VALDOSTA STATE UNIVERSITY
Building for Our Next Century
1906-2006

MEMORANDUM

TO: New Faculty, Staff and Student Employees

FROM: VSU Human Resources and Employee Development

RE: Drug Free Work Place Act of 1988
Drug Free Schools and Communities Act of 1989

Valdosta State University, a unit of the University System of Georgia and the recipient of federal funds, supports and complies with the Drug Free Work Place Act of 1988 and the Drug Free Schools and Communities Act of 1989.

As an employee of Valdosta State University, you are hereby advised that the unlawful manufacture, distribution, dispensation, possession or use of the illicit drugs and/or alcohol on the college campus is prohibited and violations of this policy will result in appropriate disciplinary action, to include suspension or termination.

Employees are expected to adhere to the policies of the institution, observe the basic rules of good conduct and to observe all local, state and federal regulations relative to illegal drugs and alcohol. Violations of such regulations to include misdemeanor and/or felony convictions during the course of one's employment will result in appropriate disciplinary action.

As an employee, you are required to provide written notice to the Department of Human Resources and Employee Development, routed through your department supervisor, in the event you are convicted of any drug related violation. Said notice must be provided within five calendar days of final disposition by the court.

A copy of the institution's policy is attached for your personal reference. This policy is subject to modification and said changes will be publicized. Questions regarding this matter may be directed to the Department of Human Resources and Employee Development.

Attachments

Department of Human Resources & Employee Development
A Unit of the Division of Finance & Administration
Location University Center • Entrance 5 • **Address** 1215 N. Patterson St. • Valdosta, GA 31698–0200
Phone 229.333.5709 • **Fax** 229.259.5030 • **Web** http://services.valdosta.edu/human_resources
A Regional University of the University System of Georgia & an Equal Opportunity Institution

VALDOSTA STATE UNIVERSITY

DRUG FREE WORK PLACE POLICY

Revised February 2002

Valdosta State University, as a recipient of federal funds, supports and complies with the provisions of the Drug Free Work Place Act of 1988. As an employer, Valdosta State University will aggressively promote and strive to maintain a drug free work place for its faculty and staff.

The unlawful manufacture, distribution, dispensation, possession or use of illegal drugs by Valdosta State University employees is prohibited. Violations of this policy, to include misdemeanor and/or felony drug convictions during the course of one's employment will result in appropriate disciplinary actions being imposed by the institution. Said penalties may include suspension or termination of employment.

If an employee is convicted (including a plea of nolo contendre) of violating any criminal drug statute of any jurisdiction, regardless of where such violation occurred, the employee, as a condition of employment, must notify the Human Resources Office in writing, routed through their departmental supervisor, of said conviction within five calendar days of such action.

Employees who feel they have a potential substance abuse problem are encouraged to seek professional assistance. The Valdosta State University Counseling Center staff will treat such requests for evaluation or therapy confidentially and provide short term assistance limited to five sessions where indicated. Longer term counseling or therapy will remain the individual's responsibility, and use of private practitioners or rehabilitation facilities is encouraged by the institution.

Faculty, staff members and student employees of Valdosta State University are expected to adhere to the policies of the institution, observe the basic rules of good conduct, and to meet appropriate standards of performance. This policy, as with other institutional policies, including state and federal laws, and Board of Regents policies shall be observed.

Ne w employees of Valdosta State University shall have this policy communicated to them, and said policy shall be included in the Faculty Handbook, the Classified Personnel Policy Manual, and the Student Handbook.

VALDOSTA STATE UNIVERSITY
DRUG FREE SCHOOLS AND COMMUNITIES ACT
DRUG AND ALCOHOL PREVENTION PROGRAM

Adopted September 4, 1990

STANDARDS OF CONDUCT

Faculty, staff and students are hereby advised that Valdosta State University as a recipient of federal funds supports and complies with the provisions of the Drug Free Work Place Act of 1988 and the Drug Free Schools and Communities Act of 1989. The unlawful manufacture, distribution, dispensation, possession or use of illicit drugs and alcohol by employees or students on the college campus is prohibited and violations of this policy will result in appropriate disciplinary action.

