The College will impose sanctions that are consistent with federal, state and local laws on students and employees.

A. AUTHORIZATION

The President authorizes the office of Human Resources (for employees) and the office of the Vice President of Educational and Student Services (for students) to oversee the coordination and enforcement of the College policy on the use of illicit drugs and abuse of alcohol.

B. EDUCATION

Each new employee and student at the College will receive educational material, which describes the health risks associated with the use of illicit drugs and abuse of alcohol. Information pertaining to SCF's Employee Assistance Program (EAP) will be provided to employees at the time of hire. Information regarding appropriate services available on campus and/or within the community is available to students through the office of the Vice President of Educational and Student Services and in the Student Handbook. The College's Drug-Free Schools and Campuses Program (Procedure 1.32.01 and Appendix A) will be distributed to all employees upon hire and annually to each current employee as prescribed in (34 Code of Federal Regulations Section 86.100 Subpart B).

This will include; information about the standards of conduct, the applicable legal sanctions, health risks, available counseling/treatment programs and disciplinary sanction.

C. DRUG PREVENTION PROGRAM

The College's drug prevention program includes the following:

- a) The annual distribution in writing to each employee, and to each student who is taking one or more classes for any type of academic credit except for continuing education units, regardless of the length of the student's program of study, of—

- (1) Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities;
- (2) A description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol;
- (3) A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
- (4) A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students; and
- (5) A clear statement that State College of Florida, Manatee – Sarasota will impose disciplinary sanctions on students and employees (consistent with local, State, and Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the Drug-Free Schools and Campuses Program. A disciplinary sanction may include the completion of an appropriate rehabilitation program.
 - (b) A biennial review by State College of Florida, Manatee – Sarasota of its program to—
 - (1) Determine its effectiveness and implement changes to the program if they are needed; and
 - (2) Ensure that the disciplinary sanctions described in (Appendix A) are consistently enforced.

POLICY:

A. MAINTENANCE OF A DRUG FREE WORKPLACE

1. Drug Free Certification

All employees of the College will be required to sign a receipt for the drug-free campus program document which affirms that the employee:

Will not possess, sell, purchase, deliver, use, manufacture or distribute illegal drugs, alcohol, or controlled substances while present on any College campus, while in attendance at any College sponsored event; or, while conducting authorized College business; or commit any offense relating to the sale, purchase, delivery, use, manufacturing or distribution of illegal drugs or controlled substances;

Agrees to submit to drug testing if the College administration determines there is “reasonable suspicion” that the employee has used drugs/alcohol in violation of the College policy. “Reasonable-suspicion drug testing” means drug testing based on a belief that an employee is using or has used drugs/alcohol in violation of the employer’s policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon:

- a. Observable phenomena while at work, such as direct observation of drug/alcohol use or of the physical symptoms or manifestations of being under the influence of a drug/alcohol.
- b. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
- c. A report of drug/alcohol use, provided by a reliable and credible source.
- d. Evidence that an individual has tampered with a drug test during his or her employment with the current employer.
- e. Information that an employee has caused, contributed to, or been involved in an accident while at work.
- f. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery, or equipment.

By way of illustration, and not limitation, such objective and articulable facts may include detection of the odor of alcohol or marijuana on or about an employee, erratic or unsteady gait or mannerisms, slurred speech, admission by the employee, etc. Whenever practicable, corroboration of such facts and observations from more than one (1) witness shall be sought.

If identified as exhibiting these characteristics, the employee will be referred to the Human Resource Officer or campus designee who will determine the need for testing and make the appropriate referral if deemed necessary. If an employee is requested to submit to a test, a notice of the employee's rights regarding the drug testing will be provided to the employee prior to testing. All specimen collection and testing for drugs shall comply with proper chain of custody and confirmation testing protocols and shall generally follow procedures established under Florida worker's compensation law. Employees who refuse to submit to testing may be subject to appropriate disciplinary action, up to and including termination.

