

SOUTHSIDE VIRGINIA COMMUNITY COLLEGE
ANNUAL NOTIFICATION UNDER
DRUG-FREE WORKPLACE ACT OF 1988 AND
DRUG-FREE SCHOOLS AND COMMUNITIES ACT OF 1989

October 3, 2017

The Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989 (the “Acts”) require colleges to publish their policies regarding the possession, use or distribution of illicit drugs and alcohol by students or employees on campus. Southside Virginia Community College’s policies regarding these matters are published annually in our student and employee handbooks.

Student Handbook

www.southside.edu/files/pdf/catalog/SVCC%20Catalog%202.pdf#page=175

Faculty/Staff Handbook

<http://www.southside.edu/facultystaff>

Student Alcohol and Drug Policies

Alcohol.

In Virginia, people under 21 years of age may not possess, buy or use alcoholic beverages of any kind. The research in higher education demonstrates that alcohol can have negative impacts on students’ academic study environment and can increase incidents of vandalism, violence and sexual assaults on college and university campuses. Therefore, the possession, use or distribution of alcoholic beverages (or powdered or crystalline alcohol) on campus is not permitted. Students who violate College substance abuse policy or local, state or federal laws regarding alcoholic beverages, including underage possession, and any student found behaving in an inappropriate, rowdy, destructive or unsafe manner on campus while under the influence of alcohol will be found in violation of the College’s alcohol policy and subject to College disciplinary action, criminal prosecution, fine and/or imprisonment.

The College expects students to use good decision making with alcohol use and not engage in behavior that will negatively impact his or her educational and personal goals. Any student found behaving in an inappropriate, rowdy, destructive or unsafe manner on campus while under the influence of alcohol or drugs will be found in violation of the College’s substance abuse policy.

Situations where alcohol is found on campus (or evidence indicating on-campus use of alcohol) will constitute a violation of the College’s substance abuse policy. Additionally,

alcohol or alcohol containers found under circumstances that implicate a student's possession or use of alcohol on campus will constitute a violation of the College's substance abuse policy.

Illegal Drugs.

Illegal drugs and drug paraphernalia may not be marketed, possessed, used or distributed on campus. Any student found in the presence of illegal drugs or drug paraphernalia will be in violation of the College's substance abuse policy. In the event of the use, possession or possession with apparent intent to distribute illegal drugs, local law enforcement will be contacted to investigate the incident. Virginia and federal laws provide stiff penalties for illegal possession or distribution of drugs. Southside Virginia Community College will cooperate with law enforcement authorities in apprehending and prosecuting any alleged violators of drug laws.

Student Substance Abuse Policy

Southside Virginia Community College is committed to providing a drug-free environment on campus. In compliance with this commitment, the possession, selling, usage, manufacture, give away, or other distribution of illegal or controlled substances are prohibited by students or employees. This policy is binding while on campus, attending a college sponsored off-campus class or event, or while serving as a representative of the college at off-campus meetings. In addition to criminal penalties, violation of school policies may result in disciplinary action by the College, including suspension or dismissal. Procedures for disciplinary action are found in the Student Handbook. Those students, employees, and community members who are seeking help with an alcohol or substance abuse problem should seek further assistance at the College's Offices of Student Development and Counseling, the local Health Department, or other community agencies.

Employee Alcohol and Drug Policies

As a recipient of federal aid and federal grants, the College must certify under the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989 that it will take certain steps to provide a drug-free workplace. Unlawfully possessing, being under the influence of, using, distributing, dispensing, or manufacturing alcohol or illegal or controlled substances is prohibited on College property, in College vehicles, while conducting College business, or as a part of College activities. Any employee who is convicted for any drug statute violation must notify his or her supervisor within five days of the conviction. The College will take appropriate action against an employee who violates any part of this workplace rule, up to and including termination and referral for prosecution. Employees not terminated may be required to satisfactorily participate in an approved alcohol or drug abuse assistance or rehabilitation program.

Summary of the Commonwealth Of Virginia's policy on alcohol and other drugs

The Commonwealth of Virginia's Policy 1.05 on Alcohol and Other Drugs states that the following acts by employees are prohibited:

I. the unlawful or unauthorized manufacture, distribution, dispensation, possession, or use of alcohol and other drugs on the workplace;

II. the impairment on the workplace from the use of alcohol or other drugs, (except the use of drugs for legitimate medical purposes);

III. action which results in the criminal conviction for:

1. a violation of any criminal drug law, based upon conduct occurring either on or off the workplace,
2. or a violation of any alcoholic beverage control law,
3. or law which governs driving while intoxicated, based upon conduct occurring on the workplace;

IV. the failure to report to their supervisors that they have been convicted of any offense, as defined in III above, within five calendar days of the conviction.

Included under this policy are all employees in Executive Branch agencies, including the Governor's Office, Office of the Lieutenant Governor, and the Office of the Attorney General.

The workplace consists of any state owned or leased property or any site where state employees are performing official duties.

Any employee who commits any prohibited act under this policy shall be subject to the full range of disciplinary actions, including discharge, and may be required to participate satisfactorily in an appropriate rehabilitation program.