APPLICABLE LEGAL SANCTIONS

(a) Possession of an alcoholic beverage by any person under age 21 may result in imprisonment, not to exceed 30 days; or a fine of not more than $300, or both. (O.C.G.A. 3-3-23.1)

(b) Possession of drug related objects will be considered a misdemeanor with imprisonment of up to one year, a fine of not more than $1,000, or both as possible penalties. A second offense is a felony with imprisonment of not less than one year, nor more than five years, a fine of not less than $1,000 no more than $5,000 or both. (O.C.G.A. 16-13-1)

(c) Possession of less than one ounce of marijuana is a misdemeanor with imprisonment and fines structured the same as with possession of drug related objects for first offenders. Subsequent offenses are punished as a misdemeanor. (O.C.G.A. 16-13-2)

(d) Possession of more than one ounce of marijuana shall be punished as a felony. Penalties range from not less than one year to up to fifteen years, depending upon amount in possession and related charges, e.g. trafficking. Fines levied may range from not less than $1,000 to $ million. (O.C.G.A. 16-13-30)

(e) Possession, manufacture, distribution, etc. of controlled substances in Georgia shall be punished as a felony with penalties for such offenses dependent upon circumstances surrounding the arrest. (O.C.G.A. 16-13-30)

FEDERAL SANCTIONS FOR DRUG OFFENDERS

Title 21, United States Code, Section 841-858 describe the acts and criminal penalties and civil and criminal forfeiture provisions established by Congress, covering 28 pages of the text.

Title 21, U.S.C. Section 812, contain five schedules of "controlled substances". Schedule I describes certain opiates; Schedule II contains opium, cocaine, and other addictive substances; Schedule III lists amphetamine, phencyclidine (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.

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 $2,000 to $10,000.

The penalties for "simple possession" of illegal drugs range from 1 to 20 years, depending on 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 on the schedule and amount), where such offense was performed on or within one thousand feet of the college or university. Section A denies certain "federal benefits" to drug traffickers and possessors, such as federal grants, contracts, loans, and profession licenses.

Section 853 provides for feature 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 personal property including, but not limited to aircraft, vessels, vehicles. As well as rights, privileges, interests, claims, and securities.

ASSOCIATED HEALTH RISKS

(a) Excessive use of alcohol and drugs can contribute to serious health problems. The heart, brain, liver and digestive system are among the primary targets. Abuse can also result in mental disorders, blood disorders, and cancer. Birth defects and complications during pregnancy are also known problems.

EMPLOYEE/STUDENT COUNSELING, TREATMENT & REHABILITATION
Employees and students who feel they have a substance abuse problem are encouraged to seek professional assistance. The Valdosta State University Counseling Center staff is available to students seven days weekly, twenty-four hours daily. Students are encouraged to utilize the service of these trained professionals in determining the proper course of rehabilitative action.

Employees of the institution having similar problems are likewise encouraged to seek professional assistance. The Counseling Center staff will afford evaluation and therapy for a short-term basis, limited to five sessions. Longer term therapy will remain the individual's responsibility and the use of private practitioners or rehabilitative centers is encouraged by the institution any many be considered covered charges under the group insurance contract. All inquiries, treatment and referral by the Counseling Center staff will be treated with utmost confidence.

SANCTION/DISCIPINARY ACTIONS
Faculty, staff members and students are expected to adhere to the policies to the institution, observe the basic rules of good conduct, meet appropriate standards of performance and observe all local, state and federal regulations relative to illegal drugs and alcohol. Violations of such policy/law to include misdemeanor and/or felony convictions during the course of one's employment/enrollment will result in appropriate disciplinary actions being imposed by the institution.

Said action for students shall include forfeiture of academic credit, temporary or permanent suspension and withdrawal of organizational recognition by the institution. Employees may be likewise disciplined with sanctions to include suspension, demotions of dismissal when proceedings involving the use of illegal drugs are initiated. Detailed sanctions are covered in the student handbook, Board of Regents Policy Manual and the Classified Employee Personnel Manual.

The university will review this program on a biennial basis to determine its effectiveness and to ensure that disciplinary sanctions are consistently enforced. Improvements in the program will be encouraged, as will the involvement of all sectors of our university community.

Valdosta State University

Employee Acknowledgement

RE: Drug Free Work Place Act of 1989

Pre-employment and Random Drug Screening

I have received information relative to the above referenced federal laws and understand that my adherence to these regulations is expected by the Institution and that violation thereof may lead to disciplinary action(s) to include suspension or termination of employment.

Should my position be defined by the Institution as one of the high-risk occupations in accordance with O.C.G.A 45-20-111, I understand that pre-employment and random drug screenings will be required. Should such test reflect a positive result for use of illegal substances, the offer of employment will be withdrawn; and , if employed, termination of employment will occur, as set forth in the University's Policy and Procedures Manual.

DATE:_____ _____

EMPLOYEE SIGNATURE

_____

PRINTED NAME