Employment of all personnel at SCF is subject to policies of the District Board of Trustees. New Employees who refuse to sign a receipt for the drug-free campus program document will be refused employment at the College. Existing employees who refuse to sign a receipt or otherwise acknowledge the drug-free campus program may be subject to appropriate disciplinary action, up to and including termination of employment.

3. Pre-Employment Drug Testing

SCF will require pre-employment drug testing for those positions where it is required by law, or another agency or entity for collaborative employment, such as but not limited to Class C vehicle licensed drivers, health sciences clinical instructors, etc. In such cases, the College will follow all legal requirements and protocols.

2. Employee Assistance

An employee with an alcohol or drug abuse problem may voluntarily access the College's Employee Assistance Program for treatment of this problem. Such a self-referral that is accomplished prior to any disciplinary action being recommended would be completely confidential. The College's insurance will provide coverage for such treatment in accordance with the provisions of the policy in force at the time of treatment.

All employees who complete a federal, state or local certified substance abuse treatment program and do not illegally use any controlled substance in violation of Section II A of this policy are protected under the Americans with Disabilities Act of 1990, as amended, and the Rehabilitation Act of 1973.

An employee who violates the Drug-Free Workplace provisions for the first time, at the College's discretion, may be offered the option of enrolling in a treatment program for drug or alcohol abuse through the College's Employee Assistance Program. The College's health insurance program will provide coverage for such treatment in accordance with the provisions of the policy in force at the time of treatment. The College will monitor the employee's compliance with the treatment plan, and successful completion of the treatment will be a condition of continuation of regular employment with the College. The employee may be subject to periodic random testing during the first year, following completion of a treatment program.

An employee who enters a rehabilitation program and fails to respond or, after completing treatment, resumes the use of illegal drugs, controlled substances, or alcohol, will be subject to termination or whatever administrative action is deemed appropriate.

The office of Human Resources will coordinate employee rehabilitation efforts and the reinstatement of employees who had been administratively referred for treatment and are returning to work drug-free.

3. Violations

Conviction of an offense relating to the possession, sale, purchase, delivery, use, manufacturing or distribution of illegal drugs or controlled substances will be considered a violation of this policy.

The term "conviction" means an adjudication of guilt by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

An employee who is convicted of a drug-related offense which occurred on campus or while in attendance at any College-sponsored event, or while conducting authorized College business, will be disciplined up to and including termination from College employment.

Any employee convicted of any alcohol or other drug related offense must notify the Administration within five (5) days of such conviction. Failure to do so may result in disciplinary action.

STATE COLLEGE OF FLORIDA, MANATEE - SARASOTA

DRUG-FREE CAMPUS PROGRAM (Appendix A)

SCF is committed to providing its students and employees the opportunity for advancement academically, on the job, and in life. Abuse of drugs and alcohol, has been proven to hamper individuals' ability to take advantage of such opportunities.

Consider the facts:

- Alcohol and other drug abuse is a serious workplace problem. According to the 2003 National Survey on Drug Use and Health, approximately 10% of America's workforce, some 14.9 million full and part-time employees, regularly abuse or are dependent on alcohol or drugs.
- The National Institute on Alcohol Abuse and Alcoholism reports that approximately 14 million Americans have an alcohol problem.
- Workers who use alcohol and other drugs affect everyone. In fact, studies show alcohol and other drug users:
 - Are far less productive.
 - Use three times as many sick days
 - Are more likely to injure themselves or someone else.
 - Are five times more likely to file workers compensation claims.
- Alcoholism is the fourth leading cause of death in the U.S., ranking only behind mental illness, heart disease, and cancer.
- Drug use and alcohol abuse increase the chances of crime, violence, injuries, automobile accidents, heart disease, and cancer. Young people (15 to 24 years of age) make up the only age group in the U.S. whose life expectancy is decreasing due to alcohol and other drug abuse.
- Ten percent of the American workforce abuse illegal and prescription drugs.
- Alcohol and other drug use activities can carry severe penalties. Under Florida law, depending on the type and amount of drug involved, a person convicted of using, possessing, selling, purchasing, distributing or manufacturing a controlled substance is subject to penalties ranging from probation to thirty (30) years in prison and fines up to \$500.00. Federal penalties for illegal drug activities carry prison sentences ranging from probation to life in prison as well as more severe fines. Alcohol and other drug convictions can also result in the loss of driving privileges.