Alcohol and Illicit Drug Health Risks

Alcohol and illicit drugs are toxic substances that affect the mind, body and spirit. Excessive drinking can cause health risks which include damage to your body organs (liver, heart and digestive tracts), impaired physiological responses (decreased brain activity, digestion and blood circulation), and mental and emotional disorders (loss of memory, impaired judgment and personality changes). Very high doses can cause respiratory depression and death. Alcohol-related problems include violent crimes, such as rape and murder, and deaths from drunk driving. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. Many of these infants have irreversible mental and physical abnormalities. In addition, research indicates that children of alcoholic parents are at greater risk than other children of becoming alcoholics.

Drug abuse is dangerous and can lead to death. An overdose can cause psychosis, convulsions, coma and death. Continuous use of drugs can lead to organic brain damage, mental illness and malnutrition. It increases the risk of AIDS, hepatitis and other diseases related to injectable drugs. Drug abuse can cause accidents resulting from foolish risks, "panic attacks" and acting irrationally. Aggressive and violent behavior, mental illness and suicide sometimes result from long-term use of drugs.

Summary Legal Sanctions Covering Alcohol and Drug Abuse

Members of the Southside Virginia Community College community should be aware of legal penalties applied for conviction in cases of drug and/or alcohol abuse. Local, state, and federal laws make illegal use of drugs and alcohol serious crimes. Convictions can lead to imprisonment, fines, and assigned community service. Courts do not lift prison sentences in order for convicted persons to attend college or continue their jobs. An offense is classified as a misdemeanor or a felony, depending upon the type and the amount of the substance(s) involved. A felony conviction for such an offense can prevent a person from entering many fields of employment or professions.

Alcohol. Virginia laws contain a variety of provisions governing the possession, use and consumption of alcoholic beverages. The laws apply to all students and employees of this institution. Some of the pertinent laws and sanctions for violations are summarized below:

- Drinking in Public - A fine not to exceed \$250
- Purchasing for Minors - Confinement in jail for up to 12 months, a fine not to exceed \$2,500, and loss of driver's permit for up to one year with loss of permit mandatory for at least six months
- Underage Possession - Fine not to exceed \$2,500 (mandatory minimum fine of \$500 or 50 hours of community service), confinement in jail for up to 12 months, loss of driver's permit for up to one year but with loss of permit mandatory for at least six months
- Driving While Intoxicated - A fine not to exceed \$2,500 (mandatory minimum fine of \$250 for a first offense), mandatory jail time for a first offense based on the level of blood alcohol content, loss of driver's permit up to 12 months (for first offense), use of certified ignition interlock system for restricted license

Controlled Substances and Illicit Drugs. The unlawful possession, distribution, and use of controlled substances and illicit drugs, as defined by Virginia and federal law, are prohibited. Controlled substances are classified under the federal Controlled Substances Act into "schedules," ranging from Schedule I through Schedule VI. Some of the pertinent laws, including sanctions for their violation, are summarized below.

- Possession of a controlled substance classified in Schedules I or II (e.g., cocaine, Ritalin, LSD, Ecstasy, anabolic steroids) - term of imprisonment ranging from one to ten years, and a fine up to \$2,500

- Possession of a controlled substance classified in Schedule I or II with the intent to sell or otherwise distribute - imprisonment from five to forty years and a fine up to \$500,000
- Possession of marijuana - confinement in jail for up to thirty days and a fine up to \$500, and upon a second conviction, confinement in jail for up to one year and a fine up to \$2,500
- Possession of less than one-half ounce of marijuana with intent to sell or otherwise distribute - confinement in jail for up to one year and a fine up to \$2,500. If the amount of marijuana involved is more than one-half ounce to five pounds – term of imprisonment from one to ten years and a fine up to \$2,500. If the amount of marijuana involved is more than five pounds – term of imprisonment from five to thirty years

Conviction of any drug offense could, in addition to above penalties, include a six-month driver's license suspension. Persons convicted of drug possession under state or federal laws are ineligible for federal grants and loans for up to one year after the first conviction, and five years after the second. Under federal law, distribution of drugs to persons under twenty-one is punishable by twice the normal penalty with a mandatory one year in prison. Federal laws set substantially higher prison sentences for the manufacture and distribution of drugs if death or serious injury results from the use of the substance.

Rehabilitation Programs

Employees with problems related to the use of alcohol or other drugs are encouraged to seek counseling or other treatment.

A. Assistance from management

1. Management is encouraged to assist employees seeking counseling or other treatment.
2. Management should consult with the EAP before referring an eligible employee to a rehabilitation program.

B. Assistance from EAP

1. Eligible employees are encouraged to consult with the EAP to determine appropriate rehabilitation programs.
2. The EAP can provide information regarding health insurance coverage for rehabilitation programs. Not all programs are licensed, accredited or covered under employees' health insurance coverage.

C. Assistance from other agencies Employees may contact other agencies, such as the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Department of Health, the Department of Rehabilitative Services, and/or Virginia Office for Protection and Advocacy.

D. Leaves of absence to seek rehabilitation

1. At the discretion of management, employees may be granted leaves from work to participate in treatment programs for alcohol and/or other drug use problems.
2. Employees covered under the Virginia Personnel Act (as defined in section II (A) of Policy 2.20, Types of Employment) may use their accrued sick leave for treatment programs, as appropriate, according to Policy 4.55, Sick Leave.

Conclusion

This notification is distributed in accordance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989 (the "Acts"). In compliance with the Acts, Southside Virginia Community College will impose disciplinary sanctions on students and employees (consistent with local, state and federal law) as described above, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct described above.