SCF ALCOHOL AND OTHER DRUG-FREE POLICY

Congress has recognized the epidemic affliction alcohol and other drug use is having on an individual and American society. The Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendment of 1989 were passed and implemented at a result. SCF, in order to accept Federal grants and awards, must adhere to the Drug-Free Schools and Campuses Regulations, 34 Code of Federal Regulations Section 86.100 Subpart B – Institutions of Higher Education. SCF will not tolerate the possession, use, or distribution of illicit drugs and alcohol, or abuse of prescription drugs by students and employees, on any SCF campus or at any SCF sponsored event. Authorization for the availability of alcoholic beverages at specified events may be granted by the President of the College in accordance with policies of the Board of Trustees. SCF adopts the following policy in accordance with its commitment to its students and employee

1. Any student or employee who possesses or uses alcohol, illegal drugs, or abuses prescription drugs on any SCF campus, in any off-campus housing sanctioned by the College, or at any SCF sponsored event off campus will be subject to disciplinary action to include dismissal in some cases. Disciplinary action for students is outlined in the SCF Student Handbook. Disciplinary action for employees is outlined in the SCF Rules and Procedures Manual.
2. Any student or employee who illegally sells or manufactures alcohol or other drugs on any SCF campus or at an SCF sponsored event off-campus will be subject to disciplinary action as outlined in the SCF Student Handbook and SCF Rules and Procedures Manuals. SCF may require proof that the individual is drug free after using drug rehabilitation or another accepted intervention.
3. The college has the responsibility to refer for prosecution anyone engaging in illegal alcohol or other drug activity on SCF campuses or at SCF sponsored events.
4. Any student or employee convicted of any alcohol or other drug related offense must notify the Administration within five (5) days of such conviction. Failure to do so may result in disciplinary action.
5. Any student or employee using prescribed or over-the-counter medication, which may affect educational or work performance or create a safety hazard, shall notify the Office of Student Services (if a student) or immediate supervisor (if an employee). Appropriate action will be taken to prevent concerns on campus.
6. Disciplinary action may include successful completion of an appropriate rehabilitation program.

ALCOHOL AND OTHER DRUG ASSISTANCE AT SCF

State College of Florida, Manatee – Sarasota values the health and welfare of its students and employees. Alcohol and drug abuse (addiction) are recognized as a treatable diseases. The Administration of SCF, as part of its policy to maintain a drug free campus, desires to:

- Help students and employees identify alcohol and other drug misuse/abuse at the earliest possible stage.
- Educate students and employees regarding signs and symptoms of addiction.
- Motivate students and employees to seek intervention from the most qualified resources available on campus and in the community.
- Recognize that students and employees who experience concerns with alcohol and other drug misuse/abuse are entitled to the same respect, confidentiality of intervention services and records handling, as those who experience other medical concerns or conditions which may impair work performance.
- Students or employees who suspect problems with alcohol and other drug misuse/abuse are encouraged to contact the Vice President for Educational and Student Services (if a student) (telephone 752-5301) or the Director of Human Resources (if an employee)(telephone 752-5597). A referral may be made to a trained professional who will assist in the assessment of the problem and provide information regarding appropriate services available on campus and/or within the community.

ALL INFORMATION WILL BE HELD IN THE STRICTEST CONFIDENCE AND WILL NOT BE REVEALED TO ANYONE EXCEPT BY THE INDIVIDUAL'S WRITTEN CONSENT IN ACCORDANCE WITH FEDERAL GUIDELINES OF CONFIDENTIALITY.

THIS SERVICE IS VOLUNTARY AND CONFIDENTIAL